

From: Dean Blackwood
To: aarhus compliance <aarhus.compliance@unece.org>
Date: 13/03/2018 11:07
Subject: Re: ACCC/C/2013/90 (UK) - annexes and comments on communicant's reply from Party concerned

Dear Sebastian

ACCC/C/2013/90

Thank you for the notification of receipt of the Party's supporting documentation. In light of its late submission, River Faughan Anglers (RFA) would ask (if possible) that this short and final point is drawn to the attention of the Committee when it deliberates on our complaint this week.

RFA would ask the Committee to note the Party's "Note of Counsel's concluding remarks" - Annex F, and the fact that it makes no attempt to address the issues concerning the original unsigned and undated screening decision. This is despite it being key to RFA's complaint in regard to Article 6 of the Convention.

Indeed, at the hearing on 12 December 2017, when asked by Mr Jendroška to direct the Committee to the original screening decision, it did not go unnoticed that, instead, the Party directed the Committee to the revised screening decision dated 25 June 2012. Similarly, in its opening statement, the Party makes out that it is the revised screening decision which is key to this complaint, thus deflecting from the obvious deficiencies of environmental assessment regarding the original screening decision.

Notwithstanding the serious deficiencies regarding the revised screening decision and how the Schedule 3 criteria were taken into account, it is important to emphasise that the original unsigned and

undated screening decision remains a key element of RFA's complaint.

That the Party attempts to deflect from this is an indication that it recognises the fundamental inadequacies and weaknesses in its argument. Or, if it truly considers these screening decisions to represent good planning practice, then the planning system and the Court's acceptance of this level of assessment leaves Northern Ireland exposed to poor environmental decision-making.

RFA would not wish to delay the Committee's deliberation and understands if this short response cannot be tabled at this stage in proceedings.

Yours sincerely

Dean Blackwood
River Faughan Anglers