

31/03/17

Dear Sirs,

I hope the UNECE Compliance Committee will consider the plight of a rural community in Scotland, whose very water supplies are threatened by the consent of a large industrial scale windfarm. Information relating to the 22 private water supplies (PWS) regarded by the developer's consultants as being at major and moderate risk for pollution, or loss of water quality and quantity under Environmental Impact Regulations were not submitted to the Planning Authority before consent was awarded in June 2012, in contravention of the Aarhus Convention.

Since then, the Local Authority have retrospectively attempted to protect PWS by imposing planning conditions on the consent.

The Scottish Government, without allowing public scrutiny of additional, but required Environmental Information, have upheld an appeal by the developer to discharge the planning condition. In doing so, the Scottish Government has removed statutory regulatory responsibilities from the Local Authority, conferring responsibilities directly to the Scottish Environmental Protection Agency (SEPA), which has no statutory liability or responsibility for PWS.

SEPA is directly answerable to and funded by the Scottish Government, as is the Department of Planning and Environmental Appeals (DPEA).

We, the affected public, have tried every avenue possible to get our concerns properly addressed, including dialogue with our Local Authority and referral of these matters to elected Members of the Scottish and UK parliaments over the past 5 years. I have had our elected Member of Parliament raise questions regarding compliance with Aarhus regulations in the Scottish Parliament. I have personally had a meeting with the Energy Minister, Fergus Ewing MSP in December 2015, all this to no avail.

I hope you will find the time to consider our case study, which in our view disregards the terms of the Aarhus convention and puts our Human Rights at risk – those of a right to enjoy your home, which includes the right to adequate quantities of safe, clean water.

Yours Faithfully,

Dr Rachel Connor FRCR, M.B., Ch.B