



Marine Information Network
www.marinet.org.uk

Allington House
Allington
Chippenham
Wiltshire SN14 6LN
Tel. 01249 653972

7th July 2007.

For the attention of: Mr. Nigel Bayliss, Marine Minerals Casework Adviser,
Marine and Fisheries Agency, 3-8 Whitehall place, London SW1A 2HH.

Dear Mr. Bayliss, Marine Aggregate dredging Licence : Area 401/2.

Thank you for your letter of 3rd July 2007 which replies to our letter of 2nd April 2007. We accept your apology for the delay in replying, but note that it has taken you 3 months to reply.

We thank you for your advice about future consultative procedures arising from the *Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (England and Northern Ireland) Regulations 2007*. We note that you will now advise MARINET of licence applications if the Marine and Fisheries Agency (MFA) considers that a licence may have a significant effect on the environment, but when the MFA considers that no significant effect will occur in connection with a licence you will not advise of the licence application.

In our letter of 2nd April 2007, we stated:

“Secondly, in your letter of 6th March 2007 you advised us that you anticipated that the Secretary of State’s decision on HAML’s new licence application would be issued shortly.

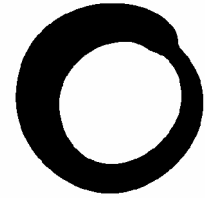
This statement by yourself has been made against the background of our letter of 18th February 2006 to your Department (attention of Mr. Matthew Louis) in which we advised you that following the ES procedure there remained serious outstanding and unresolved concerns between ourselves and HAML over their ES, and also against the background where we again advised your Department of this situation in our letter of 8th January 2007.

In our letter of 8th January 2007 we asked if the Secretary of State was going to make a decision on HAML’s new licence application without your Department seeking to discuss with us our outstanding concerns. In other words, arriving at a decision regardless of these concerns and any path to their resolution.

Your reply of 6th March 2007 entirely ignored this specific matter.

Accordingly, we repeat to you : will the Secretary of State make a decision on the new HAML licence application for Area 401/2 without your Department seeking to discuss with us our outstanding concerns and how they may be resolved ?”

Your reply of 3rd July 2007 made no reference to these specific matters.



**Friends of
the Earth**

We regard this refusal of your Agency to address these matters as a serious deficiency in the work of your Agency (formerly Department for Communities and Local Government).

In the decision document of 11th April 2007 issued by Mr. Denis Spooner, it is stated that a principal reason for granting the licence and not heeding the objectors to the granting of that licence is that *“The Secretary of State is not aware of any scientific evidence that demonstrates that coastal erosion is attributable to marine mineral dredging off the East Anglian coast”*.

We find this statement very strange because in our evidence to DCLG we advised you on 18th February 2006 that there remained serious outstanding and unresolved concerns between ourselves and HAML over their ES, and that we expected DCLG to address these before making a determination upon the licence application.

Your Department/Agency has consistently refused to communicate or acknowledge this matter with us, and this is further compounded by your letter of 3rd July 2007.

This is significant because our objections and serious outstanding and unresolved concerns were and are of a **scientific nature**.

To be specific, we raised with you and HAML the following matters:

1. The wave model used by HAML's consultant, HR Wallingford, had used flawed scientific data in the construction of its model, and thus the wave model itself and its predictions of the erosive nature of the wave regime in the area upon the coast was flawed and probably invalid.
2. We documented the historic erosion of the offshore sand bank at Scroby Sands since the commencement of aggregate dredging off the Great Yarmouth coast, a matter of some significance because the decline of this major sand bank will have had a profound effect on the wave regime in the area and its erosive force on the coast during this historic period.

Both of these matters are scientific in nature, and record a cause of coastal erosion that it possibly caused by mineral dredging off the coast of East Anglia.

Your Department/Agency has taken no steps, to our knowledge, to investigate either of the scientific matters that we have raised. Certainly if you have investigated these matters, you have not communicated the existence of this investigation or its conclusions to ourselves.

Accordingly, we are now raising this matter with the Head of your Marine Environment Team, Mr. Denis Spooner, and we will be forwarding a copy of this letter to him.

Yours sincerely

S. D. Eades
On behalf of
MARINET.

