



30/03/2016

31/03/2016 Ref: BFC-AFP113

Dear Mr Broderick

CONFUSION, INEPTITUDE & INCOMPETENCE REIGNS
APPLICATION BY WPD FOR A DEVELOPMENT CONSENT ORDER

I have now at last received a letter from Mr Buxton of BK on 29/03/2016 [which does not include our reference which I include now for the purposes of our response to this letter [Ref: BFC-AFP113]. This would suggest that there has been a pile of correspondence which was being sent out before the Easter weekend by BK and Mr Buxton has sent them all out without reading them before they were posted.

Our property HoT as Mr Jones has pointed out on many previous occasions requires a right of way for the applicant to access Pole 169. There is no requirement for a property wide demise area on our retained property.

The enclosed key terms sheet, heads of terms and the amended plan of our property are still incorrect. Did Mr Buxton ever refer to the plan provided to the Inquiry on the 17th February 2016. I refer to previous plans and the previous correspondence we sent to you. Does Mr Buxton ever read what goes on with PINS as he is always criticising Mr Jones for not detailing landowner's concerns.

Whilst I see that WPD have reduced their unreasonable request to control my entire property, the extent of the demise area is beyond that which is proportionate for the development.

Mr Buxton has requested me to contact him if I have any specific concerns. I will be doing this in due course when my Land Agent returns from his annual leave. In the meantime, I wished to write to you with our specific concerns before Deadline 7. Our specific concerns are as follows: -

- I expressed in an e mail dated 19th January 2016 to Andrew Hubbard and Jocelyn Honeywood our concerns about the project and specifically for a hydrology assessment and water quality test of our private water supply. This had previously been acknowledged by Mr Hubbard who had stated on the 24th October 2014 that this specific concern in respect to our hydrology assessment and water quality test of our private water supply would be addressed by WPD.

- Further to this e mail Mr Buxton BK Jason Pacey (WPD) and Colin Whittingham (Hydrologist) visited our property on the 29th January 2016 to discuss concerns about our PWS.
- Mr Buxton led the meeting and assumed it would be an 'around the table meeting' to discuss our PWS as he just wanted to look at maps around our table. I explained that I expected more and did not understand how a proper hydrologist assessment report was going to be compiled without walking the land and inspecting the PWS.
- We spent the morning inspecting our PWS and the required mitigation to agree pole location [pole 170 & 171] away from our PWS and Springs and storage of poles away from our PWS catchment areas.
- When we returned from inspecting the water supply I told Mr Buxton that the boundary map of our property issued by WPD was still incorrect as it included barns and a portion of land owned by Mr and Mrs Rentmore at Llwyn Teg. We were standing on the track to Llwyn Teg by the barns, and I showed Mr Buxton that the boundary followed the wall of the barn which belonged to Mrs Rentmore. I explained to him that I had been trying to get the boundary position corrected since stage 3 consultation, and I had sent in maps indicating where the boundary was correctly located. Mr Buxton clearly understood this but did not take notes or mark up a plan noting what I told him and so I can only conclude that when he got back to the office he forgot to modify the plan or check on PINS to understand our specific concerns throughout the process.
- WPD stated they would relocate Pole 170 - 5 metres uphill from original position and 171 - 5 metres downhill from original position. The HoT does not provide this. The HoT needs to be specific to our property interests and not a generic HoT.
- On the conclusion of the meeting I thanked WPD for meeting me to discuss the PWS concerns we had/have and hoped there would be no further errors. We expected a plan identifying the location and siting of poles 170 and 171 and a revised plan highlighting our PWS and Springs and to identify areas for the storage of poles away from our PWS catchment areas.
- I have personally inspected PINS as advised by Mr Jones and note a letter from Mrs Rentmore [not dated but deadline 5 submission] and addressed to the Inspector. The letter still highlights very serious concerns about the PWS for Mrs Rentmore and by association ourselves. Mrs Rentmore stated in her letter to the Inspector that *'WPD stated that we have two collection points, that go to 2 holding tanks, that feed our property. Where there are actually 3 collection points. We do not have 2 holding tanks, one tank is ours, the other tank and 1 collection point, belongs to Mrs Medland'*.
- I cannot comment on the PWS of Mrs Rentmore but it becomes clear that WPD remain confused about the extent of Mrs Rentmores PWS and therefore by

association our PWS. This is of major concern to us and our neighbours at Glyncoch and Tir y Wennol who also feed off our PWS.

