

**Question for written answer P-008301/2013/rev.1  
to the Commission**  
Rule 117  
**Struan Stevenson (ECR)**

Subject: Excessive cost of challenging decisions in the UK

A constituent of mine challenged the Scottish Government-approved plans for Fife Council to increase the size of St Andrews by up to one quarter. The proposals include the construction of a minimum of 1 000 houses, a business park, a science park and a distributor road on the western edge of the town.

After losing two cases in the Scottish Court of Session in Edinburgh, the UK Supreme Court has also recently dismissed my constituent's legal challenge and she is now faced with a legal bill of at least GBP 173 000.

However, this large fee that my constituent is now faced with is in direct contravention of Directive 2003/35/EC on public participation in the drawing-up of plans relating to the environment. This directive explicitly states that such challenges must not be prohibitively expensive, yet the UK and Scottish courts have shown a complete disregard for this piece of EU legislation.

I am aware that the Commission has taken the UK to the European Court of Justice over legal proceedings proving too costly – including situations in which the potential financial consequences of losing such challenges prevents individuals from bringing cases against public bodies.

I wholeheartedly welcome the Commission's decision to take the UK to the European Court of Justice over this matter, yet as this matter is becoming considerably severe, could I urge the Commission to take further action directly with the UK and Scottish governments regarding this case?