



EUROPEAN COMMISSION

DIRECTORATE-GENERAL

ENVIRONMENT

Directorate A - Legal Affairs and Cohesion

ENV.A.1 - Enforcement, infringements co-ordination and legal issues

The Head of Unit

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ENV.A.1/MV/ts/EU Pilot 3717/12/ENVI

CLAEYS MANU

Van Geertstraat 69

2140 Borgerhout

BELGIUM

E-mail: mail@manuclaeys.be

Subject: your complaint on the construction of a prison at Beveren

This letter is the reply to your complaint, which was originally registered under CHAP (2012) 01663 and then transferred to the EU Pilot (file 3717/12/ENVI) in order to ask for the comments on the authorities regarding the procedure leading to the issuing of the construction permit for the construction of a new prison in Beveren.

It follows from the information supplied by the authorities on 25 March 2013 that the file is still is the object of several national court proceedings, both against the land use plan (GRUP) and against the environmental and construction permits issued. Any flaws in the procedure leading to the adoption of the permit, including where it comes to the proper application of the requirements deriving from the EIA Directive 2011/92/EC, can be a ground for annulment of the permit according to the authorities.

As the national judge is also called upon to apply relevant EU law, there are normally no overriding reasons for the Commission to take steps of its own.

Apart from the point on screening on possible effects of the construction permit mentioned, for which we opened the EU Pilot, we already concluded in our previous pre-closure letter of 4 July 2012, that we could not identify serious indications of a breach of EU environmental legislation on the other points mentioned in your letter.

Consequently we will not propose to the Commission the opening of an infringement procedure but instead intend to close the file, unless you have information which may modify our decision. In the latter case please send it within four weeks of receipt of this letter.

Yours sincerely.



Ion CODESCU