

Dr Rachel Connor, a relevant person for a large private water supply supplying a dairy farm, two stock farms and 6 other homes and steadings, which is deemed to be at significant risk from the Sneddon Law windfarm development writes:

The condition discharged by DPEA in February 2017 is written so badly, with contradictions and multiple contributory reference documents included as part of the Decision Notice and written by the appellant, that the developer, Community Windpower Ltd (CWL) appears to have latitude to interpret, or even write what constitutes statutory monitoring and provision of contingency and mitigation water supplies for us during and after the construction of their windfarm to suit their commercial interests, not the protection of our water supplies.

We are in a desperate plight, with no recourse to Judicial Review as we do not have the funds even to apply for a PEO (Protected Expenses Order)

CWL's Director has intimated that they intend to start construction this June, despite written evidence which I have submitted to the Council, which shows plans to disregard the written requirements of the discharged Condition 36. CWL have persistently altered and changed their monitoring and mitigation plans and harried local residents, to their distress, to accept their propositions.

They propose plans to limit mitigation/provision of replacement water supplies and the crucial monitoring of groundwater dependent water supplies to only 12 months – covering only the period of excavation activities on site. However, it is well known that the effects of pollution on groundwater may be delayed and may last months or even years.

The terms of the condition require that, *"1.3 The full cost of implementing and maintaining the mitigation measures shall be met by the Operator throughout the lifetime of the planning permission"*. It seems evident that the developer, currently also the operator, has no intention of complying with this.

The Council, charged with enforcing the approved condition written by the Scottish Government, have indicated to local residents that the wording of the condition excludes them from enforcement of effective monitoring and mitigation requirements to protect our existing water supplies or provide a sustainable supply of potable water throughout the term of the planning permission if this is required.

There are 9 private water supplies which have been categorised under EIA Regulations, by the Developer's own consultants, as being at **major immediate and long term risk** from this windfarm and 13 categorised as being at moderate short and long term risk - also significant under EIA Regulations.

None of this information was before the Local Authority when they awarded consent in 2012.

In summary, we do not have the resources for judicial review or for future direct litigation under current National Laws designed to protect water resources and drinking water supplies, we have been left with no financial bond or surety, our Government and statutory bodies are impotent and ultimately, we have no effective mechanism for protecting our water supplies in the event that these are polluted or lost as a consequence of this development.

Rachel Connor 24/04/17