

CHAPTER ELEVEN

“They failed to communicate”

1. PARLIAMENTARY OMBUDSMAN

HAVING MADE LITTLE HEADWAY WITH NATURAL ENGLAND AGAINST THE FENCING ISSUES, WE decided to progress the subject of a lack of HEATH Project communication to the Aarhus Convention Compliance Committee in Geneva – of which more later. The Convention was designed to allow for public engagement in environmental matters that affect them; the three ‘pillars’ are:

- Access to environmental information
- To be able to take part in decision making
- Access to justice

But before this could be done all internal UK complaint procedures had to have been exhausted: in our case this was Natural England and the Parliamentary Ombudsman.

On 12th January 2010 an email was sent to Rt Hon Hilary Benn MP, Secretary of State for Environment, Food and Rural Affairs at Defra, and copied to Helen Phillips, Chief Executive of Natural England, and many others,^A maintaining that the Aarhus Convention had not been complied with. A reply two weeks later from NE¹ wrote that the agency was “committed to promoting and actively developing a culture of openness, transparency and customer focus” and categorically refuted the suggestion that they were not abiding by the provisions of the Convention. On the same day SPM sent an email to Mr Stavros Dimas, European Commissioner for Environment:

“We are deeply concerned, and not a little astonished, that the UK government has failed to ensure that its agency, Natural England, abide by terms of the Aarhus Convention signed by the UK on 25th June 1998 and of which you are doubtless well aware ... I would ask you to consider the fitness for purpose of an environmental organisation that has failed to assimilate the spirit of a Convention, designed to improve environmental outcomes, which was adopted by our government 11 years ago. It appears that, at least in this instance, public aspirations are being met by a Convention which Natural England finds it expedient to ignore ... We hope that you, as a person in the ‘higher levels of command’, will undertake an enquiry as to why the Aarhus Convention has been ignored by Natural England and ensure that, in future, terms of the Convention are upheld by all levels of Natural England management - national and local - and that current uncompleted works are immediately halted.”

^A Huw Irranca-Davies MP, Parliamentary Under-Secretary of State for EFRA; Harriet Harman MP, Deputy Leader Labour Party; Dame Fiona Reynolds, Director General The National Trust; John Denham MP, Secretary of State for Communities and Local Government (CLG); Miranda Abrey (CLG); Graham Watson MEP; Andrew George MP; Stavros Dimas, European Commission Commissioner for Environment; Ruut Louwers, Interreg HEATH Project Programme Manager; Monika Tanaka, Interreg HEATH Project Development Coordinator; Viktoria Varga Lencsés, European Commission

A response was received a few weeks later from the European Commission, Directorate-General Environment, suggesting we should complain firstly to Natural England and, if this proved unfruitful, the EC would need more information before proceeding further.¹ On the first of February 2010 an allegation was sent to Natural England's official complaints procedure – as the first stage in the process – in that:

- they failed to abide by European environmental law, as laid down in the Aarhus Convention (1998) and subsequent European Directives,
- in that they failed to communicate with the West Penwith community from the start of the HEATH Project and so denied local people a say in the decision-making process – a failure that led to much of the antagonism then going on.

We therefore asked that HEATH should be declared invalid for the areas of Carnyorth Common, Watch Croft, Carn Galva and Lanyon Farm, and then that all new fencing etc be removed from these areas forthwith. Our MP agreed to chase this up in a letter to Dr Phillips dated 22nd March since, by then, no response had been received.

On 23rd March a reply was at last received from NE in answer to our letter of 1st February: they denied being in breach of the Aarhus Convention and that they would not be declaring the Heath Project as it applies to Lanyon Farm, Watch Croft, Carn Galva and Carnyorth Common invalid, nor would they be returning funding nor removing stock-proofing in these areas.²

It took two months before the Chief Executive of NE bothered to reply to our MP in which she made the astonishing statement: “We would hope that in these circumstances SPM do not seek to use yourself as a conduit to try and obtain information”. In other words she was attempting to stop interaction with our elected Parliamentary representative, thus trying to stifle our means of communication and ability to gather information relevant to Aarhus which was not even addressed in her letter.

