

Chief Fisheries and Conservation Officer
Kent and Essex Inshore Fisheries and Conservation Authority
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25th February 2016.

Dear Chief Officer,

Magnox Limited and Blackwater Estuary MCZ.

The Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone, Essex, was established in November 2013, and designated with effect from 12th December 2013. The protected features of this MCZ along with the management objectives for these features are:

<u>Protected feature</u>	<u>Type of feature</u>	<u>Management objectives</u>
Intertidal mixed sediments	Broadscale marine habitat	Maintain in favourable condition
Native oyster (<i>Ostrea edulis</i>) beds	Marine habitat	Recover to favourable condition
Native oyster (<i>Ostrea edulis</i>)	Species of marine fauna	Recover to favourable condition
Clacton Cliffs and Foreshore	Feature of geological interest	Maintain in favourable condition

In June 2014 Magnox Limited, the owner of Bradwell nuclear power station which is situated on the Blackwater estuary, obtained a permit for 12 months from the Environment Agency to allow it to discharge radioactivity, heavy metals and nitrates into the estuary arising from its decommissioning of the nuclear plant and its procedures for the management of fuel element debris. The Magnox company conducted a Strategic Environmental Assessment¹, dated June 2013, which considered the impact on statutory designated nature conservation sites. The Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone was not assessed in this June 2013 report.

In June 2015 Magnox Limited reapplied to the Environment Agency for an extension to their discharge permit. This application was not granted because, upon its consideration, deficiencies were considered to exist over the “appropriate assessment” relating to the impact of the discharges on the statutory designated nature conservation sites, and this appropriate assessment is now being conducted and expected to go out to public consultation in April 2016.

However Magnox Limited have been allowed to continue with their discharges of radioactivity, heavy metals and nitrates into the estuary because the Environment Agency has decided “not to enforce the time limit” on the now expired original 2014 licence.

¹ <http://www.magnoxsites.co.uk/wp-content/uploads/2014/02/Bradwell-SEA.pdf>

Our purpose in writing to you is to establish:

1. Whether the Kent and Essex IFCA were consulted prior to the issuing of the original 2014 licence as to the impact of the discharges on the Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone and, if so, whether you can make available to us a copy of the comments which the Kent and Essex IFCA submitted.
2. Whether the Kent and Essex IFCA were consulted over the 2015 permit application to discharge into the estuary and its impact on the Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone and, if so, whether you can make available to us a copy of the comments which the Kent and Essex IFCA submitted.

We would be grateful to receive your advice upon these matters.

We also note that the native oyster fishery in these estuaries is an active fishery, and that under the Marine and Coastal access act 2009 there is an obligation upon IFCAs to ensure that the conservation objectives of a Marine Conservation Zone are furthered.

Yours sincerely

S. D. Eades
Marinet Limited.