

Dear Mr Weaver

I hope this email finds you well and refreshed after your break.

Following our conversation, I am writing regarding our concerns about the misinformation in a number of the letters of support for application APP/21/03110. These contain accusations against me and my family, that are simply untrue. Many include misinformation and very unfair personal attacks, and many are plainly slanderous/libellous. Rather than deal with each in turn we simply want to set the record straight.

1. We, the owners of [REDACTED], despite what is said in letters of support, have **never** desired to close down the wedding venue at Tournerbury Wood Estate (TWE), should it be granted planning permission. If this was the case, why would we have gone to the expense and lost land taken to build a new route? The full cost of the new route is borne by TF alone and it will be is a wider, safer, superior track, and it will be befitting entrance to Tournerbury Woods Estate (TWE). The current track, with the noise, lights from the traffic and huge concern for risks of accidents on our land, has affected our health and destroyed our ability to enjoy our home and feel we can safely operate our farm. Mr Snell admitted his use of the track would cause us problems in both the 2012 and 2017 applications for the new track, when the current track was just for agricultural use in 2012, and possible weddings under the 28-day rule in 2017. The new track has been substantially built and implemented. We have just recently, out of the blue, been approached, through solicitors, with an offer by Mr and Mrs Snell for a like for like swop of the tracks, which we have agreed. Every substantive requirement of Mr and Mrs Snell has been agreed to, but their solicitors are yet to respond to our acceptance of this offer.

2. We have **NEVER** bullied any of the Snell family or their Staff, wedding quests or visitors. These allegations are unsubstantiated. If a wedding party has asked us for permission to put up balloons, signs, and banners, we have always agreed as a gesture of goodwill – because we do not want to spoil the brides day. Of course, there is a stipulation that they remove them at the end of the event. All of us, family and staff, constantly direct people back on to the route to TWE.
3. We are **not ransoming** TWE in any shape or form. The letters from people accusing us of this are without basis. We are not in a position to ‘feather our nests’, gain commercial advantage or to provide for our retirement! TF submitted heads of terms to start open negotiations last July. We have had no reply from TWE regarding these. TF is in no position to demand anything from TWE and the decision to use the new route is TWE’s alone. We made an initial **exploratory** request for the lifting of one small area from the covenant, but this was not a **condition** demanded by us as we are not in a position to be able to make such demands. It is completely incorrect that TF is holding up the agreement. That is very far from the truth and in fact we have now accepted the Snell’s offer. We await their solicitors drawn up deed of easement.
4. Just as in the case of thousands of farming businesses across the country CCTV is used to cover the farm and our property for security and safety. There are signs clearly stating that you are entering an area that has cameras. The cameras have the correct registration and are in full view for everyone to see. Any other, occasional filming is done to prove trespass and noise disturbance taking place on **our land**.
5. We **DO NOT** hold a license to play live music 3 times a week, every week of the year. The Tee Caddy is the café, and part of the Proshop and is open 9am – 2pm. We **DO**

NOT play any music.

We have one Live music event here. It is a Hayling based charity event, held on one day, for which we close the golf course and hold the WAVE music festival at no charge. The licence for this covers one event, up to two, consecutive days. During the day it is family based, evening more just music based, with all profits going to the charity which supports the youngsters on Hayling. If anyone has heard loud live music playing several days a week it isn't coming from here. If there is an objection to the WAVE music festival that is very hard hearted indeed.

6. Accusations of interfering with TWE's use of the track. TF has not impeded the right of way in any form, or by any means. Our gates have been left open, with the exception of when the livestock are being brought into the farm buildings when the gates will be shut to keep them both off the highway and out of TWE. The track is shown on our deeds as a single carriageway from the highway, through the middle of the farmyard and onto the woods. Over the years, the farmyard has been widened by TF but this does not give TWE the right to claim that it is theirs to use. Nor the tear drop area described in one letter. Nor imaginary passing places. To be clear, TWE does not own the land, but holds a single carriageway width, right of way, over TF's land, which we now have photographic proof, from 1987, was always a single track and TWE has no right to any land, even grass verges, either side of that track, with no passing places. (See photos) The current right of way is not fit for commercial use as it is a single track so two-way traffic would have to trespass to pass one another.
7. **TF is still a working farm.** Just because someone doesn't see a cow, a horse, a dog, or a child on their snapshot journey through the farm, doesn't mean they don't exist

here, and certainly the supporters who think that we make this up are wrong.