After chasing up the inertia of NE's internal complaints procedure, and after several requests for a resolution, an NE Customer Service official eventually responded on 24th March: “Thank you for your further e-mail, apologies for the delay. I will speak with my colleagues in HQ to follow this up”. Nothing more was heard! So the next step was to be submission of a document to the Parliamentary Ombudsman.

On 15th June 2010, Andrew George MP, submitted our lengthy dossier to the UK Parliamentary Ombudsman. The main thrust of our complaint had to do with non-communication by the HEATH Project in West Penwith. A precis of the complaint follows:

- Save Penwith Moors action group allege that Natural England has failed to abide by articles of the Aarhus Convention and subsequent European Directives regarding early public participation in the planning and execution of environmental schemes (the HEATH Project and Higher Level Stewardship).
- We also allege that Natural England failed to implement their own Communication Plan that was only completed by April 2007, over two years after the HEATH project was initiated.
- That the admitted [by NE] vital position of a Communications Manager – vacant for two years – was only filled in January 2008 for the final 12 months of HEATH. But even then there was no effective communication with the West Penwith community.

- It is from this lack of early engagement with the local community that so many later problems emerged in the planning and application of the HEATH Project. And this is still being compounded by a persistent lack of will to respond quickly, accurately and fully to complaints and questions made by SPM and members of the general public to Natural England staff – both on a local and national level.

In early July a second document was sent to the Ombudsman concerning alleged maladministration by Natural England of the Higher Level Stewardship Agreement and HEATH Project for Carnyorth Common.

In the second week of August the Ombudsman responded that in view of our recent meetings with Natural England officials, and Natural England's assurances to the Ombudsman that they were taking steps to see whether they could resolve matters to our satisfaction – and we had agreed to give them time to try to do that – the Ombudsman had decided to take no further action on our complaint 'at present', but that if we were dissatisfied with Natural England's attempts to resolve matters we might make further complaint to the Ombudsman.

During the summer of 2010 the South West Regional Director for Natural England commissioned Stephen Warman – described as a respected senior manager in NE experienced in conflict resolution – to look into the various issues underpinning the concerns of Save Penwith Moors. The Regional Director told SPM that Mr Warman had not previously worked in West Penwith with our group and would therefore be able to bring an objective insight into the issues.³ But we already knew that Mr Warman had been on the HEATH Project payroll during the winter/spring 2005/2006 as the Area Team Manager – part of English Nature's Management Support. He obviously had a close and rewarding association with those administering the project. So not too unbiased then.

An email dated 6th August 2010 from the Assessor, Parliamentary and Health Service Ombudsman, to the Natural England Customer Service Improvement official asked if Mr Warman's understanding of our complaint was that:

1. SPM and the local people want the grazing to stop on Carnyorth Common and not to be introduced on Lanyon Farm, Watch Croft ' and Carn Galva (it had not then started - Ed);
2. SPM and the local people wished the fencing and cattle grids to be removed;
3. SPM have proposed that manual management of the heath be carried out in these areas and that Natural England review the position in ten years time to see whether that land has fared worse than land where cattle have been grazing.

The Assessor asked if this was Mr Warman's understanding and, if so, what steps he would take to resolve the complaint and the timeframe involved. He responded to the three issues that "he was working hard on this complex case" and commented that he was, amongst other things, answering those questions he could and investigating those he could not. He was attempting to rectify problems with faulty infrastructure erected by the HEATH Project like water troughs and gates and engaging with other stakeholders in the area: Wildlife Trust, Local Authority, Member of Parliament, and National Trust.

