



NATIONS UNIES  
COMMISSION ÉCONOMIQUE  
POUR L'EUROPE

ОБЪЕДИНЕННЫЕ НАЦИИ  
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10 May 2012

Mr. Geoff Meaden  
The Kent Environment and Community Network  
'Gorewell', Old Wives Lees, Selling Road  
nr. Canterbury, Kent CT4 8BD  
United Kingdom

Mr T Ewing

Dear Mr. Meaden, Mr. Ewing,

**Communications to the Aarhus Convention Compliance Committee concerning compliance by the  
United Kingdom (Refs. ACCC/C/2010/45 and ACCC/C/2011/60)**

We are writing to inform you that the Aarhus Convention Compliance Committee will discuss the substance of communications ACCC/C/2010/45 and ACCC/C/2011/60 at its thirty-seventh meeting, to be held on 26-29 June 2012 at the Palais des Nations in Geneva.

The discussion of the above communications is currently scheduled for **Wednesday, 27 June 2012, starting at 10:30 am and concluding by 4.30 pm.**

In accordance with chapter IX of the annex to decision I/7 of the Meeting of the Parties to the Convention, the Party concerned and the communicants are entitled to participate in the discussion on the subject matter of the communication, though not in the preparation or adoption of any findings, measures or recommendations of the Committee.

According to the Committee's normal practice, the discussion of the communication, which will be held in open session, will be interspersed with at least one closed session in which the Committee will begin the process of preparing draft findings. It is envisaged that the first part of the discussion in open session will take the following form:

- introduction by the Chair;
- opening of the discussion by the curator for the cases;
- concise presentations by the communicants and by the Party concerned, including possible joint proposals;
- questions from Committee members, responses from the Party concerned and the communicants;
- comments from other observers at the invitation of the Chair;
- final comments by the communicants;
- final comments by the Party concerned.



During the second part of the discussion (i.e. following the closed session), the Committee may pose additional questions to you or the Party concerned, or invite reactions to any tentative conclusions it has reached. Further details concerning the timetable for the discussions during the day will be provided nearer the time.

With regard to communication ACCC/C/2010/45 (United Kingdom), you may recall that the Committee had initially decided to apply its summary proceedings procedure, but, in the meantime, the communicant had considerably expanded the scope of the communication and a number of issues raised related to communication ACCC/C/2011/60 (United Kingdom). Having considered the responses received from the parties, the Committee has decided to hold a joined discussion for the two communications and *deal with the following issues*:

- a) Whether the planning laws and procedures of the Party concerned, limited to England and Wales, meet the standards regarding public participation in articles 6 and 7 of the Convention (ACCC/C/2010/45), including whether the fact that oral presentations allegedly might not be made at meetings of planning committees is contrary to the Convention (ACCC/C/2011/60);
- b) Whether the review procedures mentioned in the communication, to the extent that they do not cover issues considered by the Committee in ACCC/C/2008/33, meet the requirements of article 9 of the Convention (ACCC/C/2010/45).

The Committee will apply its summary proceedings procedure to the following issues raised by the two communications, which means that these issues *will not be discussed* at the meeting on 27 June 2012:

- a) Whether the procedure for judicial review available in the courts of the Party concerned meet the standards of substantive legality set out in article 9 of the Convention, because the Committee has already dealt with that matter in its findings on communication ACCC/C/2008/33 (ECE/MP.PP/C.1/2010/6/Add.3, paras. 123–127), and no new information has been submitted to the Committee which would trigger reconsideration of its findings;
- b) Whether the cost of judicial review procedures in the Party concerned are prohibitively expensive, because the Committee has extensively and clearly dealt with that matter in its findings on communications ACCC/C/2008/27 (ECE/MP.PP/C.1/2010/6/Add.2) and ACCC/C/2008/33 and no new information has been submitted to the Committee which would trigger reconsideration of its findings.

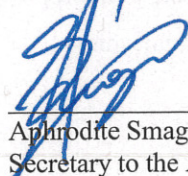
With regard to these issues for which the summary proceedings procedure applies, you are welcome to follow up on the process on implementation by the Party concerned of decision IV/9i of the Meeting of the Parties. All relevant documentation is available on the Committee's web site at: <http://www.unece.org/env/pp/ccimplementation.html>.

In addition, the Committee has indicated that the meeting should not be used as an occasion to introduce substantial amounts of information that could or should have been provided to it at an earlier stage, unless this is unavoidable (e.g. because it concerns very recent developments). Should you wish to present any (further) substantial written material related to the matter to be discussed, as defined above, you should take into account that where such information is received less than two weeks before the scheduled meeting, it is doubtful whether the Committee would be able to take it into consideration when it is discussing the matter, even where the information is provided in English.

Should you or any other representative(s), as appropriate, wish to attend the meeting, the attached registration form should be completed for each participant and sent to the United Nations Economic Commission for Europe, attention of Ms. Maricar de la Cruz ([public.participation@unece.org](mailto:public.participation@unece.org)), by **12 June 2012**. All participants are encouraged to cover their own costs as far as possible, but in case you would require financial support to cover travel and subsistence costs in order to be represented at the meeting, please notify the secretariat as soon as possible and in any case no later than **20 May 2012**.

Please do not hesitate to contact the secretariat if you require any further information concerning the meeting.

Yours sincerely,



Aphrodite Smagadi  
Secretary to the Aarhus Convention Compliance Committee

cc: Barbara Anning, National Focal Point for the Aarhus Convention, DEFRA, United Kingdom  
Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office  
and other international organizations in Geneva

Enc: Registration form for the thirty-seventh meeting of the Compliance Committee