

RICHARD BUXTON

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Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee
UNECE
Bureau 348
Palais de Nations
CH-1211 Geneva 10
Switzerland

Your ref: (new matter)
Our ref. PS/Ffos-y-fran

Also by e-mail

28 February 2013

Dear Sirs

New communication: Alyson Austin

We represent Mrs Alyson Austin of 10 Llwyn Yr Eos, Bradley Gardens, Merthyr Tydfil CF47 0GD, Wales and enclose a new communication in relation to Article 9 of the Aarhus Convention. The communication comprises:

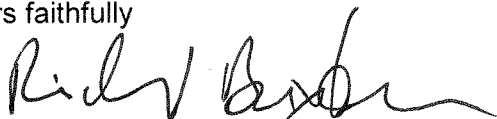
Communication Notice together with

- Annex 1: Detailed submissions (with 3 pages ummary)
- Annex 2: Chronology for Ffos-y-fran opencast coal mine
- Annex 3: Photos of location
- Annex 4: Orders and judgments relating to this case
- Annex 5: Communicant's application for costs protection
- Annex 6: Operator's argument and evidence in reply
- Annex 7: Relevant authorities, legislation & case law

In outline, the communication and complaint fois simply and focuses on an order of the High Court of 31 January 2013 in relation to proposed environmental nuisance proceedings which exposed our client to costs that would be prohibitively expensive. The factual background is however more complex. The communication involves matters of general public importance relating to continuing concerns over the scope and adequacy of cost protection orders and the imminent enactment of legislation under s. 46 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 preventing the ability of claimants such as Mrs Austin from access to justice.

We trust that the above is acceptable and look forward to hearing from at the earliest opportunity.

Yours faithfully



Richard Buxton

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Susan Ring
LLM Env (London) Solicitor - Advocate

Paul Stookes
PhD MSc LLB Solicitor - Advocate

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