Mr Warman admitted⁴ he didn't know enough about HEATH/HLS to be able to provide accurate answers and didn't know the legal and contractual commitments from signed HLS

agreements, and whether or how NE might renegotiate these if they wanted to. Nor was he aware how representative SPM's views were of the wider community although he made the significant remark that: "There may be some merit in the arguments that cattle grazing is not a short-term requirement to maintain the condition of Carnyorth Common because the majority of the site appears to be in very good condition yet has not recently been grazed."

However, he went on to insist that much of the West Penwith moors were becoming degraded through lack of management but that cattle grazing under HLS helps to secure the economic future of local farming – money again then. He also wrote that although he saw some form of conservation grazing as being potentially compatible with a 'gentler' maintenance cycle, he fully accepted our deep concern over activities that scar the West Penwith landscape and that had taken away the sense of space and wildness.⁵

On 8th September SPM sent a list of 'show stoppers' which had been requested by Mr Warman:

- Cattle to be removed from Carnyorth Common.
- Any new agri-environmental agreements covering Watch Croft, Carn Galva and the two crofts of Lanyon Farm (Men-an-Tol and Lanyon Quoit) to exclude introduction of grazing animals. (These areas not then being grazed.)
- Once grazing animals are no longer an issue for these areas then the new HEATH Project stock-proofing infrastructure becomes redundant and should be removed (fencing, gates, cattle grids).

Following demise of the Forum there was a meeting on 7th October 2010 at Men-an-Tol Studio with Mr Warman, three SPM activists and a British Horse Society officer. SPM considered core issues were still, after seven weeks, not being seriously addressed and that very little had so far been done to address our 'show stoppers' other than a number of meetings with interested parties (detailed results of which were not communicated to us), and that the core issue of alleged non-compliance with the Aarhus Convention had not yet even been considered. NE was given until the end of the year to resolve our complaint before the Parliamentary Ombudsman was contacted again.

Another Studio meeting was scheduled for 11th October but the Senior Manager failed to turn up. This was to have been a very important meeting with numerous questions/information to be addressed and Mr Warman was invited to propose a date for our next meeting. Subsequent invitations for another get-together to be held between us were made by SPM for the 9th, 10th or 11th November, but it was not until early December that an email response was received stating that he hoped to be in a position by Christmas to:

(1) Have things close to a position from which constructive dialogue can take place about the future of the Penwith Moors ... I will list these meetings and their main messages, as I see them, in a short report describing my engagement in W Penwith.

(2) Also set out what I hope will be a final set of answers to the questions you gave me at our first meeting on Carnyorth Common last summer. (see [Annex 2](#))

(3) The third and final document will be, I hope, the most important. This will seek to move forward John Waldon's seven recommendations.^A It will, in addition, contain my thoughts on both sides of some of the arguments, notably around grazing.

It later became evident that the reason for the Senior Manager's reluctance to answer our complaints in an open and honest manner was that it had become apparent to him by mid-October 2010 that our complaints could only be resolved by significant shifts in national policy and delivery. He was aware that Natural England could not accede to these demands as they would require revocation of a contractual commitment with the farmer at Carnyorth; reversal of nationally agreed policy for the management of heathland; and the denial to the farming community of their right to apply through Natural England to Defra for Higher Level Scheme payments for environmentally sensitive grazing.

Mr Warman also commented that: "It had been made very clear to me at the second and third meetings I had with Mr Cooke and other members of the Group that there was no negotiation, no middle ground and no alternative agenda that would make the slightest difference to their campaign about the principle of grazing on the moors of Penwith. I was therefore reluctant to have a meeting where there was no obvious means of moving things forward..."⁶ All of this official's accusations against Save Penwith Moors could equally be applied to the stance taken by his Natural England paymasters – no middle ground – no negotiation.

In January 2011 Mr Warman eventually produced an *Informal report on investigation into various issues concerning the West Penwith Moors* with the remit to write a short report addressing the following:

1. The 'Save Penwith Moors' campaign's list of questions
2. HEATH Project and public consultation
3. Administration of the HEATH Project
4. Agri-environment schemes and Penwith
5. Grazing
6. The Penwith Heathland Forum
7. Where next ?

