



PORTISHEAD TOWN COUNCIL

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29th March 2021

To Marine Management Organisation

Dear Sir/Madam

REFERENCE: MLA/2012/00259/6 – EDF's Proposed dredge and dumping of mud from Hinkley C Site into Cardiff Bay and Portishead.

Having assessed the various evidence available, I am writing on behalf of Portishead Town Council to object to the proposal and formally request that the application should be subject to a full Public Enquiry. The Council makes this request because there are many open points that need full scrutiny by independent experts in full view of the public.

These open points include the following:

1. A full Environmental Impact Assessment is required, in part, to enable follow-up testing to be conducted should the license be granted:

We note that:

- a) Baseline tests have not been carried out by EDF on the Portishead site and areas/atmospheres likely to be affected by the deposit of sediment. Without these, we shall not be able to identify the impact of the disposal on the Portishead site and its surrounding areas/atmospheres.
- b) Natural Resources Wales (NRW) have confirmed that an Environment Impact Assessment (EIA) will now be required for the dredge disposal marine licence at Cardiff Grounds. EDF has not carried out an EIA for the proposed Portishead site (LU070) which is close to proximity to an SSI and Ramsar site.

Why the double standards?

2. Incomplete assessment of potential alternative sites or alternative methods of sediment disposal:

Initially, EDF had committed to the disposal within the Hinkley sediment region (subject to meeting the MMO Criteria). Subsequently EDF decided to use the Cardiff Grounds site. No information has been provided to explain which of the MMO criteria had been failed and prohibited the disposal of the wastes "within the Hinkley sediment" region.

The Environment Agency has proposed the use of Holm Deep, an offshore site in the centre of the Bristol Channel/Severn estuary, distant from any coastline (unlike both the Cardiff Grounds and the Portishead site) and otherwise, suitable for the disposal. This was rejected by EDF, in a presentation to our Portishead Town Council, on the grounds that they are bound to dispose within the Severn Estuary Special Area of Conservation. However, subsequently we have determined that that Holms Deep does lie within this area.

The rejection, by EDF, of the offer of Holm Deep as a disposal site, despite the advantages of its distance from vulnerable intertidal zones, inshore fisheries and coastal communities and a strongly “dispersive” environment, has never been examined or reviewed.

We note also that two dredgers from Royal Portbury Docks and Avonmouth take sludge daily down the Channel to a designated dumping area off Lundy Island.

Has this site be considered ? If not, why not? These dredgers are taking sludge down the Channel, well off our coasts, so why is EDF attempting to dump it off our shores? This does not make sense.

3. Marine Ecology:

On marine ecology (section 5 of [EIA non-technical summary on disposal at Portishead](#)), EDF states ‘A desk study was carried out to assess the impact the Proposed Scheme would have on marine ecology. Data has been sourced from numerous publicly available sources’.

However, no field work on the specifics of the Portbury Wharf Nature Reserve or Salt Marshes sites have been carried out. The Salt Marshes are a breeding ground for many endangered birds including the Curlew as well as home to a myriad of wildlife.

However, this section of the report concludes: ‘The existing marine ecology environment around the Disposal Site and the wider Severn Estuary is not expected to change as a result of the Proposed Scheme. The impacts of the Proposed Scheme will be of a temporary nature with no long-term significant effects predicted.

How can EDF assert this, when it has been unable to visit the area due to COVID?

There is no indication of the nature of these ‘temporary impacts’ or their longevity. What does EDF consider to be the nature of these ‘temporary impacts’ or their longevity?

Only a full Environmental Impacts Assessment can answer these questions.

4. Marine Physical Processes:

In section 7 (ibid) , EDF concludes: ‘Most impacts on marine physical process as a result of the Proposed Scheme would be negligible.

So clearly there will be some impact. We need to know what they are.

The suspended sediment concentration of the plume associated with the Proposed Scheme is small compared to the natural variation in background suspended sediment concentration. There is the potential for the placement of dredged material from the Proposed Scheme to increase bed level at the Disposal Site, although it has been assessed to only be significant in the short-term

What is significant, what is short-term?

To minimise potential changes to the bed level, monitoring of the Disposal Site pre- and post-disposal activity will be agreed with the Marine Management Organisation, if required’.

If EDF are offering to do this, when they are not offering to do baseline tests generally, we can only conclude that this indicates some real concern about the bed level at the disposal site.

5. Shipping and Navigation:

Section 9 (ibid) states: 'Vessel movements associated with the disposal of dredged material may lead to disruption to commercial vessel routeing and subsequently could increase collision risk, particularly in higher density shipping areas.'

LU070 is just off Battery Point, a busy shipping lane, so this is highly relevant for Portishead.

Why is there no assessment of this collision risk and potential impact?

The MMO states that: 'In deciding an application, we must consider all relevant matters including the need to:

- protect the environment.
- protect human health.
- prevent interference with legitimate uses of the sea.

In this context, the environment includes sites of historic or archaeological interest as well as natural habitats and species. You (the applicant) are responsible for providing sufficient information with your application in order for us to assess it. This must include details about the activities you wish to carry out as well as information on the likely impacts associated with them.'

Having reviewed the information provided by the applicant, our assessment is that that there is a lack of sufficient information with this application, particularly with regard to the likely impacts.

We note the following from the [MMO website](#): 'The precautionary principle is applied when making licensing decisions in such circumstances and prevents a lack of scientific certainty to be used as a reason to postpone cost-effective measures to prevent environmental harm. In certain circumstances the MMO can ask Defra Ministers if they want to hold a public inquiry and then decide an application themselves.'

The concerns listed above clearly indicate that the MMO's Precautionary Principal Criteria must be invoked, and that in the absence of the required "scientific certainty" in many areas, a Public Inquiry is now required in order to clarify these issues and generate the required degree of scientific certainty necessary for a clear and well-informed decision making process to be conducted.

6. Impact on local swimmers and beaches.

There has been a significant increase in swimming and other water and beach based leisure activities off the coast at Portishead during the last year. The potential impact of contamination on people enjoying these pastimes or on the local beaches themselves does not appear to have been fully considered.

Summary: Based on the above, Portishead Town Council makes the following formal requests.

- a. that the MMO refer this application to Government Ministers for a decision to set up a Public Inquiry in order to clarify both the scientific and technical issues and the strategic and policy issues including the decision making criteria etc.
- b. that the MMO initiate a full and detailed Environmental Impact Assessment in order to provide the appropriate level of high quality, detailed scientific evidence to inform a Public Inquiry.

Yours sincerely



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