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Ms Anne Selby
Chief Executive
Lancashire Wildlife Trust
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PRESTON PR5 6BY



4 July 2007

Dear Anne

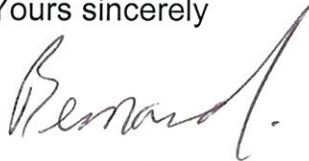
BRENNAND AND WHITENDALE RIVERS

Further to our conversation of today, please find enclosed two letters from Michael Jack, one dated 12 June and the second dated 27 June.

The first is the agreement by Michael to make his FLoWE presentation to the Group at our meeting at Cuerden on the 6 September and the second letter is the response to the letter by John Wells which was passed on to David Milliband. From the response I am not sure that this advances the situation very much but, as can be seen from the letter, Michael is prepared to take this further if necessary.

I would hope that you will bring this to John's attention and indeed involve both Michael and myself, if necessary, to bring about a favourable conclusion to this intractable problem.

Yours sincerely



County Councillor Bernard J Whittle
Conservative Group Chairman
Lancashire County Council
PO Box 78 County Hall Preston PR1 8XJ

From: THE RT HON MICHAEL JACK MP



HOUSE OF COMMONS
LONDON SW1A 0AA

27 June 2007

County Cllr Bernard Whittle
Conservative Group Chairman
Lancashire County Council
PO Box 78
County Hall
Preston PR1 8XJ

Dear Bernard

Further to your letter of 1 June I am enclosing a reply which I have received from David Miliband to representations I made on your behalf with reference to the Brennand & Whitendale Low Flow Alleviation Scheme.

From your letter I gather that John Wells will be in a better position than I to adjudge whether the Secretary of State has said anything which could be regarded as progress with reference to this project. I hope the information contained in the letter will be of some value but if I can be of any further assistance pleased do not hesitate to let me know.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Jack'.

The Rt Hon Michael Jack MP

Nobel House
17 Smith Square
London SW1A 3JR

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Email david.miliband@defra.gsi.gov.uk
Website www.defra.gov.uk



The Rt Hon Michael Jack MP
House of Commons
London
SW1A 0AA

19 JUN 2007

Our ref: MC27811/GW
16 June 2007

From the Secretary of State
The Rt Hon David Miliband MP

A handwritten signature in black ink, appearing to read "D Miliband".

Thank you for your letter of 7 June on behalf of your constituent Councillor B Whittle in which you enclose a copy of a letter from Mr J Wells, Chairman of the Brennand & Whitendale Focus Group, about the Brennand and Whitendale Low Flow Alleviation Scheme.

The Environment Agency's Restoring Sustainable Abstraction programme is an umbrella for its work to rectify problems caused by abstraction. Of necessity, the work under that programme must be prioritised according to the status of the site.

There are two mechanisms in law for abstraction licences to be varied – for the holder to apply under section 51 of the Water Resources Act 1991 (WRA), and for the Agency to seek changes via section 52 WRA.

As Councillor Whittle is probably aware, in late 2006 Ministers agreed to an Agency suggestion to revisit the option of using the price review to deal with the financial implications of licence changes necessary to protect Habitats sites, as a way to reduce the administrative burden that would fall on the Agency and ease the pressure on charges. A solution has been devised that is compatible with the legal framework and to which Ofwat has, in principle, agreed.

We are continuing to work on finalising the funding solution, but as mentioned in earlier correspondence on this matter, United Utilities can act in advance of that by using the provisions of section 51 WRA, if it wishes to demonstrate its environmental credentials and reduce its environmental impact.

A handwritten signature in black ink, appearing to read "D Miliband".

DAVID MILIBAND

You can read my blog at www.davidmiliband.defra.gov.uk

From: THE RT HON MICHAEL JACK MP



HOUSE OF COMMONS
LONDON SW1A 0AA

12 June 2007

County Councillor Bernard J Whittle
Conservative Group Chairman
Lancashire County Council
PO Box 78
County Hall
PRESTON PR1 8XJ

Dear Bernard

Thank you for your letter of 1 June.

I read the letter of 14 February addressed to David Miliband from John Wells with care. I can well understand in the light of all the work that was undertaken why you are frustrated that the project to increase the river flow in the Brennand and Whitendale rivers cannot for the reasons stated go ahead. I will certainly make some enquiries of DEFRA as to why this is the case and as soon as I receive a response from the Department I will of course let you know.

You also go on to discuss my making a presentation on Thursday, 6 September to the Lancashire Environment Forum with reference to the work we are undertaking with FLoWE. I would of course be delighted to do that and would be grateful in due course if you could send me a little more information as to where in Cuerden I should report at 10.00 am.

Best personal wishes.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Jack', written in a cursive style.

The Rt Hon Michael Jack MP