Main Identity

From: "Latimers" <robert@latimers.com>
To: <catherine.ruane@environment-agency.gov.uk>
Sent: Monday, September 04, 2006 10:00 AM
Subject: The EA say they seek to deal with the public in a couteous manner, then direct me back to the person that could not answer my questions in the firat place

Dear Ms Ruane

Further to your letter dated 29 August, I take note of what you say in the second paragraph of your letter but the fact is if you consider that passing me from EA Dept to EA Dept is courteous and serves a purpose, you should be ashamed because as you well know - this is what is being done. To suggest that you understand my frustration when it seems that my requests are passed from one department to another, then you state - "In order to ensure that any future requests are dealt with effectively and to avoid any potentential confusion over multiple requests. John Hogger has been nominated as the co-ordinator in relation to your correspondence on the River Tyne Dredging" - this has to be a joke, is this what you, as the EA Regional Solicitor, calls being courteous, directing me back to the very person who could not answer my questions in the first place?

This is what John Hogger said - "in order to make sure we give you an accurate picture of our relevant legislation pertaining to this work, I have asked the EA Legal Dept to prepare a brief summary. I will forward this on to you when I receive it, which will be within the next two weeks (i.e. by 19 July)" - 19 July came and went there was no reply - then a response from your colleague Rebecca Bloxwich - "As you know, John Hogger forwarded your query to the legal department. I realise that we promised you a response by the 19 July and I can only apologise that this e-mail did not reach you by that date, there was some confusion over whether this e-mail was coming to you directly from legal or from the area office"

The reply came from Ms Bloxwich but it did not answer my questions, so I wrote back to her, to my surprise I then received another letter from Ms Carol Bolt, another colleague of yours in the EA legal Dept, I quote "Ms Bloxwich did not address the specific question you quote in your e-amil of 21 July as this was addressed to Dr Hogger in your e-mail of 5 July and she was answering queries raised by you at an earlier point. However I am happy to clarify the matter. The concerns that you quote as being raised on behalf myself (Carol Bolt of the EA Regional Legal Dept) were raised by the Agency in its oringinal objection to the application for the Transport and Works Act 1992 Order for the Second Tyne Tunnel. After making this objection the EA negotiated with the promoting authority, the TWPTA, which was prepared to agree" - "The dredging under the Tyne Dredging Trial is not being carried out under Transport and Works Act 1992 powers but under the Port of tyne's statutory powers. The Agency has no opportunity to object to dredging carried out under these powers, under statutory procedure, as it had under the proposal for the second Tyne Tunnel" - I questioned this information provided by Ms Bolt, her reply was, I quote - "I have forwarded your e-mail and your other 3 emails of the same date to John Hogger"

It has always been my belief that it is a scam to call the Tyne Dredging Trial - 'maintenence dredging' - because it clearly is not, being called this is only to get around the regulations. The contaminated sediment has been there in excess of 10 years and to remove it is 'capital dredging' and I believe it was the EA's legal duty to point this out and to insist that a full EIA was carried out and this is why the EA legal dept are attempting to fob me off.

Defra now state, I quote - "On your final point any application to carry out a further confined disposal at sea of contaminated dredged material would only be considered once Defra and Ministers were satisfied that the trial disposal had met its objectives. Any future application for such a disposal operation is likely to be classed as a capital dredge and in any case would required an EIA to be carried out which would need to be advertised in the normal way" - The EA are the experts in this field as Ms Carol Bolt's objection to the New Tyne Tunnel shows, the regulations have not changed, so if a full EIA is required now, then a full EIA should have been provided for the disposal that has taken place, it was the EA legal department's duty to point this out.

I want this letter to be considered as a formal complaint that the EA failed to look after the public's interest siding with the applicants and Defra in allowing the Dredging Trial to go forward under the pretence it was just normal dredging when clearly, as seen by Defra's comments now, it was not.

I beleive this is not a issue for John Hogger but an issue for your department, as can be seen by the objection to the New Tyne Tunnel.