

Bristol landowner Maysouth Ltd fined for neglecting riverside wall

The Environment Agency was concerned that masonry and other debris from the disintegrating wall could be washed downstream and disrupt a tidal flap, increasing flood risk to a large number of properties.

The Agency had earlier inspected the southern boundary wall at the Windmill Farm Business Park, Bartley Street, and found it to be in a poor condition. Some sections had collapsed into the Malago Brook, a tributary of the Lower River Avon. What remained of the wall, was also at risk of failure. The watercourse is a main river.

In 2009 the landowner, Maysouth Ltd applied to the Environment Agency for permission to carry out repairs. Its application was refused on the grounds the company had failed to provide sufficient information.

However, permission was granted for certain temporary works including the installation of scaffolding wall props in the river channel.

In 2011 the Agency decided it was necessary to install a trash screen where the Malago Brook enters a culvert. This would prevent debris being carried downstream to the confluence of the Malago and Lower River Avon where it could block or force open a tidal flap.

However, it was not possible for the screen to be installed because of the poor condition of the retaining wall. The Agency decided to delay any in-river works until the repairs had been completed.

Following a site meeting in December 2011, Maysouth Ltd said it no longer believed the wall was its responsibility and would not be carrying out any repairs.

The company claimed maintenance of the wall and any repairs lay with Bristol City Council. This view was challenged by the council that said it did not own the wall or the land it stood on. Therefore, responsibility fell to Maysouth Ltd as riparian owner.

In September 2014, the Agency served the company with a legal notice requiring it to repair the wall. Following further site visits and unsuccessful discussions, the Agency served a second notice in May 2016 with a 6 month deadline. When officers returned in December 2016 the wall still hadn't been repaired and 3 sections had fallen away. Temporary scaffolding supports were still in place and there was debris in the river channel.

Maysouth Ltd were subsequently prosecuted to ensure future compliance. Two years later in May 2018, the company finally accepted it was responsible for the wall and half the riverbed and that it had not complied with the notice.

Trudy Dove of the The Environment Agency said:

We have a responsibility to manage flood risks on main rivers. We were concerned that masonry from this damaged wall could block or jam open a tidal flap and increase the flood risk to a large number of commercial and residential properties.

Maysouth Ltd had ample opportunity to repair the wall, but chose not to meet their legal responsibilities, leaving us with no choice other than to prosecute.

Despite the earlier conviction, Maysouth Ltd, failed to carry out the repairs so were brought back to court in 2020. Appearing before Bristol magistrates, the company contested that a further daily penalty should be imposed for non-compliance. The court disagreed and at a hearing on 28 January, 2021, Maysouth Ltd, of Rainbow Phoenix Way, Swansea Enterprise Park, Swansea, Wales, were fined £26,760 and ordered to pay £10,585 costs for continuing to fail to comply with a notice served in May 2016.

District Judge Patricia Evans said the defendant had a responsibility to complete the repairs in a 'timely fashion'. It simply had not done that and while it was accepted negotiations over the required permit would take time, she found the company had been 'dragging its feet' despite extensive efforts by the Environment Agency to resolve the issue over a number of years.

[Crime news: extension to the 2017 Standard Crime Contract](#)

The 2017 Standard Crime Contract will be extended for a year (until 31 March 2022) in accordance with clause 2.3 of the Contract for Signature, and further to the [Headline Intentions](#) published in August 2020.

After carefully considering our approach for the 2022 crime contract against the backdrop of uncertainty and the ongoing COVID-19 outbreak, we recognise that launching a tender in April – as we had originally planned – would add further pressure during an already challenging period.

We are therefore offering existing providers a further six month extension to the contract (until 30 September 2022).

Contract background

The 2017 Standard Crime Contract is the current contract between the Legal Aid Agency (LAA) and providers for the provision of face-to-face criminal legal aid in England and Wales.

Contract timeline

The 2017 Standard Crime Contract commenced on 1 April 2017 with an initial term of three years (the Contract Period) with an option to extend it by up to two years.

In accordance with the contract terms, and further to the Headline Intentions we published in August 2020, the LAA will now extend the contract for a further year, until 31 March 2022.

This contract extension is automatic – existing providers do not need to do anything and will receive a formal notification letter.

Offer of further six month extension

In addition, existing providers will be offered a further six month extension to the Contract Period (until 30 September 2022).

All providers must respond by email as specified in the Contract Extension letter by 12pm on Monday 8 March 2021.

Contract extension letter

All providers will be sent a notice letter via email detailing the above extensions.

These letters will be sent on the 17 February 2021 to the email address of the person you have advised us is the Contract Liaison Manager for your organisation.

If you have not received your letter by Friday 19 February 2021, please email crime.contracts@justice.gov.uk and someone will respond to you as soon as possible (Please check your junk folder first before emailing).

Further information

[Versions of the Standard Crime Contract 2017 documents are available on GOV.UK](#)

[Headline Intentions](#)

[Ministry of Justice statement in fee-paid judicial litigation: February](#)

2021

[unable to retrieve full-text content]A further update on work MOJ is doing to respond to the CJEU judgment of November 2018 in O'Brien No.2 and the Supreme Court's judgment in Miller of December 2019.

