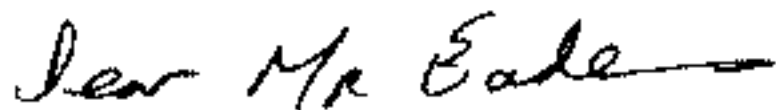


6 March 2007

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Our Ref:  
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**AREA 401/2 & AREAS 202/436**

Thank you for your letter of 8 January, in response to mine of 21 December 2006. I am very sorry that I have been unable to respond before this. Thank you for your patience.

It is the practice of this Department to send copies of Government View (GV) decision letters to only those parties which have commented upon the applications to which they relate and for publicity to be given to, and public consultation to be carried out on, only new GV applications that will have significant effects on the environment, thereby requiring environmental impact assessment and the production of an Environmental Statement. It is also the practice of this Department to consult only relevant consultation bodies and not to publicise or consult the general public on applications for variations to existing GVs that, in the opinion of the Secretary of State, will not have a significant effect on the environment and not require environmental impact assessment and the production of an Environmental Statement.

As you will know, the previously granted favourable GV for Area 401/1 and 401/2 allowed Hanson Aggregates Marine Limited (HAML) to extract 20 million tonnes (mt) by 31 March 2006 when the GV would have expired. By this time, however, only 14.42 mt had been extracted.


Both the variations to this existing GV that I referred to in my earlier letter simply extended the time during which dredging might occur without any additional tonnage being extracted. The variation granted on 31 March 2006 allowed HAML to extract up to 1.5 mt from Area 401/2 from 1 April 2006 to 31 December 2006. However, during this 9 month period only 300,000 tonnes were extracted and the further variation granted on 21 December 2006 allows HAML to extract the remaining, unused residual balance of 1.2 mt (1.5mt – 300,000 tonnes) from this area during the first six months of this year.

In the opinion of the Secretary of State, neither of these two variations to the existing favourable GV for Area 401/2 will have significant effects upon the environment and did not, therefore, require Environmental Impact Assessment. Consequently, no publicity was given to them and public consultation was not carried out on them. The Secretary of State determined them on the basis of the environmental advice that she received from the Department of Environment, Food and Rural Affairs and the Centre for Environment, Fisheries and Aquaculture Science. This explains why you were not made aware of these two variations.

I enclose copies of the letters I sent to HAML on behalf of the Secretary of State on 31 March 2006 and 21 December 2006.

I anticipate that the Secretary of State's decision on HAML's new GV application, which was the subject of public consultation in 2005 and has subsequently been amended to extract 2 mt per annum up to the end of 2013 from Area 401/2, will be issued shortly. The decision letter, when issued, will contain the Secretary of State's reasons for making that decision and will be sent to all those who have made representations on the matter, including yourself.

Thank you for sending me copies of your earlier letters on Areas 202 and 436 with your letter of 8 January. That was most helpful as I cannot trace the originals. I am afraid, however, that there is nothing more I can usefully add to the contents of my earlier letters of 30 June 2006 and 29 September 2006, as well as my E-mail to you dated 12 July 2006 on this matter.

*Yours sincerely*  
  
Nigel Bayliss