

Winter Cottage, Annexe Winter Cottage, Goonhillend
Higher Goongumpas Lane, Goongumpas, Redruth,
Cornwall TR16 5JL

DRAFT

Tracy Symons
South West Water

10 May 2016

Dear Tracy

Thank you for your letter requesting another meeting with you and Mr Mike Shannon to discuss compensation for the 8 years we have had to put up with low water pressure, zero water pressure for about one hour per day and almost certainly polluted supply from all the non-compliant animal troughs that we discovered on the same pipe downstream of our properties during our 2015 survey. However before arranging such a meeting there are several other issues which need to be addressed, in particular –

- SWW's refusal to pay our invoices for doing what we asked SWW to do on several previous occasions dating back 8 years. The main reason given for not paying was that the work was on a "private" pipe and not SWW's responsibility but Mr Shannon has now admitted that the first one third of the pipe is SWW's responsibility "as it is a communication pipe" and there is overwhelming evidence (see below) that the next third is also SWW's responsibility. There were 5 properties connected to our supply who modified their pipework because of our investigation. One was connected to our pipe where it crossed private land and disconnected within days of our turning off the Tailings End stop tap. Three were connected to the pipe that SWW now admit is a communication pipe. One was connected to the pipe in the highway just outside Goon Farm which we maintain is the same "highway" and a continuation of the communication pipe.
- SWW's refusal to compensate us for the pointless work your regulations officers required us to do at Goonhillend because of a false claim that a rainwater storage tank in the roof presented a back-flow risk even though the former mains connection had been permanently disconnected.
- SWW's regulations officer's failure to identify a serious backflow risk from the central heating header / expansion tank in the roof at Goonhillend and their statement that the newly installed backflow protection was "unnecessary and not required by the Government". Our MP confirms that such backflow protection is required on such tanks in current legislation which may well mean that Goonhillend Cottage is one of very few properties built in the 1970's that now complies.
- We ceased monitoring the meters at Tailings End and our own following SWW's confirmation that no leaks were present on the pipe (as a result of our efforts and public monitoring) and SWW's assurances that they would take over the monitoring of the Tailings End meter on a monthly basis and our meters on "their normal billing schedule" (quarterly) – see Mr Shannon's 14 September 2015 letter (attached). Although this was far less frequency than

our own daily readings had been over the previous eight months we agreed and gave Mr Shannon a key for the Tailings End meter to facilitate this however when we attempted to read the meter in January 2016 the lock was found to be rusted solid so it was replaced with a new one. SWW have not requested a key for this lock so it is assumed that no attempt has been made to read the meter in about a year. As all three of us have received estimated bills since September 2015 it is taken our meters have not been read either. Bearing in mind that this pipe was showing a 97,000+ litre per week usage when we started our investigation and obviously still has that potential since none of the “culprits” have been identified by SWW then this is irresponsible in the extreme. Nearly 5,000,000 litres could have “disappeared” since SWW took over the monitoring and it appears SWW don't care.

- We have on three occasions requested that SWW confirm that ALL cattle troughs in the area comply with the same regulations as SWW require from us regarding back flow protection and frost protection. We are aware that SWW have inspected but we are also aware that there remain violations of your regulations. We have not for over 18 months used SWW supply for drinking water and will not until such time as SWW confirm that all users that may be on the same supply as ourselves comply with the regulations. We buy in drinking water which is costing £2 - £4 weekly.
- Following our SWW supply becoming heavily contaminated in about early April 2015 (see below) we stopped using mains water, upgraded the rain water harvesting at Goonhillend and requested that SWW test our supply. Richard Harrison and Jeff Steer visited Goonhillend Cottage soon afterwards and witnessed the filthy mains water coming through the kitchen mains tap at Goonhillend. They told us not to drink it but refused to take away a sample for testing (they had no suitable sterilized containers and it was not their job to test water apparently). When SWW eventually tested the water in about June 2015 the severe contamination had cleared. They tested the water at Tailings End and claimed it was up to standard and tested the water at Goonhillend and said it was slightly contaminated probably due to old pipe connections but where are these connections? On private land (Goon Farm) or in the highway leading to Goon Farm? Will SWW please test the water at the point it enters Goon Farm to see if the contamination is on the communication pipe (SWW's responsibility) or on Goon Farm's land and beyond (our responsibility). Even with the stop tap at Tailings End turned off a small amount of water (<> 1.2 ltrs per hour) was entering our pipe from another connected supply. Mr Shannon witnessed this at Winter Cottage but refused to take a sample claiming it was too small a flow and was probably due to a faulty stop tap at Tailings End which would be replaced. Half a litre was collected whilst Mr Shannon was present, surely that is enough for a sample. SWW eventually replaced the stop cock at Tailings End which made no difference to the water entering our system as was witnessed by the engineer who replaced the stop cock.

