

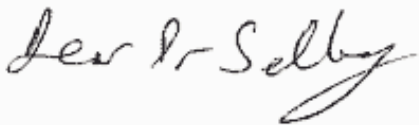
# Department for Communities and Local Government

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## **PROPOSED VARIATION OF AN EXISTING FAVOURABLE GOVERNMENT VIEW FOR AREA 202 TO ENABLE MARINE MINERALS DREDGING TO CONTINUE FOR A FURTHER 5 YEARS.**

I refer to your request, made on 6 July 2005, to vary the terms of an existing favourable Government View (GV) issued in September 1999 on the extraction of 2.5 million tonnes (mt) over 5 years from Area 202. You wish to vary this existing favourable GV to enable dredging operations to continue for a further 5 years so that the full tonnage that received a favourable GV in 1999 can be extracted.

The favourable GV issued on 21 September 1999 related to the extraction 2.5 million tonnes (mt) of aggregate over a 5 year period from Area 202. The GV was subject to a number of conditions including one requiring that no more than 0.5mt to be removed annually. The subsequent licence issued by the Crown Estate expired on 1 January 2006, by which time just 0.9mt had been extracted. You, therefore, requested the former First Secretary of State to vary this existing favourable GV so that the un-dredged balance of some 1.5 mt could be extracted over a further 5 year period. As consultation and investigation of this request could not be completed in time to allow the Secretary of State to issue a decision before 1 January 2006, you applied for a temporary variation to the existing GV issued in 1999 to enable 100,000 tonnes of aggregate to be dredged from Area 202 over the period 1 January 2006 to 30 June 2006. The Secretary of State issued a favourable decision on that temporary variation on 23 December 2005.

In support of your present application to vary the existing GV to enable the extraction of 1.5 mt over 5 years from Area 202, a variety of updated environmental information has been produced, including an updated Environmental Statement. This was subject to consultation, carried out on behalf of your company by Marine Ecological Surveys Limited (MES), with nearly 50 bodies based on a list provided by this Department. These included the Department for Environment, Food and Rural Affairs (DEFRA), other government departments, the Centre for Environment, Fisheries and Aquaculture Science, the Marine Fishing Agency (formerly the Sea Fisheries Inspectorate), coastal local authorities, English Nature, English Heritage, the Environment Agency, the Joint Nature Conservation Committee and the fishing industry. In addition, representations were received from Tony Wright MP, Norman Lamb MP, a number of environmental groups, such as Marinet, and members of the public. All the representations received,

and any subsequent correspondence with those submitting representations, formed part of a Summary of Consultation Report that MES submitted to this Department (and DEFRA) in May 2006. In the light of all this information the Secretary of State has 'screened' this proposed variation to the existing GV, as required by the EC Directive on Environmental Impact Assessment (85/337/EEC as amended by 97/11/EC and 2003/35/EC) and concluded that it is not EIA development.

Following consultation with DEFRA and taking into account the views of those bodies consulted on the proposed variation, in particular those expressed by the Government's statutory advisors on the environment, the Secretary of State has decided that the existing favourable GV for Area 202 should be further varied to allow the extraction of up to 1.5mt of aggregates over a 5 year period from 1 July 2006, subject to an annual maximum of 0.5mt. The Secretary of State invites the Crown Estate Commissioners to consider in relation to any licence they may decide to issue, the imposition of conditions in the terms of those set out in the Schedule of Conditions appended to the MES Summary of Consultation Report that is consistent with, and updates, the Schedule annexed to the existing favourable GV issued in September 1999. It is noted that in response to representations received from DEFRA and English Heritage that swath-bathymetric surveys will continue on an annual basis and that your company will observe the Guidance Note, *Marine Aggregate Dredging and the Historic Environment*, issued by the British Marine Aggregate Producers Association and English Heritage in April 2003, the related *Protocol for Reporting Finds of Archaeological Interest*, issued in August 2005, and any subsequent replacements of those documents.

Copies of this letter have been sent to Gary James (DEFRA) and Jason Golder (Crown Estate) for information.

Yours sincerely  


**Nigel Bayliss**