

To: Fiona Marshall <Fiona.Marshall@unece.org>
From: Dean Blackwood
Date: 09/21/2014 11:09PM
Subject: Re: Update on communication to the Aarhus Convention Compliance Committee (ACCC/C/2013/90)

(See attached file: Judgment.docx)

(See attached file: Dept Costs.pdf)

Dear Ms Marshall

Apologies for not forwarding the written judgement sooner as I thought it better to await the finalising of the case, including the award of costs, which have only recently been resolved. River Faughan Anglers has only this month received a demand for the Department's Costs. You will be interested to note that the Department has limited its costs to £5,000 excluding Value Added Tax. This, I have no doubt has been influenced by the swift intervention of the Aarhus Convention's Compliance Committee, for which our voluntary organisation is extremely grateful.

Attached is a copy of the judgement and the agreement of costs.

Taking this case in order to try and protect our river has cost our voluntary organisation £166,000 (204,000 Euros), even with the Department limiting what it sought to recover in terms of its costs. Clearly the judicial process and the costs of engaging legal representation in Northern Ireland still remains a major obstacle for the public to challenge environmental decisions. As a town planner, it seems clear to me that a system of third party right of appeal to planning decisions would go a long way to allowing the public access to environmental justice at a cost that is not prohibitively expensive, whilst at the same time ensuring the UK Member State is not persistently breaching its obligations under the Aarhus Convention.

If there is further information you require please let me know. The Directors of RFA would like to take this opportunity to thank you for all your help and would ask that you also pass on our gratitude to the Committee.

Best
Dean