

M.P, A.J and D.S REED

Our ref: ENO20016

Objections for deadline 17/02/16 procedure

Dear Mr Broderick,

Please find below our objections and concerns to be taken into consideration which will now be under 2 main headings:

1. Land owned by us
2. Head of Terms revised request

Land owned by us whereby applicants stating owner not known

- The land it relates to is the entrance to our drive and home
- It is recorded in the Land Registry back in 2003 as being part of our land and we have a right of way to our property
- This came about due to the A485, which runs parallel to our property, being widened in 2003 and a new entrance had to be created for safety reasons. This was recorded by the Council etc.
- We maintain this driveway and the boundary hedges, as did the previous owner pre 2009
- WPD have now acknowledge our interest in this and I am at this time contacting Land Registry for supporting evidence.

HEADS OF TERMS request to be revised

1. **LAYOUT OF DOCUMENT** – The layout of the HoT's document is not conforming to legal layout which needs to be as follows:-
 - Each page to be numbered
 - Each numbered page to have a signature from landowners and signed by WPD, the applicant and dated
 - The map attached needs to be part of the document and referred to Appendix (no. 1 ?) and paged numbered with a signature space for landowner and applicant to sign as mentioned above and also dated
 - The declaration at the end of the document should be a numbered page as well, and part of the HoT's document not stating 'as above' but as words to the effect ' I sign this document of (listed amount) pages'

- No blank areas at the bottom of any of the pages, should be a continuous document in order that nothing can be added in, or amended, after signature
- Two copies identical, one for the land owner and one for the applicant

2. MAP AMENDMENTS

- As stated above in bullet point three, i.e. appendix reference for map
- Should not include the rest of the land/house etc. only the easement strip and defined rights of access
- Map and document (Hot) need to state how much land is being taken up
- Calculation for the construction to be listed in metres and detailed in a numbered paragraph and on the map
- Actual location is not precise for the location of the poles and needs to be shown on the map as a distance from a fixed point for example, a gate could be called 'A' and the fence alongside the poles called 'B', the twin poles called C and D and measured in metres from each fixed point to give an exact location
- Width of distance between each post listed in measured metres
- The area width shaded to be shown in metres
- Post location in that section to be shown precise

3. ADDED PARAGRAPH

- A paragraph added stating on the document to say the poles will not be increased to extra poles under this agreement

4. ROUTE OF ACCESS/RISK ASSESSMENT

- I have changed the route under a risk assessment and sent it in (not acknowledged by WPD) due to active bee hives (Plan sent in can be resent if needed). This is important due to some peoples reaction to a bee sting
- The route will need a metal gate 12 foot long with mesh on the bottom to be replaced from a small foot path gate and the entrance extended to fit the 12 foot gate, this to be supplied and fitted and paid for, including posts by WPD
- New amended route to be included as an appendix and route shown in the written section of the HoT as well as on the map

5. CERTIFICATE OF INSURANCE

- This has not been produced as requested and needs to be seen before signing

6. DAMAGE/CONDITIONS

- All fields to be returned to the same condition prior to erection and construction of poles and access. For example, if grass destroyed then reseeded at applicant's expense and any damage to be repaired at applicant's expense in a reasonable time due to farm stock on land. Also any compensation due to any animals straying due to negligence due to the location being close and parallel to a main A road

7. NOTICE GIVEN

- Notice to be given in plenty of time of each and every visit and consideration given to time of year so as not to disturb livestock during lambing for example sheep aborting from disturbance.

8. REVISE THE HoT's

- The HoT's document to be revised based on the fields being used as arable and grazing. Fields are used as silage and have been ploughed in the past (This is not included in our HoT's document neither is the Easement/pole payments included in this as yet only the incentive payment is shown)

9. PARAGRAPH 6 TO BE TAKEN OUT

- Paragraph 6 to be taken out as it is not clear and it states that equipment could change and if signed the easement can be decreased. Not prepared to sign stating payment could be reduced by 50% it therefore needs re drafting to fixed poles

10. PARAGRAPH 8 TO BE TAKEN OUT

- Paragraph 8 needs to be taken as it takes out the rights to object once signed especially how it would relate to paragraph 6

11. PARAGRAPH 11 subsection b

- Paragraph 11 (b) - The easement strip is not defined and needs to be defined precisely

12. PARAGRAPH 13

- Paragraph 13 to be taken out as it conflicts with landowners pack re payment instalments i.e. in order sign the 100% payments it needs to be known before agreement/signatures otherwise how do you know what 50% is??

13. PAYMENT AGREEMENT

- HoT's not to be signed until full payment agreed, either paid up on signing or put in writing an agreed amount to be received before a cut-off date which would be pre agreed

14. SOLICITORS

- Reasonable agreed fee with retainer solicitor and not capped

15. SURVEY PAYMENTS

- On signing, inclusion needed to be added as to the survey payments which to date have not been paid with a reasonable time to be settled

16. INJURIOUS AFFECTION

- Please note the IA is not in our HoT's and needs to be included in the document.

17. TREES FELLED

- To be included confirmation of no trees being felled and if they are then the value of an approximate existing 70 year old Ash Tree to be valued or any other affected trees. Felled trees to be cut and removed to an arranged nearby location

18. ANCILLARY EQUIPMENT

- Ancillary equipment needs to be precise and defined. Any changes in equipment need to be 'like for like'.

We have discussed with our Land Agent, Mr Iwan Jones the contents of the HoT's together with the land owners.

Based on the existing HoT's we are not prepared to sign this document until it has been redrafted with the above concerns and the concerns detailed in Mr Jones letter re HoT's.

We respectfully ask that the above points be looked into and consideration be given to address our concerns and objections.

Sent with thanks.

Yours sincerely

Maurice Patrick Reed

Audrey Joyce Reed

Dawn Suzanne Reed