



28th March 2016

FAO Ms Katherine King

The Planning Inspectorate,
3/18 Eagle Wing,
Temple Quay House,
2 The Square,
Bristol, BS1-6PN

Your Ref: EN020016
Our Ref: BFC_AFP035

Dear Ms King,

BRECHFA FOREST CONNECTION

We wish to thank the Examining Authority for this last opportunity to make a submission on this subject and, will be grateful if you would forward our correspondence to Mr Broderick and ask if he would please formally include this letter in the procedure.

This submission is intended for Deadline 7 (Thursday 31st March 2016) and picks up on statements made on WPD's behalf in the Hearing on 10th February 2016, particularly in the Session 2 in which we refer to the running times of the audio recording as certain statements have been made that we wish to make comment upon.

Before we commence our submission we wish to confirm having received documents from Bruton Knowles on 26th March 2016 that are 'Key Terms Sheets/Heads of Terms' together with a covering letter. We do not understand why these documents have been provided to us at this time as in the first paragraph of the BK letter the statement "...unfortunately we have been unable to agree the wording of the Heads of Terms document" is made. As our Land Agent is on holiday presently (as we understand BK are aware) we are not able to discuss the documents with Iwan Jones of BJP. The documents do not appear significantly different to the previous ones we received and, once again appear generic as features described do not seem to apply to our property and, concerns we have included in our submissions to the ExA have not been addressed. The HoT's particularly are increasingly confusing as they mention "in which the electric lines will be erected" and "[3] x permanent accesses (if no poles or stays)" as we understood in another document it states scaffolding that is in an area of our land WPD require to use outside of the 'Easement Strip'. Also, our land boundary marked in red remains incorrect although WPD representatives have been told this previously. In addition, the numbering of the new 'Key Terms Sheet' and the 'Tracked Changes' do not correlate which gives the impression that thorough checking has not been carried out.

Expanding upon the apparent generic nature of the documents mentioned above, we would highlight the following from the Hearing on 10th February 2016 session 2 audio recording (which are not meant to be quotes):---

Time 18:00 minutes approx:

Red Kite solicitors letter --- terms should relate to each individual landowner.

We do not understand how this can be achieved without collating information from each landowner by meeting with them or using the data from the ExA's records.

Time 19:45 minutes approx:

WPD's Legal Council --- Mr Jones to advise of landowner's concerns.

We believe it true to say that the landowner's have been advising WPD of their wishes from the first consultation and have also provided valuable input which does not seem to have been employed.

Generally in the many submissions to the ExA landowner's have also recorded their concerns and, a review of these will provide a comprehensive picture to WPD of these matters without awaiting Mr Jones to spend his valuable time to reprise them all again.

Time 19:50 minutes approx:

WPD's Legal Council --- We are here to negotiate case by case on the easement which we require and it is not a legal hold on your land.

Once again, we do not understand how this can be achieved without collating information from each landowner by meeting with them or using the data from the ExA's records.

Time 22:00 minutes approx:

WPD's Legal Council --- No record of any evidence of taint of wooden poles used **extensively** over upland Wales...**many many hundreds of poles.**

Regarding taint; it is suggested that the likelihood of this being commented upon before the modern Health & Safety concerns would seem unlikely as long as landowners had water.

Regarding numbers of poles; from the above there are obviously a lot and this is why landowner's are so opposed to even more poles for OHL's. When will enough be enough?

Time 36:00 minutes approx:

WPD's Legal Council --- Private loss --- No serious suggestion of a better route for a predominantly OHL which would produce a less private loss than the one we have taken. Landowner's and others have indeed proposed a **serious suggestion** for this connection. **Install it underground.** This would mitigate private loss. It appears that WPD are advocating that a small loss of profits to their large company is more important than the private losses of us individuals. This can only be seen as the rich getting richer at the expense of pensioners and hard-working wage earners who have invested heavily in their land, even their entire lives.

Time 53:00 minutes approx:

WPD's Legal Council --- Human Rights aspect --- **First thing to note is that nobody is required to sign them** (the HoT's). **You sign up to a HoT when you are satisfied that you feel they meet your requirements, needs and position. Its an agreement somebody enters into freely.**

Before we were aware of this advice, it is suggested that this is the very reason that several landowner's have not yet signed these documents. Indeed, they do not meet our requirements, needs and position, and the best way to achieve this is for WPD to engage properly and meaningfully with the landowner's and address their individual concerns and incorporate them into documents as appropriate. We thank WPD's Legal Council's advice.

Time 54:00 minutes approx:

Nick Buxton, Bruton Knowles --- has apparently been bought in to deal with BJP clients. BK advise that 3 clauses from BJP were responded to on 16th December 2015 and a further 30 odd issues on 18th January 2016, however there does not appear to been any significant effect on the 'Key Terms Sheets/Heads of Terms'.

It appears to us that this important matter is trying to be carried out seated at a desk rather than making visits to find out from the 'horses mouths' what the landowner's concerns are, making notes of them and sorting them expediently.

We must say that considering the reams of paper WPD has used in their mass of documentation, we are amazed that they did not appear to see fit to use half-of-a-ream to write to each affected landowner with a resume of the anticipated works and equipment to be carried out or installed on their property, as we think this would have provided a basis of understanding between the parties.

As WPD originally made appointments with us, which they cancelled without notice or apology, we believe that their original approach to engage with landowner's was the correct one which, had they carried on, we perceive would have had matters resolved by now to our mutual satisfaction. However, as always, we remain ready to engage with WPD preferably on a face-to-face basis to get this matter sorted, even though we still advocate that undergrounding of the connection would benefit landowner's and the valuable countryside. The remaining beautiful countryside is all we have to pass on to future generations and the more we abuse it the more our descendants will despise us.

We must therefore confirm our continued objection to the application for a 'Development Consent Order' and 'Compulsary Acquisition' and also believe that WPD should be obliged to properly carry out the necessary engagement with landowner's so that an agreement is made that can be entered into freely.

Kindest Regards,

Leslie & Pearl Birch