- I believe my Land Agent should have been present at my meeting with WPD on the 29th January 2016. Mr Jones confirmed that WPD would not pay his fees for this site specific meeting to discuss our PWS. We noted on PINS however that they have paid for Mrs Rentmore's land agent to be present at their meeting on THE SAME DAY.
- I think I am entitled to an explanation for this discrimination?
- I would request the Inspector ask for an explanation in the interest of openness and fairness why one LO has been treated differently from another on identical problems by WPD.
- If my Land Agent had been present at the meeting in all probability I would not now be writing this letter to the Inspector because they would have had to take notice of our Land Agent.
- Following our meeting on the 29th January 2016 we received a response from Mr Buxton on the 12th February 2016 [arrived with us on the 17th February 2016] in which Mr Buxton confirmed that our track would be used for small construction vehicles only and maintenance post construction. This is acceptable. The new plan of our PWS and property land interest however remained incorrect.
- I contacted Mr Jones and went to his office the same day. Mr Jones corrected the plan and provided 2 new plans based on the plan provided by WPD. The first plan he produced identified the correct boundary position in red and marked in yellow for the avoidance of doubt the land interests we do not own. He also corrected on Plan 1 the appropriate features of our PWS and highlighted the revised position of poles 170 & 171 as agreed with WPD but not reflected in Mr Buxton's letter or on the plan attached. Mr Jones also provided a second plan identifying our track and confirming access to pole 169 only with no parking in our driveway. These were previously submitted to PINS.
- The revised HoT does not reflect what was agreed and WPD have not corrected the hydrology plan as corrected by Mr Jones or modified the HoT to reflect what is required. We cannot sign the revised HoT in its current guise as it is still incorrect as we will point out below
- 1. For the avoidance of doubt when Mr Buxton came here on the 29th January 2016 I thought I made it clear that I did not object to WPD passing through my yard on the existing roadway to pole 169. WPD have stated specifically they only need access through my property to pole 169. The HoT needs to identify the access track in blue and this needs to be specific to the existing width of our private means of access and no wider than that required and to also exclude the private parking area which is currently highlighted indicative blue. For the avoidance of doubt, we do not want WPD or their contractor parking in

this area highlighted indicative blue, its use is for ingress/egress only and not for parking or storage. Mr Buxton did not write this down and he has obviously forgotten what was agreed in our meeting with him.

2. There is no requirement for an easement area. For the avoidance of doubt on the plan of my property Mr Buxton provided with his letter I notice there is an area coloured brown outside the front of my house which in fact encompasses the steps up to my house and part of my patio, pond and garden and 180 plus trees to our private dwelling.
3. WPD have already surveyed and identified the best access route to Pole 169 which is an existing road. Please delete reference to the easement area. This is not required and is not proportionate to your development as you already have access to an existing road. WPD do not need anything else – what can be better than an existing metalled road.
4. Please refer to our concerns regarding bees on our property which we have previously seen documented by WPD on the first consultation meeting in Carmarthen. Please also refer to Mrs Reed [bees] and her own concerns which Freedom think are funny and which we have the same concerns over.
5. Please note that WPD do not need a clause in our HOT that restricts us from applying for planning or changing things on the ground. There merely needs to be a statement stating that we give WPD permission for access to pole 169 during construction, and after for inspection, repair, or maintenance only for this specific pole on the specified roadway. When WPD visited our property, my daughter and I clearly explained to Mr Buxton that she requires a studio space in one of our outbuildings to work on her projects. Whilst we understand that it remains unlikely that WPD would object to any development on our property this is irrelevant as they do not need to hold any of our property interests apart from the access route to Pole 169.
6. I can only assume Mr Buxton has not read the information that was sent to him previously. I can't understand how a professional such as Mr Buxton could have not noted our concerns properly and written these down as he has obviously forgotten to document them and continues to criticise our own Land Agent who he refused to pay to come and see us, when his input would have been invaluable to sort out all these confusions.
7. As far as I can identify the key HoT terms apply to those landowners who have poles or cables over their land and not to a landowner who is providing a right of way only across their property.

