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16th December 2007.

For the attention of : The Chief Executive Officer, Marine and Fisheries Agency,
3-8 Whitehall Place, London SW1A 2HH.

Dear Sir, Marine Aggregate Licence Application for Area 457, Liverpool Bay.

We submitted detailed evidence on 1st March 2004 to your officers relating to our concerns in respect of the licence application to extract marine aggregate from Area 457 and the adequacy of the applicant's Environmental Statement. This evidence will be on your file, is currently being placed on our website <http://www.marinet.org.uk/mad/objection.html> and can be supplied to you in hard copy if required.

Since 1st March 2004 we have received no further communication or consultation from your officers in respect of our concerns.

We now understand in an advisory letter dated 7th December 2007 from your officers – the letter emphasises that it is information purposes only – that your Agency is seeking the view of the applicant as to whether the proposed Schedule of Conditions which might accompany the issuing of the licence are acceptable.

We wish to register with you our profound concern that neither the applicant nor its consultants, nor your officers, have sought to consult with us since the submission of our evidence on 1st March 2004. As such, it appears that our evidence has been ignored and the issues that we have raised would appear to have remain unaddressed. We regard this as an unacceptable basis for the determination of the licence application for Area 457. To be specific, our unanswered concerns are in summary:

1. The need for the extraction of marine aggregate from Area 457 has not been proved by the applicant.
2. The extraction of marine aggregate from Area 457 will have a profoundly detrimental effect on the coastal processes which govern and sustain the physical integrity of the adjacent coast, the majority of which provides essential natural sea defences and is of European conservation status.

3. There has been no sampling of the levels of man-made chemicals, metals and radionuclides in the seabed sediment in the proposed area of extraction, despite the fact that the extraction site is adjacent to a dumping site for sewage sludges which operated over an extended period of time; despite the fact that the chemical industry in the inner Mersey estuary has discharged substantial amounts of man-made chemicals into these waters over an extended period of time; and, despite the fact that radionuclides of a complex and varied nature discharged by the nuclear industry are known to have accumulated in seabed sediments in Liverpool Bay.

A failure to sample the seabed sediments in the proposed aggregate extraction area, and to predict the consequences of the resuspension of these materials in the water column is, in our opinion, a serious deficiency.

4. The area of aggregate extraction is part of an established spawning and nursery area for several commercial species of fish, and we believe the impact on this fishery has been inadequately evaluated.

As stated, neither the applicant, nor its consultants, nor your officers have attempted to communicate with us to discuss our concerns. We must therefore conclude that our concerns remain unevaluated.

In the light of this, we wish to establish whether your officers do intend to consult with us.

We also wish to establish whether your officers know of any evaluation that has been undertaken by the applicant and its consultants with regard to our concerns and, if so, whether this evaluation will be made available to us for consideration and comment prior to the determination of the licence application for Area 457 by your officers.

In addition, we wish to know whether the new procedures established under Marine Minerals Guidance Note 2 – namely, the right of those consulted to seek a review of the evidence by a Planning Inspector if they consider the evaluation of evidence and determination of the licence to be inadequate and unsatisfactory – exists as a procedure open to us in respect of this licence application (Area 457) should the present failure to consult with us by the applicant, its consultants and your officers persist.

Yours faithfully

S. D. Eades
On behalf of
MARINET.