

From: Christine [luanam@btinternet.com]  
Sent: Thu 12/01/2012 21:48  
To: 'William.Gillett@ec.europa.eu'  
cc: 'stuart.mckay@scotland.gsi.gov.uk'; 'Giulia.camozzini@scotland.gsi.gov.uk';  
'Anette.JAHN@ec.europa.eu'; 'Francesca.MANDUAKILA@ec.europa.eu';  
'Dana.DUTIANU@ec.europa.eu'  
Subject: Re your reply RE.re. Scottish GPWind Project.

Dear Mr. Gillett,

Thank you for your good wishes for the New Year, which are returned. There is indeed an urgent need for many serious World and domestic difficulties to be resolved peacefully - and with compassionate understanding.

Your confirmation is again noted that 'based on the terms of the grant agreement, if the action is not implemented or is implemented poorly, partially or late, the EACI may reduce the grant initially provided for in line with the actual implementation of the action on the terms laid down in the agreement.'

The basis for our concerns that the Scottish Government is not fulfilling its obligations in respect of the grant are well documented in previous letters sent, but very briefly revolve around the failure of those responsible to facilitate correct compliance with aims set out within the GP Wind Project. I.e. where a Government body, in this case Forestry Commission(Scotland) has so far failed to provide all documents requested under FOI rules, has admitted destruction of those still missing which could have shed light on questions being asked, and has also refused to hold a review of the core issues involved. Such behaviour by a Scottish public authority is likely to be seen as a significant non-compliance with Directive 2003/4/EC.

However, am I to understand from the letter below that no measures are in place to comply with Article 5 of Regulation 1367/2006? I should be grateful, if you differ on this point, if you would reply to avoid any misunderstanding with regard to potential future legal action.

Yours sincerely,

Christine Metcalfe.

**From:** [William.Gillett@ec.europa.eu](mailto:William.Gillett@ec.europa.eu) [<mailto:William.Gillett@ec.europa.eu>]  
**Sent:** 10 January 2012 14:25  
**To:** [luanam@btinternet.com](mailto:luanam@btinternet.com)  
**Cc:** [stuart.mckay@scotland.gsi.gov.uk](mailto:stuart.mckay@scotland.gsi.gov.uk); [Giulia.camozzini@scotland.gsi.gov.uk](mailto:Giulia.camozzini@scotland.gsi.gov.uk);  
[Anette.JAHN@ec.europa.eu](mailto:Anette.JAHN@ec.europa.eu); [Francesca.MANDUAKILA@ec.europa.eu](mailto:Francesca.MANDUAKILA@ec.europa.eu); [Dana.DUTIANU@ec.europa.eu](mailto:Dana.DUTIANU@ec.europa.eu)  
**Subject:** RE: Re your reply re. Scottish GPWind Project.

Dear Mrs Metcalfe

Thank you for your e-mails.

Please find below my responses to the points made in your most recent e-mail (dated 4 January):

1. The GP WIND project, which is co-financed by the Intelligent Energy Europe programme, is designed to support the implementation of the European Union's renewable energy policies and therefore to have an impact at a European level. It covers 8 European regions and addresses "barriers to the deployment of onshore and offshore wind generation, specifically by recording and sharing good practice in reconciling objectives on renewable energy with wider environmental objectives and actively involving communities in planning and implementation."

In line with the agreed project work programme, the selection of the case studies (two per region) has been based on a transparent and objective methodology, in which the European partners from different Member States have used a common approach that allows for transnational comparisons of results and the transfer of results to other regions.

Against this background, please understand that the aim of the GP WIND project is to share experience between decision making bodies across the EU. Neither the EACI nor the GP WIND project team has a mandate to intervene in decision making processes regarding the development of specific wind parks, for which national, regional or local authorities in individual Member States remain fully responsible under their legislation.

2. The basis for your accusation that the Scottish Government is not delivering what was foreseen in the grant agreement is unclear. The project is on-going and its outcomes to date are transparently visible on the project website, which I understand you must have visited because you have included some text from a project deliverable in your December 2011 complaint to DEFRA. The EACI is closely monitoring the progress of the project, and will come to its final conclusions about the project after the draft documents have been finalised, the on-going work has been completed and the final report has been assessed.

