

## PARTIAL TRANSLATION REPORT COUNCIL OF MURCIA.

As previously explained in our report of 23 June 2009, at no time was any impediment or restriction placed on access by this Association or any other interested party to the dossiers requested, saving the possible limitations imposed by the complicated handling process undergone by the respective dossiers as, after the corresponding building permits for the construction of dwellings were granted, they were subject to ongoing archaeological monitoring throughout the execution of the works.

Moreover, in relation to the processing of the dossiers of Amendment No 50 of the Partial Plan ZA-ED3, we once again refer you to the report of 23 June 2009:

In the former it stated that in the documentation for the Preview of Amendment No 50 of the Master Plan a prior study was furnished for the Evaluation of Environmental Impact, which did not prove necessary in the end because it was so deemed fit, in accordance with the provisions of Land Act 1/2001, of 24 April, of the Region of Murcia, amended by Law 2/2002, of 10 May, the resolution of the Directorate General for Environmental Quality of the Environment Quality and Land Planning Department of 24 September 2004, the body with responsibility in the matter, so that the municipal decision was therefore made subject to the decision of the abovementioned environmental agency.

In the processing of this dossier (Exp 472/2004), it has been made available at all times to the Senda de Granada Residents Association. Please find attached for illustrative purposes notification of the agreement of provisional adoption of the aforementioned Amendment to this Association and an extract from the Technical Report settling the arguments presented by the Association.

Further, as regards approval of the Planning Project of the UA I of the aforementioned Partial Plan, the Residents Association lodged an administrative appeal against the agreement of final adoption, the decision being duly notified to the Association. A copy of this notification is attached hereunder. The Association had previously presented arguments regarding the provisional adoption of the planning project, which were settled in the agreement of final adoption and duly notified.

Based on the above, we continue to draw the same conclusion: the Association and any interested party requesting so has had access at all times to the dossiers. We do not understand the Association's assertions that "*The interested public was not properly, timely or efficiently informed at the start of the process for decision-making as regards the activity proposed and the corresponding application thereof for which a decision was to be made*", as Amendment No 50 of the General Plan was subject to Preview and a period of public information prior to the initial adoption; or that "*Applications for access to environmental information related to the various decision-making processes set forth in the document hereunder were repeatedly disregarded*", given that the documentation submitted clearly shows that there are no grounds for such an assertion.

*As regards the inconvenience mentioned in Findings and Recommendations of allowing the public viewing of records during the Christmas or summer holiday periods, it should be pointed out that this Administration operates normal working hours during these periods; that the applicable*

*legislation does not provide for this matter; and that, in theory, it is not inconvenient to carry on with the processing set down in the regulations rather than suspending it in holiday periods. In fact, it is even more convenient for the general public to visit government offices at these times and exercise their right to information as it is compatible with their working hours and commitments.*

*Lastly, regarding fee collection for issuing copies, we would like to reiterate that in the act of approval of the decree on the fee, the financial assessment explains the setting of this fee, in which it specifies that only 48.68% of the cost of this service is covered, with no mention of the lodging of appeals against the setting of the fee amount in the decree.*

*Nonetheless, in the light of all the events described, this information will be passed on to the Tax Authorities in order to consider a review of the fee amount for next year or to set a new fee for issuing copies of documents affected by the Aarhus Convention.*