Marico Marine wins ADMIRALTY Offshore Renewable Energy Innovation Challenge

The UK Hydrographic Office (UKHO) and Centre for Environment, Fisheries and Aquaculture Science (Cefas) have announced Marico Marine as the winner of the third ADMIRALTY Marine Innovation Programme challenge.

Led by the UKHO's Research, Design and Innovation team, the programme has given innovators and start-ups the chance to develop solutions that solve some of the world's most pressing challenges when it comes to our oceans. For the programme's third innovation challenge, which was run in partnership with Cefas, participants were asked to demonstrate how marine geospatial data could help identify new areas for offshore renewable energy infrastructure.

In response to this challenge, [Marico Marine](#) developed a geospatial constraints mapping toolkit that helps developers and regulators to understand the impact shipping could have on projects early in the planning process. By combining ADMIRALTY data with advanced GIS analysis and professional mariner expertise, the toolkit will allow the identification of potential hotspots within proposed project boundaries.

The impact projects could have on shipping and wider maritime navigation is a key consideration for consenting authorities, yet it is often considered late in the licence application process. Marico Marine's solution will make it commercially viable for shipping and wider maritime navigation implications to be considered at an earlier stage, potentially saving millions of pounds of investment.

Commenting on the solution, Marico Marine's UK Director, André Cocuccio said:

We are extremely proud to be selected by the UKHO as winners of this innovation challenge and have ambitious plans for the solution in the offshore renewables market.

Through this partnership, the opportunity for Marico to develop an alpha product supported by expertise and authoritative data supplied by the UKHO is an exciting one. Shipping and navigation is

a complex receptor to evaluate, and our product is targeted at reducing the likelihood that proposed projects are rejected on these grounds. We are looking forward to the months ahead and developing a powerful product with the UKHO that we hope will have a real impact in the industry.

Commenting on Marico Marine's winning entry, Mark Casey Head of the UK Hydrographic Office's Research, Design and Innovation team said:

I'd like to congratulate Marico Marine on developing this fantastic solution.

As we enter the UN's 'Decade of Ocean Science for Sustainable Development', we need to find new ways to grow our marine economy whilst reducing our impact on the environment.

Ocean renewables can help us to achieve this balance by reducing our dependency on damaging fossil fuels and helping communities around the world to access a more sustainable source of energy.

Marico Marine's solution will help to grow this sector by giving developers access to marine geospatial data that helps to identify the best locations for new offshore energy infrastructure. We look forward to working with Marico Marine over the coming months and will continue to collaborate with partners on further projects that help to build safer, more secure and thriving oceans.

Find out more

You can find out more about the programme on the ADMIRALTY website:

[Landmark proposals to strengthen free speech at universities](#)

Tougher legal measures to strengthen free speech and academic freedom at universities in England have been announced by the Education Secretary today (16 February), to stamp out unlawful 'silencing' on campuses.

Following an increasing number of cases of individuals being silenced, the Education Secretary has warned of a 'chilling effect' where students and staff feel they cannot express themselves freely.

The [proposed measures](#) deliver on a manifesto commitment, and include a new free speech condition placed on higher education providers in order to be

registered in England and access public funding. The regulator, the Office for Students, would have the power to impose sanctions, including financial penalties, for breaches of the condition.

The strengthened legal duties would also extend to Students Unions, which for the first time would have to take steps to ensure that lawful free speech is secured for their members and others, including visiting speakers.

In addition, a new legal measure would enable individuals to seek compensation through the courts if they suffer loss as a result of breach of the free speech duties – such as being expelled, dismissed or demoted.

Education Secretary Gavin Williamson said:

Free speech underpins our democratic society and our universities have a long and proud history of being places where students and academics can express themselves freely, challenge views and cultivate an open mind.

But I am deeply worried about the chilling effect on campuses of unacceptable silencing and censoring. That is why we must strengthen free speech in higher education, by bolstering the existing legal duties and ensuring strong, robust action is taken if these are breached.

Under the plans, the Education Secretary would also appoint a new Free Speech and Academic Freedom Champion to investigate potential infringements, such as no-platforming speakers or dismissal of academics, and higher education providers would be legally required to actively promote free speech.

The new Champion would be appointed to the board of the Office for Students and would be able to investigate potential infringements of the new registration condition on freedom of speech and academic freedom in higher education. The registration condition would work alongside strengthened legal duties on free speech and academic freedom and the Champion would also be able to recommend that the Office for Students imposes fines.

The [policy paper](#) also includes Government expectations that go beyond the minimum legal duties, setting out what universities should aspire to.

The Government will continue to work alongside the sector on guidance and further research, and the next steps for legislation will be set out in due course.

Tom Simpson, Associate Fellow at Policy Exchange, and an Associate Professor of Philosophy and Public Policy, at the Blavatnik School of Government, University of Oxford, said:

This policy paper by the Department of Education is a very welcome step towards ensuring that viewpoint diversity is protected in

British universities.

As Cambridge University's recent Senate House vote shows, there is a substantial majority of academics who favour academic freedom. The problem, as Policy Exchange's research has explored, is that a very online culture allows the views of a minority to exert disproportionate influence on administrators, and to exert a chilling effect on other academics. Promoting a norm of political non-discrimination, and incentivising administrators to do what they are already legally obliged to do, is a crucial step towards ensuring a culture of free discourse in our universities.