

Legal challenge still very much alive says BAA

Although it failed in its attempt to secure a consultation on the legality of the Aggregates Levy under State Aid rules in the EU court, the British Aggregates Association (BAA) says the challenge is still very much alive.

The BAA had claimed that State Aid approvals for exemptions and reliefs from the levy should not have been granted and that the issues surrounding State Aid had been inadequately investigated in the context of the levy.

The EU Court of First Instance (CFI) rejected all pleas from the BAA. However, the fight is not yet over, says the BAA, and it has until 13 November under EU law in which to make the decision to appeal. However, before it does it says it would like to see more support from other larger industry operators and the QPA. "The noises being made by the QPA were not as encouraging as we would have liked," the BAA's Peter Huxtable told *MQR*. "Every one seems to want the tax to go so we should work together to do it and not sit on the fence."

The QPA rejected the claim it has sat on the fence and told *MQR* that it was unlikely it would support any future action taken by the BAA in Europe.