^A 1. Review the role of the West Penwith Heathland Forum. The new forum would require an expanded membership to ensure expertise is included. Its role should include steering and coordination of the main activities occurring within the area. The membership should reflect its new role; one of improving communication and identity.

2. The draft note on the resources found within the area should be re-written for a wider audience and made available. It would benefit from being endorsed by all the main players including non statutory groups such as the Save Penwith Moors.

3. Creation of a focal point (person or place) where issues can be addressed efficiently and effectively. This would provide for a more speedy response to concerns and issues. It could also coordinate and help inform future initiatives by improving communication with the local community and other groups.

4. A forum for farmers within the area should be reinstated. This would encourage the exchange of good practice and enable concerns to be aired. It should promote preferred land management techniques and breeds of stock.

5. Designation of the national and international important historic and natural environment should be completed.

6. Higher Level Stewardship (HLS) must be available to the entire area. A model application, that addresses the protection and enhancement of the fields' boundaries and rough ground, should be constructed and promoted to encourage whole farm applications.

7. With the land owners consent a simple statement of the importance and preferred management of each moorland unit should be drafted using existing reports. This should then be subject to a wider consultation. The resulting note could then influence the Farm Environment Plan with any future HLS application.

He also responded to our list of 22 questions following a visit to Carnyorth Common. (see [Annex 1 & 2](#))

SPM dissatisfaction with NE's responses determined that our complaint be returned to the Ombudsman for further consideration: this was done at the end of January 2011 with additional information regarding three specific issues:

- ISSUE 1 being additional information to support (our) allegation that Natural England (English Nature) as the lead partner in the trans-national HEATH Project – with continental partners in France and Holland – failed to comply with legally binding articles of the Aarhus Convention, similar European Directives, and their own Communication Plan, thus being a denial of the Approved Purposes agreed with the two main fund providers (some €3.5 million was allocated to Cornwall by The Heritage Lottery Fund and Interreg IIIB North West Europe), and that Natural England is therefore guilty of maladministration.
- ISSUE 2 being information alleging maladministration of the Natural England HEATH Project funding as well as Higher Level Stewardship payments for Carnyorth Common.
- ISSUE 3 being a detailed account of what I consider to be an unsatisfactory resolution by Natural England (Mr Stephen Warman) to my complaint as previously submitted to your office some six months ago – in my view giving ample time for a satisfactory resolution to be achieved.

During the first week of February SPM received a letter from the Ombudsman acknowledging our recent correspondence and informing us that our case had been referred for further detailed assessment that would form the basis for their decision on whether or not to undertake an investigation.

In early April 2011 Mr Warman's comprehensive response was relayed to the Ombudsman in answer to their questions of 15th March. It was noted that both himself and his NE colleagues had spent significant amounts of time addressing SPM's questions, and seeking ways to improve infrastructure and understanding on our Carnyorth queries that had resulted in the cattle grid and by-pass gate being re-sited. He discussed the "complex" Aarhus issue with SPM after input from NE's legal team and understood it to apply at government level rather than to explicit reference to operational plans like HEATH. In view of what happened 'on the ground' he made the somewhat deceitful statement that the Project had put community engagement at the top of its priority list. It was remarked that during his six month involvement with SPM he had three formal meetings that discussed 'show-stoppers', as well as a wide range of other issues: "In my opinion all three face-to-face meetings with the Group could be described as amicable".⁷

Four months later the Ombudsman made her final report to Andrew George MP that was copied to myself as the complainant. She confirmed that: "after giving it [complaint of alleged maladministration by Natural England as lead partner of the HEATH Project] very careful consideration we did not consider that the matter was suitable for a statutory investigation". A detailed explanation of the reasons for this decision was sent to our MP. On 10th September 2011 SPM requested the Ombudsman to carry out a review of their decision – they maintained their previous verdict.

