

R.M.Buxton
MA (Cantab) MES (Yale)

Susan Ring
LLM Env (London)

Paul Stookes
PhD MSc LLB Solicitor - Advocate

Associate: **Andrew Kelton**
BA (Cantab) MA (UBC Canada)

19B Victoria Street
Cambridge CB1 1JP

Tel: (01223) 328933
Fax: (01223) 301308

www.richardbuxton.co.uk
law@richardbuxton.co.uk

UNECE, Environment and Human Settlement Division
Room 332, Palais de Nations
CH-1211 Geneva 10
Switzerland

Attn: Mr Jeremy Wates, Secretary to the Aarhus Convention

By e-mail only. jeremy.wates@unece.org

Your ref. ACCC/C/2009/40

Our ref. PS/CND- 4

1 November 2009

Dear Sirs

Communication ref. ACCC/C/2009/40, Convention compliance in connection with an opencast coal mine in South Wales

Thank you for your letter of 27 July 2009 relating to the above and confirmation that the communication was admissible on a preliminary basis. We write in reply and enclose the following:

- a) submissions in reply to the questions raised by the Convention with supporting documents no. 68-79; and
- b) letter of authority from Mrs Elizabeth Condrón granting authority to this firm in relation to the communication.

We trust that this letter and enclosures are acceptable. In the light of the questions raised, the Communicant invites the Compliance Committee to provide its view as to whether a challenge that involves environmental rights under the Aarhus Convention can include a challenge to the merits of that decision.

We look forward to hearing from you in due course.

Yours faithfully

Richard Buxton

cc. Dr Åsa Sjöström, Defra