



Pen-y-Bryn Farms

Gilfach Farm, Llangorse, Brecon, Powys, LD3 7UH

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Water Policy Branch,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ
15TH March 2012

Dear Sir/Madam,

NVZ designation within the Llangorse Lake catchment area

We the undersigned are a group of farmers farming within the designated area of the proposed NVZ.

As a group and individually we are appalled to discover that we have had no prior notification of the proposals of an NVZ designation and facility to make representations. Had we not been informed from an outside source we would not have been in a position to make representations on our thoughts and worries within the short timescale.

We have met on many occasions in the short time allowed for consultations and have submitted the attached points of concern which need to be addressed prior to future discussions with our group as to how best implement future management controls.

Please find enclosed attachments:

1. Points of Concern
2. NFU Letter
3. FUW Letter
4. Local County Councillor

Correspondence to be directly sent:

1. CLA Letter
2. MP and AM Letter
3. Community Council Letter

CC:

CCW and Environment Agency

Yours Sincerely,

The Undersigned



Wales
Cymru

Awards:
Business Excellence Awards 2006
Worldwide Small Business Awards 2005
Welsh Tourism Awards 2005

THE BRITISH
HORSE SOCIETY



APPROVED RIDING
ESTABLISHMENT



Points of concern to be addressed before further consultation with farmers on the implication of a NVZ on land in the catchment area of Llangorse Lake

1. Landowners were not given prior warning for the consultation document and not supplied with a copy, when they are the most important people affected. This contravenes our legal rights under the Human Justices Act.
2. The relevant authority must first look to what originally caused the problem in the lake and make them responsible for the damage done. Also address the current position where the Bwlch sewage works is constantly overflowing due to problems pumping over the cutting. Compounding this issue there is over 70 properties with their own septic tanks and soak aways emptying into a clay basin. After this has been achieved then come back to the farmers and with their cooperation look at how the quality of the lake can be further improved. In the 30-year time span there was no control of the nutrients entering the lake from the two sewage works at Llangorse and Bwlch. This allowed further damage when the motor boats churned up this powerful cocktail and aided by the prevailing wind washed it into and onto the north east shore and over a period of time destroyed the then present reed beds. This has not been rectified and has resulted in damaging the ecological status of the lake.
3. CCW arranged for sections of the eastern side of the lake to be fenced off to allow them to re-establish the reed beds that were extensive prior to the construction of the sewage plant in the early 1950's. They have not made any effort to undertake this work having put the farmers to great expense.
4. There is little reference to the extensive damage done up to the time the sewage was diverted to Talgarth. This damage had long lasting implications with over 30 years of effluent entering the lake from Llangorse and Bwlch, much of the time untreated.
5. Numbers of stock are grossly inaccurate. The number of cattle in 1993/7 was just under 600 and sheep just under 4,000. This has changed to date with cattle remaining the same and sheep reducing to fewer than 3,000. This reflects badly in the figures and graphs submitted in the consultation document.
6. Change by farmers, has been made due to costs and efficiency and no reference or allowances has been made to accommodate these e.g. N levels reduced, due to high pricing, along with nutrient management plans in place for most farms around the lake. The reports are out dated and do not reflect the present as most of the farmers in the catchment area have spent large amounts of money building and installing modern systems to greatly reduce the environmental impact on their own land and eventual run off into the lake.
7. The report is not damning. Since this report has been conducted several improvements have been made on numerous farms that have not been taken into account.

8. To impose restriction on farmers on the use of certain buildings built prior to 1991 is unacceptable unless the rebuild is completely financed by government or the authority imposing these restrictions. Much of the land in the catchment area is about to complete ten years in Tir Gofal and are signed up for Glastir as from 2012 with more entering the scheme 2013/14. To comply with their current entry agreement they would be compelled to replace their slurry systems etc. This would not be cost effective and the only answer would be to withdraw from the Glastir scheme prior to any payments been made.
9. Farmers are the best custodians of the countryside and are more aware of the preservation of the countryside than the bodies of bureaucrats who impose their personal interpretation on out of date research. Unfortunately the Llangorse Lake Advisory Group is not of like mind and do not have an overall policy as to present and future management of the lake.
10. Before imposing more restrictions on the already vulnerable agricultural community in this area the authorities need to get their own house in order and do an in depth study of the amount of effluent created from private sewage disposal from private properties on the south east section of the catchment area. This from CCW studies is being shown to have the highest level of nutrients entering the lake. Most of the other catchment area is already disposed of into the existing mains sewage system. This area of land is not intensively farmed due to the land soil structure, white clay-underlying layer. However this is an area that has the largest number of dwellings with septic tanks emptying into this impenetrable clay base, so all effluent freely entering the lake via the river completely untreated.
11. Compulsory intervention never works; negotiation and mutual need to improve will win hearts and ultimately improve the lake for our future generation to enjoy. It is only there as it was prior to the advent of the sewage problem due to the way our forefathers farmed and moulded the countryside around the lake. Bureaucrats think they are an express train but farmers look to the future in a completely different way and continue to mould the countryside in a fashion that will meet future needs and preserve the fabric of the countryside to meet this need.
12. The suggestion that it may be necessary to purchase some of the land adjoining the lake, this may be acceptable if agreement could be reached, however there is a greater issue, the devaluing of the land forming the catchment area a total of approximately 7,000 acres. This could lead to a claim of at least £45,000,000 from the affected landowners along with annual claims for loss of income.
13. It is the belief of all the land owners that over and above the current improvements made that with cooperation and careful management and monitoring further improvements can be achieved without damaging or curtailing the present level of farming undertaken by farmers of this exceptional area. We are not only farmers but are conservationists as well and seriously want to protect and enhance the environment we have the privilege of farming and living in. without detriment to the lake.

