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Natural England
Hercules House, 7 Floor
Hercules Road
London SE1 7DU

Attn: Julie Hunt

Your ref: JAL/LEG01-012-011

Our ref: MCF1-001/LF

26 July 2012

Dear Sirs

Latchmore Brook Restoration Project (High Level Stewardship ref AG0030016)

We refer to your letter of 15 June 2012 to our client's previous advisors, Anthony Harris & Co, and to our letter of 27 June 2012 to the Environment Agency copied to Natural England.

Unit 28

NE has never been consulted on works to SSSI Unit 28 although the 2011 and 2012 SSSI Unit Restoration Plans propose works to raise the stream bed in this unit. Please advise how this material omission has occurred and what the implications are for the Latchmore Brook SAC.

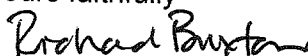
Unit 43

Please explain why these works are being agreed to at all since the NE SSSI data sheet for Unit 43 confirms that as of 27 June 2012 the unit is in favourable condition (this is also confirmed on the map for the area). Is Natural England aware that the area condition has been reassessed and updated calling into question the need for the works at all in this area and/or necessitates a full assessment of what effects the restoration works to this Unit and to Unit 48 identified in the so-called shadow Habitats Regulation Assessment dated 14 June 2012 would have on Unit 43.

We would be grateful if you would confirm as a matter of urgency, and in any event by 3 August 2012, on the basis of the above (i) that you agree to withdraw your letter of 15 June 2012 and the 14 June 2012 HRA as containing material omissions and errors so that the documents are not reliable in relation to the legal issues being raised by our clients under the Habitats Directive.

From what we have seen there are serious flaws in the biodiversity assessments before Natural England and we are certain based on what we have seen that Natural England does not fully understand what works are being proposed to which SSSI units and what the implications of the works are on the Latchmore Brook SAC.

Yours faithfully



Richard Buxton

- cc. New Forest National Park Authority (Attn: Julie Mutlow)
Environment Agency (Attn: Christopher Hayball)
Forestry Commission (c/o Eversheds Attn: Mark Rhys-Jones)
Verderers of the New Forest (Attn: Dominic May)

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