2. AARHUS CONVENTION COMPLIANCE COMMITTEE

HAVING BY NOW USED UP ALL AVENUES OF DOMESTIC COMPLAINT PROCEDURE IT WAS TIME TO make our submission to the Aarhus Convention Compliance Committee [ACCC] based in Geneva. Named after the Danish city of Århus (or Aarhus), where it was adopted under the auspices of the United Nations Economic Commission for Europe, the Convention was signed in 1998 by 39 of UNECE's 55 member countries and the European Community. The UK ratified the Convention on 23rd February 2005 – a critical date that was to determine the outcome of our submission. Under Article 6 the Aarhus Convention specifically stipulated:

- That the public concerned in decisions on specific activities shall be informed, either by public notice or individually as appropriate, early in an environmental decision-making procedure.
- That public participation procedures shall include reasonable time-frames for the different phases, allowing sufficient time for informing the public and for the public to prepare and participate effectively during the environmental decision-making.
- That each Party shall provide for early public participation, when all options are open and effective public participation can take place.
- That procedures for public participation shall allow the public to submit, in writing or, as appropriate, at a public hearing or inquiry with the applicant, any comments, information, analyses or opinions that it considers relevant to the proposed activity.
- That each Party shall ensure that in the decision due account is taken of the outcome of the public participation.

We alleged that none of these stipulations were observed by Natural England in their implementation of the HEATH Project in West Penwith nor, currently, with environmental agreements being considered under Higher Level Stewardship. This is hardly surprising since a Freedom of Information request in April 2011 concerning Natural England and the Aarhus Convention elicited the following responses:⁸

- **Q:** Was, or is, any training, being given to Natural England staff about the legal requirement for public consultation at an early stage in environmental schemes as laid down in the Aarhus Convention and, if so, when this took place?
A: *Natural England has provided no direct training to its staff on the legal requirement for public consultation as laid down in the Aarhus Convention, as it does not have direct effect in law in the UK.*
- **Q:** what laws that transpose the Aarhus Convention into UK legislation regarding public consultation do you consider have been followed?
A: *The Aarhus Convention is transposed into UK law through various pieces of domestic legislation. We consider that we have fully complied with that legislation in dealing with this matter.*

A large document and a CD were posted to ACCC on 18th January 2012 with 72 supporting files:

“Our environmental action group request you to instruct the Directorate-General for the Environment to initiate an inquiry into the alleged mismanagement, waste of finances and failure to achieve stated objectives resulting in negative impacts, by the European trans-

national HEATH Project E101 that finished in December 2008, although its subsequent effects are on-going. This complaint refers to West Penwith (Land's End Peninsula) in Cornwall and, specifically, to the moorland areas known as Carnyorth Common, Watch Croft, Carn Galva and Lanyon Farm (Men-an-Tol and Lanyon Quoit Crofts) that constitute about 15% of HEATH Project areas being grazed in West Cornwall – but that does not include other grazing outside of HEATH – and only amounts to 1.6% of the total area of 28,200 hectares of Penwith being the Natural England target area for Higher Level Stewardship agri-environmental agreements.”

Four months later confirmation was received from ACCC that our case would be considered for permissibility at their meeting on 26-29 June: a decision was deferred several times since some aspects were unclear. In a final Data Sheet of 5th October 2012 the ACCC wrote a summary of our case:

“The communication alleges that the Party concerned [UK government], through the Department of Environment, Food and Rural Affairs, failed to ensure that the national agency responsible for managing the environment [Natural England] consulted with affected communities in West Penwith, the Land's End Peninsula, Cornwall, prior to enclosing public open-access areas of moorland with the wide-spread installation of barbed wire fences, gates and cattle grids under the North West European HEATH (Heathland-Environment-Agriculture-Tourism-Heritage) Project. Therefore, according to the communication, the Party concerned failed to comply with provisions of the Convention aiming at dissemination of information, but in particular with the provisions of the Convention on public participation under articles 6 and 7.”⁹

