



From Lord Berkeley
0044 7710 431542, berkeleyafg@parliament.uk
@tonyberkeley1, Lordsoftheblog

28th February 2015

The Lord de Mauley
Parliamentary Under Secretary of State
DEFRA

Dear Rupert,

Thames Tideway Tunnel – Binnie Report

Thank you for your letter of 24th February and long attachment. I am grateful to you for them.

However there are a number of instances where I cannot accept your assessment. For instance, nearly half your letter comprises a complaint about the way Professor Binnie has asked for data. You state that “At no point has the Environment Agency withheld any data.” Professor Binnie asked for 10 years of data from all 9 AQMS stations. He was provided with 7 years data from just 3 stations. Thus the EA has withheld data. Furthermore, the data was provided on a link and the Environment Agency soon afterwards withdrew that data from the link, so it is now no longer available. So the EA only gave a proportion of the data requested, but has now withdrawn even this from its website.

Can you therefore confirm that the EA will now provide all the information requested by Prof Binnie without delay and on a publicly and permanently accessible link?

Much is made in your response about the event of August 2011 and that it breaches the standard 2. Indeed this is what is stated on page 32 of Prof Binnie’s Report. However standard 2 is allowed to breach once in 3 years and, by Professor Binnie’s analysis, the Tideway did not breach in 2012, 2013, and 2014 so the standard is met. No analysis is presented that shows that this is wrong. In any case, now that the sewage treatment works have been uprated and improved the chronic situation, 2011 is of much less relevance than 2014. The important event is that of August 2014. No analysis has been shown of that event. Thus no evidence is provided that Professor Binnie’s conclusion that the Tideway now meets the dissolved oxygen standards is not correct.

Since much of Professor Binnie’s key findings in his report have been ignored I cannot accept the conclusion that it is fundamentally flawed.

I understand that Professor Binnie is now asking again for the full amount of data that is available, along with a copy of the paper on plastic to which you refer but which is not readily available. He will then review the 20 pages you have sent and intends to respond thereafter.

Yours, Tony
Tony Berkeley