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Department for Environment Food and Rural Affairs
Nobel House
17 Smith Square
London SW1P 3JR

Attn: Ceri Morgan

29 November 2013

By email: ceri.morgan@defra.gsi.gov.uk

Dear Sirs

Communication ACCC/C/86/2013

We write further to earlier correspondence and, in particular, the invitation to the UK by the Compliance Committee Secretariat to submit responses to the above communication by 22 December 2013.

The Court of Appeal has granted a limited protective costs order to enable the matter to proceed to a full appeal hearing and we enclose a copy for your information. Defra will be aware that this does not determine the matter but will permit a full appeal on the substantive application in which the communicant, Mrs Austin, seeks costs protection in private nuisance proceedings relating to environmental harm by dust and noise. The Civil Appeals Office has set a target date for the appeal to be listed between 17 February and 17 June 2014.

We look forward to receiving a copy of UK reply to the communication on or before the 22 December 2013.

Yours faithfully



Richard Buxton

cc Secretariat to the Aarhus Compliance Committee
Hugh James/Gareth Morgan (for the Communicant in matter ACCC/C/85/2013)