At the meeting on 4 March 2016 Mr Shannon conceded that the first 104 metre part of the 248 metre pipe from the stop tap and meter SWW installed at Tailings End to Goon Farm was a *communication pipe* in a *public highway* (and thus SWW's responsibility to maintain) however he stated that the next 144 metre part of the pipe (to the boundary of Goon Farm) was not part of the same public highway and thus not a continuation of the *communication pipe* as, according to your rules, such a pipe ceases to be a *communication pipe* from where it enters another “highway”. Mr Shannon justified this opinion because Google Maps shows a lane called “Lower Goongumpas Lane” that starts from the Chapel at Crofthandy and leads to Harmony

Cottage and does not fork to the left and lead to Goon Farm at the juncture near the entrance to Harmony Cottage.

1. In actual fact the lane starting at the Chapel is not named "Lower Goongumpas Lane". It is named "Chapel Lane" (leading to Goongumpas) (see photo 1). Opinion is divided as to whether Chapel lane, after about 70 metres, forks right to Wheal Maid or forks left to Goongumpas passing Tailings End and ending at Goon Farm.
2. Regardless of whether the lane passing Tailings End is actually "Chapel Lane" or "Lower Goongumpas Lane" it is the public highway and ends at the entrance to Goon Farm. It does not end at Harmony Cottage as the part leading to Harmony Cottage from this "highway" is quite clearly their drive as there is a house sign and a gate at the start of it (see photo 2 and 4). Furthermore, as can be seen in the enlargement detail (photo 3) the "waymark" arrows at the juncture with Harmony Cottage's drive (see access signs attachment) show that the drive is a bridleway (Blue arrow) with public access for walkers, horses, etc but not vehicles and that the lane to Goon Farm (also Carnview and Goon Farm's recently built second residence) is a byway open to all traffic (red arrow) and is thus the "public highway".
3. It is worth noting that Chapel Lane (leading to Goongumpas) has existed since at least 1844 whereas Harmony Cottage's drive was a narrow footpath / bridleway until it was widened when Harmony Cottage was re-built in about 1990.
4. We are told that Goon Farm's water supply was installed in the 1950's and that it was the first property in the area to get a water supply. At that time the only named highway in the area was Chapel Lane (see attached map). The names "Higher Goongumpas Lane" and "Lower Goongumpas Lane" did not exist until about the mid 1980's (when the name sign "Higher Goongumpas Lane" was erected). There has never been a sign for "Lower Goongumpas Lane" however several properties seem to have adopted it as their official address including Goon Farm and Carn View which contradicts Mr Shannon's statement that the lane outside these properties is just an unnamed lane.

We put it to you that the public highway extends from Crofthandy Chapel to Goon Farm and not, as Mr Shannon states, from Crofthandy Chapel to Harmony Cottage. Mr Shannon has already admitted that the pipe from outside Tailings End to the start of Harmony Cottage's drive is a communication pipe and thus SWW's responsibility but we say this communication pipe continues along this public highway to the edge of Goon Farm's yard / Carn View's entrance which is where we asked SWW to put the stop tap and meter in the first place.

As you know we first asked SWW to inspect the cattle troughs on Goon Farm in about 2008 and install a meter where the pipe entered Goon Farm's land to test if they were connected to our supply and how much water was being used and thus the reason for the low pressure and our supply stopping altogether for about an hour per day – SWW refused. We repeated the request to Alister Symonds in 2012 and although he implied he would inspect Goon Farm it appears he did not and instead advised we should install a new pipe as he had allegedly advised Carnview and Harmony Cottage to do (they had both complained of low water pressure as we had). Carnview and Harmony Cottage installed new pipes (from Tailings End) but we did not as our view was that if the low pressure was due to these properties being connected to the same pipe as ourselves then once they had installed new pipes and disconnected from ours then the problem may be solved but it made no difference in that our water supply stopped for about an hour every day so we again asked SWW to investigate Goon Farm in late 2013. We again requested a meter be

installed at the boundary of Goon Farm but Alan Brand refused however he did eventually agree (after we had asked CCwater to intervene) to install one at Tailings End.

