

Mr Jeremy Wates
Secretary to the Aarhus Compliance Committee
United Nations Economic Commission for Europe
Environmental and Human Settlement Division
Room 332 Palais des Nations
CH-1211 Geneva 10
Switzerland

By post and email to: public.participation@unece.org

Our reference PDAA/0943622/O11130644/NGB

Your reference ACCC/C/2010/55

15 March 2011

Dear Sirs

Communication by Fish Legal

We act for 18 English and Welsh water companies (as set out in the schedule to this letter) in relation to a number of appeals currently or recently before the UK's Information Tribunal regarding requests for information purportedly made under the UK's Environmental Information Regulations 2004 ("EIR").

We are informed by Fish Legal, and understand from the information published on your website, that on 3 December 2010 Fish Legal wrote to the Aarhus Compliance Committee (the "Committee") to complain about an alleged breach of the Aarhus Convention by the United Kingdom.

This complaint arises out of a decision of the Upper Tribunal (Administrative Appeals Chamber) of the UK Information Tribunal in the appeal of Smartsources Drainage & Water Reports Ltd v The Information Commissioner (case reference GI/2458/2010).

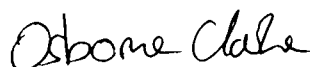
That case concerned whether or not English and Welsh water companies fell within the definition of "public authorities" in the EIR. The Upper Tribunal decided that they did not.

Together with Anglian Water plc, all 18 of our clients were joined as additional parties to that appeal. Whether or not they were deemed to be "public authorities" under the EIR is of direct relevance to our clients and they are all directly affected by the decision of the Upper Tribunal.

We recognise that it is for the UK government to respond to Fish Legal's communication to the Committee. However, because our clients will be directly affected by any decision of the Committee following Fish Legal's complaint and because of our client's direct involvement in the case that has given rise to this complaint, we would be grateful if you would keep us informed of any developments in the Committee's consideration of Fish Legal's communication.

If the Committee requires any input from the English and Welsh water companies or if we can be of any assistance to you on behalf of our 18 clients, then please contact our Peter Ashford using the contact details set out below.

Yours faithfully



Osborne Clarke

T +44 (0) 117 917 3380

F +44 (0) 117 917 3381

Peter.ashford@osborneclarke.com

Osborne Clarke's clients for the purposes of appeals to the UK Information Tribunal

1. Bristol Water plc;
2. Cambridge Water plc;
3. Dee Valley Water plc;
4. Dyr Cymru Cyf;
5. Portsmouth Water Ltd;
6. Sembcorp Bournemouth Water Ltd;
7. South East Water Ltd;
8. South Staffordshire Water plc;
9. South West Water Ltd;
10. Southern Water Services Ltd;
11. Sutton and East Surrey Water plc;
12. Thames Water Utilities Ltd;
13. United Utilities plc;
14. Veolia Water Central Ltd;
15. Veolia Water East Ltd;
16. Veolia Water South East Ltd;
17. Wessex Water Services Ltd; and
18. Yorkshire Water Services Ltd.