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ECONOMIC COMMISSION  
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Palais des Nations, Room 429-4  
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24 November 2016

Ms. Ziqyia Riaz  
Patrick Campbell Solicitors  
Glasgow  
Scotland

Dear Ms. Riaz,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with the Aberdeen Western Peripheral Route transport proposal (ACCC/C/2009/38)**

On 5 October 2015, the Committee received a letter from the Party concerned in communication ACCC/C/2009/38 seeking clarification of the status of this communication and in particular the communicant's allegations concerning article 9 of the Convention.

In the ensuing months, the secretariat has endeavoured to contact Ms. Francis McCartney as the designated legal representative for Road Sense. We have recently learned that Ms. McCartney is no longer with your law firm, having taken on a new role as sheriff, and that you have taken over Road Sense's file.

As you may be aware, the Committee adopted its findings on communication ACCC/C/2009/38 at its thirty-first meeting (22–25 February 2011). In paragraph 88 of its findings, the Committee noted that domestic judicial proceedings, namely a Statutory Appeal under the Roads (Scotland) Act 1984, were still ongoing at the time. At paragraph 89, the Committee stated that “in light of these developments, the Committee and awaiting further clarification from the communicant finds that it would be premature for it to consider the communicant's allegations regarding access to justice at this stage. It therefore decides to conclude its findings in respect of the other aspects of the communication.”

In its letter of 5 October 2015, attached, the Party concerned informed the Committee that the domestic litigation was now settled. The Party concerned further stated that the legal representatives of the communicant and Mr William Walton had indicated that “the settlement would bring the matter to an end in respect of the issue being put before the Committee”, and provided the attached three letters between the Scottish Government and Campbell & McCartney Solicitors in this regard.

I would be grateful if you would confirm by **Friday, 2 December 2016**, whether the above correctly reflects Road Sense's position, and that the Committee can accordingly consider communication ACCC/C/2009/38 closed. The Committee will consider the information received by that date when considering how to proceed at its upcoming 55<sup>th</sup> meeting (Geneva, 6-9 December 2016).

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

Yours sincerely,



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Fiona Marshall  
Secretary to the Aarhus Convention Compliance Committee

Cc: Ahmed Azam, DEFRA, United Kingdom  
Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the  
United Nations Office and other international organizations in Geneva

Enc: Letter received from the Party concerned dated 5 October 2015 and three annexures