NFU CYMRU

Tŷ Amaeth – Agriculture House, Royal Welsh
Showground

Llanelwedd, Builth Wells, Powys, LD2 3TU

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Director: Mary James

Ein cyf/Our ref:

Eich cyf/Your ref:

E-mail:

Dyddiad/Date: 13 March 2012

To whom it may concern,

Dear Sir/Madam,

Proposed NVZ Llangors Lake catchment

NFU Cymru has met with farmers in the proposed NVZ designation in the Llangors Lake area and a number of concerns have been raised, as outlined in their letter of correspondence enclosed.

We have particular concern regarding the proposal to repeal the exemption for slurry, silage and fuel stores on farms that were built or were committed to being built before 1 March 1991 under SSAFO regulations. NFU Cymru has written to the Minister for Environment and Sustainable Development regarding this issue. There are a large number of these structures on Welsh farms which were soundly built that pose no pollution threat. A significant proportion of these structures will have many years of useful life left in them. We would strongly contend that there is no good reason or evidence to suggest that in these circumstances farmers should be forced into the huge cost of having to build new structures by 2015.

NFU Cymru will also raise other issues regarding the burden of bureaucracy and the impact of this designation, in our direct response to the NVZ consultation which is currently open.

The group of farmers in the Llangors area are hugely concerned regarding the proposed designation. NFU Cymru notes that the reason for the notification is eutrophication in the lake. Nitrate levels in the lake are very low and we would question the implication in the proposed designation that nitrates from agriculture are a significant contributor to eutrophication. This is after all a nitrates directive. We would suggest that those farmers in the catchment appeal against its' inclusion on this basis.

NFU Cymru fully understands these concerns which have been raised by these farmers in the area and we support their representations made.

Yours sincerely,

Stella Owen
Farm Policy Advisor NFU Cymru



FARMERS' UNION OF WALES
UNDEB AMAETHWYR CYMRU
BRECON & RADNOR BRANCH • CANGEN BRYCHEINIOG A MAESYFED

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Reference/Cyfeirnod:

Date/Dyddiad:

12th March 2012

To Whom It May Concern:

The Farmers Union of Wales fully supports the farmers of the Llangorse area in opposing any NVZ Designation for the area. We agree with their points of concern and have raised similar concerns regarding the inclusion of Llangorse as a potential NVZ and numerous other concerns in our own consultation response.

Yours sincerely,

Aled Jones

**Melanie Davies
County Councillor
Llangorse Ward**

Castle House
Llangorse
Brecon
LD3 7UD

14th March 2012

Response to the consultation on the review of Nitrate Vulnerable Zones in Wales with reference to Llangorse Lake

I have been part of a family business that operates on Llangorse Lake all my life, I am a member of the Llangorse Lake Advisory Group and am the County Councillor for the Llangorse Ward.

Please note my following comments as part of your consultation regarding the Nitrate Vulnerable Zone designation proposals, as outlined in 'Nutrient Modelling and Nutrient budget for Llangors Lake Report 831 April 2008'.

I am very concerned about the whole process and how it bypasses the local farming community directly affected in the proposed Zone. I do not understand the rationale of not fully engaging at the report and consultation stages, the result is that it leaves affected landowners disengaged and only able to give any challenge after the area has been designated through an appeals process. I am amazed that this is seen as good practice, where is the open and transparent democratic accountability, even within Local Planning Authorities those directly affected are consulted before, as part of a rounded report.

The farming community should have been integral to the report, I am informed that the stock numbers are inaccurate; how then, can the assumptions based on their numbers be given any weight? And why was this information not qualified by asking those who knew eg, the farmers?

I understand that nutrient management plans are in place already and are common practice and that if the Zone is imposed it will just increase the bureaucracy that local businesses are expected to comply with, resulting in little or no results on the ground, except to devalue the effected land and burden owners with more red tape. I also have a real concern that this will have huge cost implications on individuals with regards to infrastructure and that no audit has been carried out to assess the current suitability of existing buildings, silage, slurry and oil fuel provision. It could undermine some farming practices to the point were some individuals could be driven out of the industry altogether.

I do not understand why the reports recommendations target the Nitrates which are recorded as entering the lake from the North area and does not tackle the issue of the greater in-flow and Nitrate load (50-56%) entering the Lake from the Llynfi inlet (site No 6 in report). Is the Bwlch Sewage Pump Station spilling effluent into the lakes flood zone so it feeds in as sub-surface water?

What is being done to ensure that all the septic tanks in the north eastern area and out towards Bwlch are not polluting the Lake, what about soak-aways in old properties?

The Lake water quality has improved greatly over the last two decades and its status and how this status is arrived at is regularly debated at LLAG. Unfortunately part of the report, the recommendations are drawn from, was drawn up in a very dry spell and samples could only be taken from two inputs into the lake which means the wrong conclusions could be drawn. It is on this basis and those already mentioned above that I would suggest a management agreement should be drawn up between the interested parties and monitoring should be continued to ensure a fair, transparent and equitable way forward any other system at the present point in time is pre-emptive and unsound and while it may have no detrimental effect on the Lake it would have a disproportionate one on the local inhabitants.

I strongly support the conservation of the Lake and the surrounding area, I also believe that voluntary agreements and working groups foster better mutual understanding, respect and working practices than heavy handed legislation. The best placed people to support this work are the farmers themselves who have long term invested interests in the environment by the very fact that they live and work in the area from generation to generation.

A handwritten signature in black ink, appearing to read 'Melanie Davies', with a stylized flourish at the end.

Melanie Davies
County Councillor