Alan Brand told us that the Tailings End meter showed a steady flow of about 6 litres per minute and someone other than ourselves was extracting about 200 litres per day (in itself more than our own combined usage). SWW threatened us (the occupiers of Goonhillend, Winter Cottage and the Annexe Winter Cottage) with litigation (see www.goongumpas.com/28april2014swwthreat.PDF) if we did not fix a leak SWW claimed to have found on the pipe leading to our properties from Tailings End. As can be seen the threatening letter describes the pipe from Tailings End as a "private" supply whereas Mr Shannon has now admitted that the first 104 metres is not a private supply but a *communication pipe* (and thus SWW's responsibility) and we maintain that the next 144 metres is also part of this *communication pipe* meaning that it was SWW's responsibility to investigate over 60% of the pipe leading to our properties.

Following a second (verbal) threat of litigation from SWW's Mr Kevin Bray in January 2015 we decided we had no alternative but to investigate and do what we had been asking SWW to do for years.

Firstly we did as we had asked SWW to do on several previous occasions and tested and discovered that the following (1-4) were connected to the same supply as our properties in that their supply stopped if we turned off the new stop tap at Tailings End and also stopped for about an hour per day at the same time as ours (and had done for at least the previous 8 years!) with the supply turned on.

1. Two cattle troughs on Goon Farm. We only tested two of the many troughs at the time (January 2015).
2. The supply to "The Cabin" in Higher Goongumpas Lane. This is a "private" supply provided by Goon Farm from one of the two cattle troughs above.
3. The supply to a trough in one of Mr Lanyon's fields which was fed from Carnview and had been installed some years before and used by Mr Lanyon and his tenant but was disconnected and removed (by Carnview) soon after our investigation began.
4. The supply to a trough in another of Mr Lanyon's fields in Higher Goongumpas Lane. This is a "private" supply provided from "The Cabin" and had been installed soon after the supply from Carnview had been disconnected.

We then again asked for a meter to be installed at the boundary of Goon Farm but SWW again refused and re-installed the one at Tailings End instead. Once it had been installed we monitored the usage for one week (see www.goongumpas.com). This revealed that about 97,000 litres were being used / wasted by other than ourselves.

We then turned off the stop tap at Tailings End to see if any user complained that their supply had stopped. The Cabin and Mr Lanyon's tenant supply stopped and they complained to Goon Farm's owner (who was providing their water) and were allegedly told that the supply had been turned off "to investigate a possible leak".

We turned the supply back on again after 3 days so that The Cabin and Mr Lanyon's tenant could top-up their troughs for their animals (and we could re-fill our roof tanks) but discovered that these troughs were no longer connected to our supply and that

the 97,000 litre per week usage had reduced to about 7,000 litres per week. Obviously whatever Goon Farm had disconnected had saved 90,000 litres per week.

We then asked SWW to take over the investigation regarding the remaining 7,000 litre per week usage which was almost certainly being used by properties somewhere on the pipe in the lane from Tailings End leading up to Goon Farm but Mr Alan Brand from SWW refused stating "the pipe was a private pipe and our responsibility to investigate" despite it being in a public highway and to our mind a communication pipe and not our responsibility.

To conduct the investigation on the pipe between Tailings End and Goon Farm we decided to turn off the Tailings End stop tap to see if anyone connected (and using about 7,000 litres per week) complained to SWW reasoning that if anyone complained then they were legal users and would be equally responsible for repairing any leaks etc but if nobody complained then they were illegal users and would have to modify their pipework and connect to another source. We again asked Mr Brand to provide us with a pressurized water bowser connected to our pipe outside Winter Cottage to provide our three properties with water whilst Tailings End was turned off but again he refused.

Because of Mr Brand's refusal to provide us with a bowser we installed "outside" rain water collection "tanks" at Goonhillend (<>200 litre bathtub) and Winter Cottage (<>200 litre bathtub + 100 litre water butt) for flushing toilets (by bucket!) and opted to turn the Tailings End stop tap back on for about an hour every 2 to 3 weeks to fill the roof tanks at Goonhillend and Winter Cottage for all other water use (except drinking water which we bought in bottled water). The Annexe Winter Cottage does not have a roof tank so used the facilities at Winter Cottage and still is as of the date of this letter.