Disappointingly our complaint was then judged inadmissible due to a technicality: since HEATH started in late 2004 and the Aarhus Convention did not become legally binding in the UK until May 2006. At its meeting on 25-28 September the Committee considered our communication but determined it was inadmissible because we had failed to provide information that the main events of the decision-making had taken place after the Convention had entered into force for the Party [UK Government] concerned.¹⁰

So ended our final attempt to lawfully make fundamental changes to the West Penwith moorland landscape by calling a halt to its enclosure under the auspices of Natural England.

3. HERITAGE LOTTERY FUND

ON 15TH JANUARY 2010 AN EMAIL WAS SENT TO THE SENIOR GRANTS OFFICER, SOUTH WEST Team Heritage Lottery Fund [HLF] alleging waste of public funding on unlawful/unsatisfactory works and that this money should be reimbursed – HLF paid a rate of 39% of HEATH Project works. Our complaint concerned the cattle grid on Watch Croft that had to be removed as an unlawful obstruction and breach of the Highways Act, and the drain and ditching work on Carn Galva that was later subjected to remedial work as it broke ESA regulations. As far as could be calculated from receipted accounts these two items cost a total of £34,797 and, at 39%, this gave an approximate amount of £13,571.

HERITAGE LOTTERY FUND – WASTE OF MONEY COMPLAINT (1)



(11.A) Watch Croft cattle grid that had to be removed as an unlawful obstruction (2009).



(11.B) Excavations breaching ESA prescriptions (November 2008).

A response was received ten days later:¹¹ “We expect all the works to be corrected or the cattle grids to be installed elsewhere at either Natural England's or the National Trust's expense. If this does not happen within a reasonable amount of time then Natural England will be required to reimburse the Heritage Lottery Fund with the amounts involved.” After chasing up this issue a further response was received from HLF on 11th March:

“I have now received further details from Natural England. They state that of the two cattle grids to be installed at Watchcroft, one has now been relocated to Trencrom Hill. The other will be installed at Carn Galva/Bosigran Farm shortly when the necessary consents are in place ... All these additional works have or will be carried out at no expense to the HEATH Project. As long as the works detailed here are carried out we are satisfied that all HLF money has been properly spent and are content that the approved purposes of the grant have been delivered”.

Two days later SPM pointed out that the previous reply from HLF did not address the funding wasted on the ditching/up-casting on Carn Galva and, since this issue would not be addressed and the whole tenor of the HLF responses was unsatisfactory, SPM sent an official complaint on 14th April that the approved purposes of the grant had not been delivered” – a copy was sent to the National Audit Office.

Since no acceptable answers were received by 19th April we initiated Stage 2 of the complaint process listing three main points:¹²

- That there has been a serious waste of public funding as detailed in the attached correspondence and would ask that this should be repaid by Natural England to the Heritage Lottery Fund.
- That the issue of the HEATH Project being signed off as completed is reconsidered in the light of many works (other than the cattle grids) still outstanding.
- That a full and open audit of the planning and execution of the Natural England HEATH Project in West Cornwall should be carried out to determine if the approved purposes of the HLF grant have been delivered.

A response was received on 6th May:

“... In the case of this project I can see no evidence that our grant has not been properly spent and believe the approved purposes of the grant have been delivered ... The excavations on Carn Galva were also rectified at the expense of the grantee [but note – no mention of the initial ditching etc part paid for by HLF– Ed] ... We always try to learn lessons from projects we have funded ... we have given increasing emphasis to the importance of consultation in recent years, and so today we would expect to see a greater level of public consultation and participation within projects than we did in 2002 when this project was awarded a grant. This is also an area we will look at closely in any future applications from Natural England ... I do not therefore agree with you that there has been a ‘serious waste of public funding’ nor that we should not yet have signed the project off as complete. Consequently, I do not agree that an audit of the planning and execution of the project should be carried out”.¹³

A week later SPM responded: “... I note with dismay that the issue of the original excavations on Carn Galva carried out under supervision of the National Trust – that had to be filled in and ‘redone’ – has STILL not been addressed”.