PINS Statements Regarding Mrs & Mrs Rentmore Lwynteg PWS [poles 171 & 172] and Pole [170 & 171] For Mr & Mrs Medland & Others Reliant On The PWS.

In addressing our concerns, we have also considered the concerns of our neighbours Mr and Mrs Rentmore. Their concerns regarding PWS are to all intent and purposes our concerns too.

The majority of these concerns have not been addressed by WPD.

- As our Land Agent has not been paid to meet Mr Buxton and WPD I have had no alternative but to piggy back Mr & Mrs Rentmores agent's remarks which bear similar concerns to our situation.
- Mr Buxton has previously told me that WPD no longer used creosote to preserve their poles, which I later found by looking at WPD website to be untrue. I phoned him on 15/01/2016 to tell him this, to which he replied "I am only a land agent I can't be expected to know these things". If he doesn't know what he is talking about then he should research the facts first.
- Mr and Mrs Rentmore have also expressed her serious concerns over the information used by RSK to provide their report on their private water supply. I have the same concerns.
- Mr and Mrs Rentmore state that when Mr Whittingham attended a meeting with Mr and Mrs Rentmore after my meeting with WPD; *'Mr Whittingham produced a map that he had used to form his initial conclusions. We immediately saw that this map was incorrect. The map had only one collection point marked on it, whereas there are two. However, Mr Whittingham should have corrected this error, when he visited our property on the 6th of March. On this visit we walked to each location, clearly pointing out where the two catchment point were'*. If the Rentmores have problems, then this clearly shows that WPD are not listening to our concerns because when we carried out the same exercise and WPD inspected my PWS I had expected the plan to be correct. The plan of the PWS as provided by WPD is still wrong as is the case for my neighbour.
- If WPD visited Mr and Mrs Rentmore on the 6th of March, why did they not come to see us on the same day when I had already notified PINS of our concerns regarding the inaccurate map reflecting our PWS, Boundary Limits, including Land Interests Incorrectly identified and references to Indicative Access Routes in which need to be defined. It is fairly obvious to me that Mr Buxton has not read PINS. Furthermore, it would have been a good idea as Mr Whittingham was in the area for him to call in or leave a card for me to ring him if we still had any concerns [which we do].

- Mrs Rentmore also states *‘WPD asked on the website, if we had any proof that their poles would contaminate the underground water? Well firstly, the poles are impregnated with Creosote, which is a toxin and is not to be used on Agricultural land. And where is the evidence that these sleeves will last the lifetime of these poles. Mr Hubbard statement that they have used this sleeve on a pole and that it has been used for the last 6 years, is not evidence. Where is this pole, is the location similar to our own, was it removed after 6 years and why? What evidence can they provide to show that the ground/water was regularly tested for contamination, if not, how do they know that it did not impact on the surrounding ground/water. And why did it only last 6 years?’*
- I would ALSO add that the poles are buried as much as 3 meters below ground – [a great deal lower into the ground than a fencing stake], also a great deal bigger with a larger mass area to hold creosote and the anchors for the stay are also creosoted.
- I would **ALSO** add Mr Hubbard has made a statement to Mrs Rentmore where he states - *“This system of encapsulation has previously been used on similar wooden poles “These poles have been on site for over six years and there have been no issues with migration of leached materials into the water supply.” He needs to explain what property he is talking about and what system was in place for monitoring – as without a specific testing regime how can he make such bold statement. Mr Hubbard is a solicitor not a hydrologist and so I would like a copy of the research he is referring to please. If we are being asked to provide research information, then the research information Mr Hubbard refers to **MUST ALSO BE PROVIDED TO PINS***
- Furthermore, *Mrs Rentmore states ‘Mrs Kathryn Lewis and ourselves, have repeatedly asked for WPD to do a Site Specific Survey, to identify potential risk to our PWS. They have refused to perform a Site Specific Survey and have also refused to acknowledge, the potential risk to our PWS from the placement of these poles in our catchment area. That could potential result in our Springs being diverted away from our holding tanks. WPD completely ignores the issues surrounding the diverting of our Springs and solely directs all their attention just to the risk of contamination of our PWS. I have the same concerns and in fact pole 170 and 171 are also located close to our springs and in fact based on my understanding contractor vehicles will travel within inches of our springs. These vehicles will also cause compaction which will be much greater as the works, we understand are planned for in the Autumn /Winter months. This could cause the springs to cease functioning or reduce the flow. This was confirmed verbally during Mr Whittingham’s visit.*
- I would request the same Site Specific Survey, to identify potential risk to our PWS.

