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27 July 2011

Ms. Jane Barton
National Focal Point for the Aarhus Convention
EU and International Coordination
Department for Environment, Food and Rural Affairs (DEFRA)
Area 1 Nobel House, 17 Smith Square
London SW1P 3JR, United Kingdom

Dear Ms. Barton,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with third party rights regarding planning applications (ACCC/C/2011/60)

On 24 June 2011, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received the above communication addressed to the Compliance Committee of the Convention. The communication concerns compliance by the United Kingdom with provisions of the Convention in connection with third parties' right to be heard and of appeal regarding planning applications. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 22 of the annex to decision I/7.

The communication has been registered under the symbol ACCC/C/2011/60, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's website at: <http://live.unece.org/env/pp/pubcom.html>.

The Compliance Committee, having considered the admissibility of the communication at its thirty-third meeting (28-29 June 2011), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

Having regard to paragraph 23 of the annex to decision I/7, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. 27 December 2011), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime.

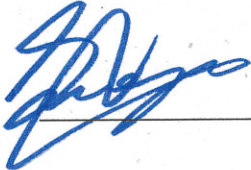
The Committee also noted that the allegations made by the communicant of this communication present similarities to the new allegations made by the communicant of communication ACCC/C/2010/45 (United Kingdom) as far as the planning policy in the United Kingdom is concerned. When submitting your response to the allegations of communication ACCC/C/2011/60, you are also invited to respond to the new allegations of

communication ACCC/C/2010/45. The Committee will decide on how to proceed with both communications after it receives your response.

Please provide any supplementary documentation which is necessary to substantiate your response to the questions. At the same time, you are encouraged to avoid submitting to the Committee excessive documentation which is not strictly relevant to the allegation of non-compliance. In providing your response, please note that you should explicitly comment on the communication itself and the allegations contained therein, as well as addressing the questions raised by the Committee.

Please do not hesitate to contact the secretariat if you have any questions.

Yours sincerely,



Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

Cc: Mr. T. Ewing, communicant of ACCC/C/2011/60
Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office
and other international organizations in Geneva
Mr. Geoff Meaden, communicant of ACCC/C/2010/45

Encs. Communication ACCC/C/2011/60 (including annexes)
Preliminary determination on admissibility
Datasheet on the communication