

## **P-05-741 Natural Resources Wales (Cyfoeth Naturiol Cymru) needs tighter restriction – Correspondence from the Petitioner to the Committee, 07.02.17**

This is a short statement regarding the way NRW use their power.

I took on the farm in 2013 following a sea flood that destroyed the farm and house. I was faced with a choice of either selling all my livestock or find other land. Purely by chance, this parcel of 100 acres came up for rent. At that time the land had no restrictions in force at all. In previous years, the owner had been taking payments for a section 15 agreement with the NRW, but this had lapsed, and the owner did not want to enter into another agreement.

Soon after I acquired the land, I began to clear rushes, brambles etc. to try and tidy the holding, and encourage new grassland growth. This action marked the start of my troubles.

In 2013 NRW reported me to the rural crime team, North Wales Police for destruction of habitat. (There was no evidence to support this) and no charges were ever brought.

Following this the land was designated emergency SSSI because I was a threat to the "habitat".

I have attached the notes from my NFU representative Mr Dafydd Jarrett who was present in the SSSI appeal. Unfortunately I could not attend, as I teach full time in a secondary school. The notes mentions all points that we had hoped to raise, but these were sadly ignored.

I also question the "appeal process". This is not a fair hearing procedure given that the panel members are all NRW nominated board members, with no independent representation. Thus the members in my view have a vested interest.

When NRW Notified me of the emergency SSSI they had also included land which were former hay and silage fields and had never supported the butterfly. Their reasoning for taking more land into the SSSI ,was that they would like to expand the area. I really cannot see how land can be turned into SSSI without proper evidence being presented.

As regards monetary compensation, to date the payment they have offered me, following the SSSI designation to help promote the habitat is very disheartening. The figure does not even cover half the rent on the designated! I am therefore struggling from the very start. farming the land at a loss!

I am more than happy to help promote environmental schemes, where they are needed, because I feel there should be a balance on every farm.

I am in essence now paying for NRW's negligence. The body should have taken the land and turned it into an SSSI as and when the voluntary agreement with the land owner came to an end. They decided then not to proceed, even when the owner declined to re-enter into a voluntary agreement. Unfortunately, as I view it, they have tried to use every trick in the book to make me sign a whole farm (100ac), over into a Section 15 agreement. I have said no to this from the start, as I want to farm the parcel, and make the land work for me. It was never my intention to live on subsidies!

I was willing to sign an agreement to help the rare species of butterfly on the land that was recorded some years ago, but unfortunately the local NRW officers were not interested in this offer.

Soon after this NRW had reported me to Rural payments Wales, for reseeding outside of the SSSI area, even though the land had been used by the land owner and myself as tenant, to crop both hay and silage. I appealed the decision to RPW but again, despite submitting photographic evidence that I had taken 2 cuts of silage off the land in the previous year, my appeal was rejected.

I have endeavoured to give a brief glimpse of the way that I feel that I have been treated, and sincerely hope that some measure of change can be implemented, to encourage agriculture and environmental needs to work in unison, and to benefit everyone in our communities. As you have already noted I'm sure, I certainly feel aggrieved, and I'm not the only one within the agriculture/environmental sector. I'm afraid I cannot include all the information as I would have desired, given that I am limited to 4 pages. I am however more than willing to submit further detail, and to discuss and meet with any party or body if so desired.

The attached document gives a snap shot of the way that I have been dealt with and hopefully also sheds light on my claim that officers from NRW have been negligent in their duty, and somewhat lacking in their proper conduct.

Diolch yn fawr

John Edward Thomas