As I did my best to explain in my e-mail to you back in August, the EACI does not take responsibility for the outcomes of IEE projects. However, please be assured that, based on the terms of the grant agreement, if the action is not implemented or is implemented poorly, partially or late, the EACI may reduce the grant initially provided for in line with the actual implementation of the action on the terms laid down in the agreement.

3. Please note that in my e-mail of 5 August 2011, I promised to come back to you if I received any information which might be of potential interest to you. I confirm that I have not come back to you because I have not received any new information, which I consider could be of interest to you.

In conclusion and in view of the above clarifications, may I ask you please to address any future concerns on specific wind park developments and any future questions concerning environmental impact assessments, planning decisions or other related authorisation procedures on specific wind farms to the responsible national, regional or local authorities.

I trust that this will bring our communications on this issue to a close, and take the opportunity to wish you a Happy New Year.

Yours sincerely

**Mr William Gillett**

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<http://ec.europa.eu/eaci>  
[http://ec.europa.eu/energy/intelligent/index\\_en.html](http://ec.europa.eu/energy/intelligent/index_en.html)

Public transport: Metro line 2 and 6, station "Rogier"

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This communication does not constitute any formal commitment on behalf of the European Commission or the EACI.

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**From:** VERONICA METCALFE [<mailto:luanam@btinternet.com>]

**Sent:** Wednesday, January 04, 2012 4:09 PM

**To:** GILLETT William (EACI)

**Cc:** [stuart.mckay@scotland.gsi.gov.uk](mailto:stuart.mckay@scotland.gsi.gov.uk); [Giulia.camozzini@scotland.gsi.gov.uk](mailto:Giulia.camozzini@scotland.gsi.gov.uk); JAHN Anette (EACI); MANDUAKILA Francesca (EACI); DUTIANU Dana (EACI)

**Subject:** FW: Re your reply re. Scottish GPWind Project.

Dear Mr. Gillett,

With reference to the only reply received from you and regarding the comment that 'the EACI is responsible for following the project from the European Commission's perspective, and for ensuring that the consortium delivers what was foreseen in the grant agreement.' It is difficult to see how it is possible for responsibilities to be fulfilled if no individual cases can be considered, as this case in particular impacts upon precisely this responsibility.

It also demonstrates that the Scottish Government is not delivering what was foreseen in the grant agreement. By refusing to address the failures demonstrated in the data being compiled for UNECE, the EACI may find themselves complicit in the failures documented in the attached complaint to our Department of the Environment, Farming & Agriculture, in which GP Wind is mentioned. I am informed that this case has now been transferred to the Department of Energy and Climate Change.

No replies have been received to the last emails sent, and no failure of delivery was received. Apologies if replies have been sent and not received – in which case perhaps they can be re-sent. Should no further responses be received, failures to reply to queries raised will be added to the document being compiled for UNECE.

Yours sincerely,

Mrs. V.Christine Metcalfe.

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**From:** Christine [<mailto:luanam@btinternet.com>]

**Sent:** 01 December 2011 16:07

**To:** 'William.Gillett@ec.europa.eu'

**Subject:** FW: Re your reply re. Scottish GPWind Project.

**Importance:** High

Dear Mr. Willett,

May I just have a quick confirmation of receipt of this email below please?

Yours sincerely,

Christine Metcalfe.

**From:** Christine [<mailto:luanam@btinternet.com>]  
**Sent:** 22 November 2011 00:24  
**To:** 'William.Gillett@ec.europa.eu'  
**Subject:** Re your reply re. Scottish GPWind Project.  
**Importance:** High

Dear Mr. Gillett,

It is some time since the attached response (and included past dialogue) was received. I should very much appreciate some clarification in respect of your Good Practice Wind Thematic Case Study Drafts.26<sup>th</sup>.Aug.2011. There appears to be no recognition of the inefficiencies which occur on the grid as more and more highly variable, intermittent wind energy is added?

Could you also explain please, what the EU Commission is doing in relation to its obligations under Article 5 of Regulation 1367 of 2006 and the output from GPWIND; "for ensuring that the consortium delivers what was foreseen in the grant agreement?"

It would be good to know if you have now received any information on the issues raised which would be of interest to us.

Yours sincerely,

Christine Metcalfe.