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UNITED NATIONS

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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

Mr. Justin Neal  
Fish Legal  
Permanent address:  
Eastwood House  
6 Rainbow St. Leominster  
Herefordshire HR8 8DQ  
United Kingdom

Dear Ms. Barton,  
Dear Mr. Neal,

**Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by the United Kingdom with provisions of the Convention in connection with access to information held by privatized water companies (Ref. ACCC/C/2010/55)**

At its thirty-third meeting (27-28 June 2011), the Committee considered the progress on the above-referenced communication. It noted that in its response to the communication, the Party concerned had informed the Committee that the subject matter of the communication was currently pending before the Upper Tribunal, which further to the application of the communicant/appellant, requested the respondents of the case (i.e. Information Commissioner, United Utilities Water plc, Yorkshire Water Services Ltd and Southern Water Services Ltd), to inform the Upper Tribunal of their view on a possible reference to the Court of the EU. In view of this information, the Committee decided that it would defer its decision on when to discuss the communication until its thirty-fourth meeting (20-23 September 2011)).

In the meantime, you are invited to keep the Committee informed of the progress of the case at the domestic level.

Yours sincerely,



Aphrodite Smagadi

Secretary to the Aarhus Convention Compliance Committee

cc: Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva  
Mr. Guy Linley-Adams, Solicitor acting on behalf of SmartSource Drainage and Water Limited  
Mr. Peter Ashford, Osborne Clarke, on behalf of English and Welsh water companies

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