HERITAGE LOTTERY FUND – WASTE OF MONEY COMPLAINT (2)



(11.C) One of several excavated ditches that had to be refilled (November 2008)



(11.D) The same ditch being back-filled (August 2009).

Over the next six months correspondence continued between SPM and HLF until 26th January 2011 when the Lottery Forum's Independent Complaint Review Service, provided by Verita, decided that our complaint met the criteria for the final Stage 3 of the HLF complaints procedure. Eventually, after 2½ months, Verita made their final report in a 32 page document.¹⁴ In their 'findings and conclusions' they made the points that:

- Natural England's application for funds for the HEATH project made no reference to the assessment criteria for public support for the project and access for disabled people. The assessor's report did not mention this: the assessor recommended the application for approval and the trustees agreed. I do not believe that these omissions amount to maladministration on the part of HLF. It is clear from the application pack and associated guidance that conservation design and technology considerations were of greatest importance at that time and that public engagement and access for disabled people had less priority than they do now.
- HLF monitored the HEATH project in accordance with its policy and procedures. It did not, nevertheless, identify an important issue when it came to make the final grant payment: some items of work had not been completed.
- The grants officer ... accepted that there had been an error at Carn Galva and confusion in respect of the cattle grids which was to do with interpretation of the relevant legislation. He endorsed the decision to use some of the equipment in other locations, but acknowledged that the money spent on pre-installation work, and work done in error, could not be recovered. His view was that these errors were not the result of fraudulent or negligent practice. Taken all together, the sums lost amounted to approximately £30,000. While a significant amount of money it was not, strictly speaking, material in the context of the entire grant ... The contract between HLF and Natural England provided no basis on which HLF could require re-payment of the sums involved.
- Verita concluded that there was no maladministration on the part of HLF. HLF and its staff applied its policies and procedures to the HEATH project in ways that were reasonable in the circumstances. The fact that some aspects of the HEATH project were not complete until a long time after the programme closed is, however, a matter of concern.

So there we have it. A complete whitewash – everything was fine including the money 'lost' on Carn Galva excavations which was apparently too little to bother about.

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- ¹ Dated 28th January 2010 from the London Office: NE Executive Director for Regional Delivery
- ¹ 05/02/2010 from Acting Head of Unit.
- ² 23/03/2010 from the London Office: NE Executive Director for Regional Delivery
- ³ Letter dated 28th January 2011 NE South West Regional Director
- ⁴ Letter from NE Customer Service Improvement Team 13 August 2010 to Parliamentary Ombudsman
- ⁵ Email dated 8th September 2010 to SPM from NE
- ⁶ Letter from NE to SPM dated 8th April 2011 attaching Steve Warman's response to questions raised by the Ombudsman on 15 March 2011
- ⁷ Letter from NE to SPM dated 8th April 2011 attaching Steve Warman's response to questions raised by the Ombudsman on 15 March 2011
- ⁸ 26/04/2011 Access to Information request No 1088 to Natural England
- ⁹ Aarhus Convention Compliance Committee, Datasheet, Last updated: 5 October 2012
- ¹⁰ 05/10/2012 from Aphrodite Smagadi, Secretary of ACCC
- ¹¹ Email dated 26th January from Senior Grants Officer, South West Team Heritage Lottery Fund
- ¹² Letter dated 19th April 2010 to The Chief Executive Heritage Lottery Fund (London)
- ¹³ Letter dated 6th May 2010 from The Chief Executive Heritage Lottery Fund (London)
- ¹⁴ 13/04/2011 The Lottery Forum's Independent Complaint Review Service provided by Verita, A stage 3 review into a complaint made by SPM about the work of the Heritage Lottery Fund