Filling the roof tanks every so often worked well enough from January 2015 to <>April 2015 but then the mains water became heavily polluted (due to several properties we were aware were "rearranging" their pipework and interfering with ours in the process). The roof tanks at Goonhillend and Winter Cottage became contaminated with very dirty mains water with about an inch of thick sludge in the bottom and was not suitable for anything in that the dishwasher and washing machine filters clogged up as did even the shower head. We reported this, asked for the water to be tested and again asked SWW to provide us with a bowser but again this request was refused.

Richard Harrison and Jeff Steere attended and witnessed the contaminated water and told us not to use it for drinking purposes (not that we were). We again asked them both to inspect Goon Farm (who had a JCB working on the pipework at the time) but Richard Harrison refused stating that the last time he had tried to visit Goon Farm he had been **threatened with a shotgun** and ordered off their land. He stated that he would be asking the Police to accompany him in the future (the Police report that they have not received such a request however).

Subsequent to Mr Brand's refusal to take over the investigation of the 7,000 litres per week disappearing on the pipe in the highway we had increased the rainwater storage capacity at Goonhillend by adding a 2,500 litre ground level tank and installed a fairly comprehensive 5 stage rainwater filtration. We used about 1,000 litres of this filtered rain water to flush out the dirty mains water in the roof tank and converted the this tank from mains water only to rainwater only by disconnecting the mains connection and installing pumps to pump the filtered rainwater to the 2,500

litre tank and from the 2,500 litre tank to the roof tank as and when required. Mr Shannon has said SWW will not pay the £2,500 he says we invoiced SWW to install this rainwater “harvesting” system because it was non-compliant and was installed “of our own choice” (see Mr Shannon’s 14 September 2015 letter (attached)). We must point out it was not installed “of our own choice”. It was installed because SWW’s water was heavily contaminated and Alan Brand (and Richard Harrison) refused to supply us with a bowser or investigate the cause of the pollution when they had a chance. It was not non-compliant as the roof tank mains connection had been permanently removed (it is not our fault that your regulations officer, Richard Harrison, refused to climb into the roof to confirm this and confirm there was not the slightest risk of backflow). We did not, as Mr Shannon says, charge SWW £2,500 for the rain water harvesting system we charged £375 + VAT (as can be seen from our February 2015 invoice). This was for the original installations at Goonhillend and Winter Cottage and we have not as yet invoiced for the extra work and materials subsequent to Alan Brand’s refusal to take over the investigation of the 7,000 litre per week disappearing from the communication pipe. The extra work at Goonhillend is as follows –

1. Increasing the rainwater storage by 2,500 litres (at Goonhillend) <> March/April 2015.
2. Improving the filtration <> March/April 2015.
3. Installing a submersible 240v pump to pump from the filtration tank to the 2,500 litre ground level tank <> March/April 2015.
4. Installing a 12v pump to pump from the 2,500 litre tank to the roof tank as and when required<> March/April 2015.
5. Installing a 12v float switch to turn off the feed before the ball valve stops it <> April/May 2015.
6. Disconnecting the mains feed to the roof tank and providing a new feed to the roof for the central heating expansion tank <> May - July 2015.
7. Installing all the necessary pipework and fittings for the above.
8. Installing back flow protection to the central heating expansion tank which your regulations team had failed to inform posed a serious risk of backflow contaminating the drinking water taps at Goonhillend (and the mains supply) with 30 year old water containing anti-freeze and corrosion inhibitor <> August - September 2015
9. Installing a totally unnecessary double check valve between the meter and the property that your regulations team stated was needed to provide “whole site protection” from a backflow risk that didn’t exist! September 2015.

Whereas SWW refused to supply us with a pressurized water bowser (on several occasions) Mr Shannon has stated we should have hired one ourselves rather than install a rainwater harvesting system. It does not seem possible to hire a pressurized bowser but to hire a single 1,000 litre un–pressurised bowser is about £135 per week and the cost of hiring someone to tow it somewhere to be re-filled every 2 to 3 weeks we estimate to be about £50 (provided we continue using rainwater to flush toilets by bucket) otherwise it would need filling once every 1 to 2 weeks. We would still need to buy bottled drinking water as all the hired bowsers we could find were for non-potable water use. This means that if we had opted to hire a bowser, as Mr Shannon suggested we should have done, the bill would have been over £8,000 as opposed to the £375 we charged for rainwater collection. Would SWW have met the bowser cost?

