

Compulsory Acquisition Hearing 10 (29th August 2019) Summary of oral representation

Introduction:

Patrick Durnford, Fowler Fortescue representing the Turner family of Manor Farm.

- Manor Farm operates integrated arable and cattle farming systems this is the optimum use of the farm (1,000 acres of which) is unimproved grassland.
- A suckler herd of up to 500 head of cattle are grazed extensively (on an outdoor based system).
- Both the arable and cattle operations are dependent on water availability, but especially the livestock enterprise.
- Water availability needs to be to numerous points of the farm (water troughs) not just a limited number of filling points.
- Disruption to water supply (either by a loss of availability or contamination) is potentially catastrophic. Loss of this resources especially in a hot dry summer, would within a matter of hours cause distress to livestock and potentially death. The financial impact would be immediate as resource would need to be diverted to trying to alleviate welfare issues as opposed to normal farming operations.
- The farm's principle borehole is located only 6m from the edge of the proposed compound, which will be used for the dewatering and processing of arisings together with other ancillary operations. The compound areas will be exposed to a number of contaminates. The proximity risk is therefore very high.
- Despite the fact that the actual abstraction point for this main supply is outside of the red line, the pipework that goes on to supply much of the wider farm is routed through the proposed compounds. This is intentional in order to be able to gravity supply the wider network. There is no alternative routing option that can be operated on a gravity system. Some of these pipes that traverse the proposed compounds have been in situ for

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nearly 100 years and therefore are fragile. It is impossible to think that heavy excavation machinery and general use of the compounds will not fracture and damage these pipes.

In this context we would make the following oral representations:

	Water Resources:	
	<ul style="list-style-type: none">• The risks of the scheme upon private supplies of water have been presented earlier in the process. The tunnel and processing activities proposed constitute an extremely significant risk to private water supplies that cannot be fully removed.• We respectfully request that the Examining Authority impose within the DCO an express obligation upon the applicant, to provide an auxiliary mains water supply to the affected farms (of suitable capacity).• We request that a categorical undertaking is provided by the applicant that if / when the 'back up' mains system is relied up, that the standing and meterage costs are reimbursed.• A legal protection by virtue of DCO condition to enshrine the provision of a capable auxiliary supply is we believe entirely reasonable and proportionate to the concerns and uncertainties of the scheme.• We request that enlarged and appropriate exclusion zones are applied to the land surrounding the points of abstraction and for clarity these are marked on all scheme plans.	

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	<p>Water supply pipes through Compounds:</p> <ul style="list-style-type: none">• My client would be happy to consider having a new borehole established (at the expense of Highways) that can be linked to the pre-existing supply route and allow the abstraction point to moved further away from the Compound. For reasons unknown to us, this proposal has been resisted against. We therefore formerly ask the Planning Inspectorate that this provision is insisted upon. <p>For the avoidance of doubt, this provision would need to be in addition to the auxiliary mains supply required.</p>	
	<p>Comments on the OEMP:</p> <p>MW-WAT11 Para C:</p> <p>This provision is intended to deal with the response of the Contractor in the event of an impact on water quality. It is inadequate as it does not expressly deal with a loss of supply as well as an impact in quality. The provision states that Contractor will put in place emergency measures that could include tankered water. Clearly, this is impractical in the context of distribution across a farm network. Neither does it take account of interruptions in supply for long duration or periods of extreme weather (when access is unfeasible). Water provision would need to be available almost immediately and vague contingency plans are wholly inappropriate given the level of risk arising.</p> <p>MW-COM6</p> <p>We welcome increased recognition in this Statement relating to water provision from private abstractions. However, in the context of the proximity of Manor Farm’s main water abstraction point to allocated compounds for processing. It would be appropriate for a clear agreement to be provided that an auxiliary mains supply will be provided. Such a supply will be required to facilitate the construction work and tunnel use.</p>	

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These requests are we believe the bare minimum to ensure adequate resilience and maintenance of water supply during the works.

In conclusion these requests are:

- 1) The marking on scheme plans of enlarged exclusion zones within the compound areas to prohibit activities of heightened risk to water supply sources. This is for reassurance and clarity.
- 2) Provision of 'back up' of mains supply of sufficient capacity.
- 3) The making of a clear undertaking that if the mains back up supply is required for use (for reasons relating to the scheme) that the metered cost of water will be reimbursed without undue delay.
- 4) That the applicant is required to provide an alternative water supply borehole further away from the compound.