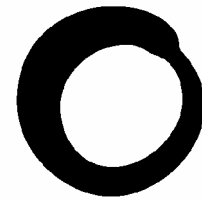




Marine Information Network
www.marinet.org.uk



**Friends of
the Earth**

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7th August 2006.

For the attention of: Mr. Nigel Bayliss, Dept. for Communities and Local Government,
Minerals Planning, Division B, Zone 4/B1,
Eland House, Bressenden Place, London SW1E 5DU.

Dear Mr. Bayliss, Licence Decision June 2006 : Areas 202 and 436.

Thank you for your letter of 30th June 2006 informing us of the decision by the Department for Communities and Local Government (DCLG) to grant a licence for continued dredging of Area 202, offshore from Great Yarmouth.

We would be grateful for your additional advice on the following points in respect of this decision:

Area 436.

The applicant, Hanson Marine Aggregates Ltd (HAML), advised in their January 2006 Environmental Statement Update that they would be surrendering their licence for Area 436 which is essentially an extension of Area 202 (reference: Environmental Statement for Area 436, March 1997).

Although your licence decision of 30th June 2006 in respect of Area 202 makes no mention of Area 436 and its proposed surrender, we assume that DCLG have formally accepted the surrender of Area 436. We would be grateful for your confirmation of this fact.

This surrender being so, we would be grateful for your response on the following points:

1. As we advised you on 10th May 2006, we are concerned that Area 436 is being surrendered in a poor condition. In particular, the January 2006 ES Update stated that during the previous five year period of extraction the seabed in Area 436 has been lowered by 3 metres and, in some places, by 5 metres. Further, the ES Update reported that dredging during this five year period only accounted for 20% of the seabed loss. The reason for the loss of the remaining 80% remained unexplained (other than the ES Update stating that “natural morphological processes” were the cause without defining the nature of these “natural processes”). We asked that the applicant and its

consultants explain this additional (80%) loss because of its potential significance for other aggregate dredging areas off Great Yarmouth (if a similar loss were to occur in other areas, then the aggregate resource would disappear long before the aggregate company had the opportunity to extract the resource), and we asked that this matter be determined before DCLG issued a new licence for Area 202.

Accordingly, we now ask whether DCLG has determined the reason for the 80% loss of seabed in Area 436 beyond that which is accountable to aggregate extraction, and whether DCLG has established whether this loss (80%) does or does not have implications for Area 202 and other adjacent licences ?

2. Given the condition described above for the seabed in Area 436 upon its surrender, and given that Marine Minerals Guidance Note 1, section 41 (i) states:

It may also be necessary, in appropriate cases, to demonstrate that:

(i) an adequate depth (normally at least 50 cm) of suitable material has been left as a 'capping layer' to provide a substrate for recolonisation.

We do, accordingly, wish to enquire what steps DCLG has taken to establish that Area 436 is being left in a condition to meet Section 41 (i), assuming that Area 436 is an "appropriate case" given the unexpected rate of loss of seabed documented in the January 2006 ES Update ?

Monitoring Conditions.

It is normal for a licence to be issued subject to monitoring conditions, ref: MMG1 sections 39 to 51. We would therefore be grateful for your advice on the followings points in connection with the surrender of Area 436 and the granting of a new licence for Area 202.

1. Could you please advise us as to the nature of the monitoring regime that will be implemented by Hanson Aggregate Marine Ltd for Area 436 in order to establish its rate of physical and biological recovery, and can you please supply us with a copy of the terms and conditions of this specific monitoring regime.

2. Given that we, in our representation on the current licence decision for Area 202, identified a number of physical and biological risks associated with an extension of dredging in Area 202 we assume that DCLG has required the licensee, HAML, to undertake a monitoring programme during the new 5 year licence period. Accordingly, could you please advise us as to the nature of this monitoring regime, and can you please supply us with a copy of the terms and conditions of this monitoring regime.

We are obliged to you for your assistance with our enquires and requests.

Yours sincerely

S. D. Eades
On behalf of
MARINET.