

Shell Hill

Bents Rd.

Whitburn

Tyne & Wear

10.12.13

Dear Fiona Marshall,

Re; Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions to the Convention on access to environmental information (ACCC/C/2013/83)

Yours request for clarification of 4 December 2013.

The 2010 study was disclosed to me after the court case and judgement (over 1 year later if I had been allowed to see it during court proceedings I could have shown how inaccurate it was.) However, **I asked for clarification of the calculations referred to in the study**, as stated in the UK response to the ACCC (Page 2 Para 6 Point 2 and Page 3 – requested from ICL and Page 4 requested from DEFRA.)

This information has never been given to me and if such calculations do not exist then we must be informed as to how such figures were given in evidence.

The importance of the calculations and the 4.5 DWF are as stated in my e mail to Ms Smagadi, ACC, I enclose a copy. It is also vital that such calculations are supplied as they contradict the terms of the Consents and thus the whole running of the sewage system. In the light of the ECJ judgement the UK are required to correct the system and the solutions they are suggesting must be examined with full clarity of the flows allowed (which are continuing to pollute our beaches)

I wish to include a comment made in the judgement by the Appeal Judge for the ICO when he said: -

“EA/2013/0101 -33 Although he (R Latimer) believed that he would be the person who would solve the problem for the people of Whitburn; the clear reality is that changes to the sewerage system will come about through discussions between the European Commission and the UK Government in the light of the decision of the European Court. Any information the Commission needs from the UK Government will be supplied by the UK Government. Mr Latimer’s multiple detailed requests will not facilitate this, they do not in any significant way improve public understanding and they are a severe distraction to the Environment Agency from its proper work. The Commissioner in decision notice came to the only possible conclusion in this case. Accordingly this appeal is dismissed”

Unfortunately it is the case that only individuals such as myself are campaigning for proper sewage treatment (not the official bodies) therefore the terms of the Aarhus Convention allowing public participation are vital. Also (contrary to the judge's opinion) the European Commissioner has now asked me further questions and I rely on the UK authorities to supply me with correct figures so that I can independently verify their evidence.

(I have a further letter from the European Commission including spill data provided to them by the UK, this spill data does not correspond with the data provided to me by the Environment Agency, I would be pleased to supply this information if required)

Yours sincerely

Robert Latimer