

Dear Sirs,

My Colleague, Karen Anthony has asked me to respond and attend on her behalf.

I was part of the original group the Welsh Government put together, along with the farming Unions and others to seek general agreement as to a way forward in order to control this ever increasing problem.

The Legislation was duly drafted of which I on behalf of CLA Cymru duly commented on.

I have had, prior to this last week, a very positive response from members as to the effectiveness of the legislation. A member from the Swansea area contacted me to ask what can be done with the horses on his land. He was not aware of the new Legislation, and when told to contact his Local Trading Standards team was amazed at how efficient the process was and that the problem was solved very quickly and efficiently. He then rang to report how impressed he was with the result.

Since however receiving this email, I have received from another prominent member from Pembrokeshire a very different report. 5 horses had been herded by the Police into one of his fields. There was no gate, the Police merely secured the gateway with their blue scene of crime tape, low and behold the horses got out and were penned in an adjoining field this time with a gate on. I was then contacted by our member wanting to know what he could do with the said horses. As with the case above, I recommended he report this to Pembrokeshire Trading Standards. He was swiftly told this was only a discretionary power and because the Council has no resources they would not follow this up. Our member then told the Police that due to their actions he would be seeking compensation from them for loss of grazing, they very quickly found the owner and the horses disappeared!

From attending meetings with Colleagues from the English Regions and our Headquarters in London, it appears this is now a real problem in England with the problem simply moving East of Offers Dyke. My English counterparts are very envious of the powers we now have in Wales, but however were somewhat disappointed when the leader of the House of Commons was not prepared to accept similar proposals for draft legislation for England, because I am told, it was too similar to Labour legislation in Cardiff!

Finally as clearly illustrated, by giving 'discretionary powers' to Local Authorities who may well wish to ignore their responsibilities because they have no money, does make a potential nonsense of this new act and above

all shows up clear shortcomings, especially going forward where Local Authorities will come under more financial constraints. This in turn does nothing to demonstrate to our members there is a solution to this problem, when new Law is passed but it is not being implemented on the ground.

If you would want exact details, I am happy to go back to our members to ask for their details to be given.

Yours sincerely,

CBP de Winton MRICS
Chartered Surveyor- CLA Cymru