- Mrs Lewis goes on to state; *Mr Hubbard has emailed Kathryn Lewis to inform her that notes were taken on the visit on the 6th March, 2015, however, no site specific report was produced. WPD has refused to give us these notes. Surprisingly, Mr Whittingham, during his recent visit to our home, did not bring his notes from that visit with him. Since Mr Whittingham's visit was to discuss our concerns, why would he not have these crucial notes to hand. However, it was duly noted by all present at this meeting, that Mr Whittingham agreed that a risk did exist, concerning the diverting of our Springs'. We would confirm when Mr Buxton visited us with Mr Whittingham no site specific notes were taken by WPD - which surprised my land agent especially as they went straight onto a meeting with Mr & Mrs Rentmore. This may explain all the inaccuracies and inconsistencies and confusion which I have entitled this e mail to you.*
- In any HoT documentation I will also insist on a separate hydrologist report and that WPD pay for our water to be tested before their work begins, as this as Mrs Lewis states will establish a base line, that all other tests will be compared too. They have agreed to this but this is not included in my HoT.

Mr Jones also told us that he was having the same problems with my neighbours Mrs Reader and Mr and Mrs Davies amongst others.

He felt Mr Buxton was not being very helpful and was also dragging his feet at every occasion – trying to be clever with his knowledge'

Mr Jones also told me he started shouting at Mrs Reader when she didn't follow a point he was making. Mr Jones had to tell him to behave and respect landowners and understand their obvious concerns.

When he visited me he listened but didn't really seem much interested with my concerns over the map. If he had been concerned, he would have walked the boundary like Mr Jones did and marked up an appropriate plan. The plan that Mr Jones prepared is already with PINS but the new plan attached to the HoT is still wrong and before long we will be accused of trying to claim Mrs Rentmores property.

Mr Buxton complains about Mr Jones that he does not communicate with Mr Buxton. Mr Jones has explained to me he has told Mr Buxton to arrange landowners meetings and that everything he needs is on the PINS web site which I have used to understand Mr and Mrs Rentmores concerns which I fully understand based on their previous objection letter to PINS.

If Mr Buxton had spent some time like us looking on PINS he would understand our concerns. Also if Mr Buxton paid our land agent then it would be much simpler.

Since the close of Stage 3 Consultation we have felt that there has been an assumption on the part of WPD and their consultants that approval of their application is a sure thing.

We have felt that WPD consider that the 'consultation box' had been ticked at the closure of Stage 3 Consultation and they had no obligation to engage further with Land Owners. We have had to battle with WPD like our neighbours the Rentmores to get WPD to understand our real concerns about our PWS.

We feel that this assumption on behalf of WPD that the DCO is a dead cert that this has caused the reluctance of WPPD to engage with us as apparent with our neighbours.

I understand that PINs process is a process designed for the applicant to liaise, negotiate and modify the development to account for the landowner's reasonable concerns.

We don't know where the procedure will take us now but we haven't given up hope that WPD will work with us to achieve a voluntary agreement and provide us with the appropriate information regarding our PWS and modify the HoT for the purpose required which is a defined access route across our defined property.

Pauline Medland.

Mr & Mrs Medland

