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UNITED NATIONS

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27 July 2011

Mr T Ewing

Dear Mr. Ewing,

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 from you 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.

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.

The Committee also noted that the allegations made in your 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. It therefore invited the Party concerned to respond both to your allegations and to the new allegations made by the communicant of ACCC/C/2010/45. The Committee will decide on how to proceed with both communications after it receives the response of the Party concerned.

If you wish to submit additional information, you are encouraged to avoid submitting to the Committee excessive documentation which is not strictly relevant to the allegations of non-compliance.

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: Ms. Jane Barton, International and European Coordination Division, DEFRA, UK,
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

Enc. Preliminary determination on admissibility
Datasheet on the communication