We have so far had three meetings at which Mr Shannon has refused to discuss the main issues stating “they have already been dealt with” or “I have not brought my

spectacles with me so can't read your documents (such as the letter from Sarah Newton regarding the Government's view on back flow protection for central heating header/expansion tanks" - it is required whereas your regulations team say it isn't. Why did he not take a copy of the letter away so that he could read it later with his spectacles?).

At the meetings Mr Shannon acknowledged that our efforts have saved SWW about 97,000 litres of water per week but he dismissed this as a "minute amount when compared to the total SWW wastage". In fact it is about .02% of the South Western total and enough for 100 single occupancy homes (at SWW's estimate of usage) and about 500 homes at our *actual* previous usage (prior installing the rainwater harvesting). The wastage / unauthorised connections since we reported the problem in 2008 and our rectifying the problem in 2015 is about 35,000,000 litres (£70,000) and if we had not insisted SWW install a meter (with the help of CCWater !!) then this wastage would still be continuing at the rate of about 5,000,000 litres (£10,000) per annum.

COMPENSATION

Having spent eight years trying to get SWW to investigate our water supply to no avail we asked CCWater to intervene. CCWater managed to get SWW to install a stop tap and meter (see their 14 February 2014 email attached) but it was not installed where we wanted it to be installed (where it entered private land from the public highway) but outside Tailings End where SWW originally stated their responsibility ended. SWW said that the meter showed a continuous flow of about 6 or 7 litres a minute plus about 200 litres per day being used by other than our own properties (<>72,000 litres per week). This massive "use" of water proved that our concerns (first made 8 years previously) were valid and we claimed £2,000 compensation (each) for the trouble we had to endure for 8 years. Instead of paying the compensation SWW claimed that the pipe from Tailings End was a private pipe and our responsibility to fix and in April 2014 sent all three of us a letter threatening us with litigation if we did not rectify the problem (see www.goongumpas.com/28april2014swwthreat.PDF). We contacted two of the contractors suggested by SWW but neither would quote for finding and fixing the leak that SWW stated they had found. One gave a verbal quote of "about £16,000 plus VAT" to lay a new pipe from Tailings End to our properties which was not affordable. We did nothing for about a year except to complain that our supply continued to stop for about an hour per day. Following Kevin Bray of SWW verbally threatening litigation if we did not fix the problem we decided that we had no choice other than acting as our own contractor to investigate (see above and www.goongumpas.com).

Because of our investigation five properties modified their supply pipework and reduced the wastage from 97,000 litres per week to about 10 litres per week but it was a lot of work – reading all 4 meters on a daily basis for 6 months involved walking more than 120 miles and the total distance walked with all the other pipework investigations in the Poldice valley etc probably amounted to about 200 miles. Considerable time and expense was involved in installing a rain water harvesting system at Goonhillend for the use of all three properties whilst the mains water was heavily polluted due to the other properties working on the supply pipe and it was not installed "of our own choice" as Mr Shannon states in his 14 September 2015 letter (attached) it was installed because SWW refused to supply a bowser to supply our properties whilst the pollution was investigated.

We are not impressed with your inspector Richard Harrison's excuse that he would not inspect what the JCB working on Goon Farm at the time of his visit was doing to the pipework "because he had been threatened with a shotgun on a previous attempt to inspect Goon Farm". In fact we do not believe him – surely if it had happened he would have immediately informed the Police. Likewise his statement that "I had deliberately installed pipework in the roof at Goonhillend so as to restrict access" is totally un-true. SWW videoed the inspection and I videoed them videoing it. A copy of the video can be viewed by clicking [HERE](#). Richard Harrison's claim in his 8 July 2015 letter (attached) that the upstairs bath and the downstairs shower pose a risk of backflow because they are connected to the mains is utterly ludicrous. Both the hot and cold supplies are fed from the roof rain water tank by gravity. Even supposing this tank was connected to the mains (which it was not by this time) then perhaps Mr Harrison would like to explain to us all how water can defy gravity? It seems that Mr Harrison was given the task of trying to find fault with the rainwater installation at Goonhillend just so that SWW could avoid paying us compensation and our invoices for doing the work that SWW should have done years ago.

The 22 March 2016 letter (attached) from Dr Stephen Bird (SWW Managing Director) to Sarah Newton (MP) is absurd, there is hardly a sentence which is the truth. It is obvious he has been seriously misinformed on several counts and

To be completed when my computer is repaired - JH Layte 27 Oct 2016