Animals and heavy Farm machinery, with limited vision, move to and throw. To

suggest our evidence should be ignored by the council on the strength of us being

untruthful is very wrong. We have submitted evidence to back up everything we

have said on each application. All the decision makers and officers need to consider

the guidance by the Health and Safety Executive that can be found at

<https://www.hse.gov.uk/agriculture/hsagriculture.htm> . It states among other

things: —

- a. "Farming is a hazardous industry. Farmers and farm workers work with potentially dangerous machinery, vehicles, chemicals, livestock, at height or near pits and silos."
 - b. "With high numbers and rates of fatal injury, agriculture, forestry and fishing is the riskiest industry sector. Just over one in a hundred workers (employees and the self-employed) work in agriculture, but it accounts for about one in five fatal injuries to workers."
 - c. The most common causes of death are: transport – being struck by moving vehicles; being struck by a moving or falling object, eg bales, trees etc; falls from height; asphyxiation or drowning; contact with machinery;
 - d. injury by an animal; and being trapped by something collapsing or overturning.
8. The point here is that we are lifelong farmers, and we ensure our employees are trained to minimise these risks to our own and employees health and safety. It is a matter we take extremely seriously. We cannot train or control Mr and Mrs Snell's visitors using the track all day and night.

9. There have been many untruths branded about and we want to set the record straight. Work in the Farmyard happens in daylight hours. Our evenings are extremely quiet and peaceful, and the farmyard is not lit, at all, at night. Our bedroom faces the Yard, and we can easily hear if the cattle are disturbed or someone is about, as it's so very quiet out there. The lights from wedding guests vehicles light up our bedroom as they are leaving. We sleep with our windows open in the summer and the noise of "happy Guests" leaving, Taxis coming and going, loud radios, and incessant speeding over the speed bumps, means uninterrupted sleep has become impossible. And that is every wedding, without the horrendous behaviour of some wedding guests, where our sleep is so badly affected that retuning to sleep is impossible.
10. TWE's highway review keeps sharing the times we are inconvenienced over 365 days when in reality the traffic is mostly condensed into 5 months. Wet woods aren't so appealing so all the events granted permission will be condensed together. Even with the decrease in the number of events, it still means two or three a week through the main spring, summer months, with most days starting at first light until early hours of the following morning. That will not change, and weekends are the worst which means we no longer have a 'day of rest'. On top of this, which doesn't feature in the traffic review, will be the traffic from camping, open days, smaller events, and holiday makers.
11. There has been an event already this year with people still driving and walking through the yard at ten to one in the morning. TWE's insistence that people do not tend to walk through the farmyard is totally incorrect and there should still be the facility for pedestrians and cyclists to be kept safe.

12. Just one more point. [REDACTED] unrelenting filming of us is a huge infringement on our privacy. He just won't stop doing it, even now. He was filming the cattle in the barn last week. We know he sent photographic evidence into the council to back up his claims against us. [REDACTED] At the moment we are ignoring his continued filming as we are desperate to get this track issue resolved.

I'm putting this on record as we are not the aggressors in our conflict with the applicant. We have tried everything we can to give him a proper right of way, to avoid the farm, restore our peace and give us our quality of life back.

Thank you for taking the time to read this. Please will you ensure it is added to the representations made in respect of this planning application.

Kind regards

[REDACTED]



PHOTO 1. Taken in 1987 showing the track and the width of it, that was the right of way at the time of us buying the farm. This was the track identified by the black hatching on the deeds. From the woods to the highway, it was a single track.

PHOTO 2. The following photo, was taken last week in roughly the same place. Clearly, we haven't narrowed the track and in fact TWE has encroached on our land, and widened the track. The water filled potholes show where the right of way is. Please also note there is no passing place as claimed by TWE.

TWE has no right to use the farm yard area as a passing place, as suggested in their track report, as they would then be straying from their right of way.

