

**Ide Parish Council**  
**Smallridge House, The Green, Ide, Exeter EX2 9RT**

James Gibbs MRICS  
Director - Development Land & New Homes,  
Jackson-Stops Exeter,  
10 Southernhay West, Exeter, EX1 1JG

13 June 2022

Dear James

I write further to our recent correspondence about the electricity supply to Pynes Farm. I've taken legal advice; referred back to the notes of our meetings in January 2022; and refreshed my memory of my letter to Victoria Leeming sent seven months ago on 19 November 2021, which set out the Council's approach. We have of course bought the Orchard since then.

I would make a couple of initial points.

Firstly, you indicate in your email of 10 June 2022 that you believe the route along Station Road is still possible and you hope that will be the primary route in terms of delivery. We made the point in my November letter that the Council would be prepared to consider allowing cables across what is now its land if there were no other route possible and that the Pynes Farm project might otherwise fail. We asked in November if we might see the WPD reports and quotations so that we could understand the difference in costs and feasibility between the two routes. So it would be helpful to know where you and WPD are on taking the cables via Station Road.

Secondly, at our online meeting on 25 January, it was agreed that the representatives for the Church Commissioners would draw up detailed terms for inclusion in a draft Deed of Grant, setting out the details of the 10 metre installation zone, and the 3 metre sterilisation zone, with the benefit of an electrical engineer's scheme. Following our site meeting on 31 January, we agreed that you would commission a site survey, looking at the water pipes and foul drains there already, to contribute to that draft scheme which would inform the terms of the draft Deed of Grant. On 2<sup>nd</sup> February you sent to us a generic form of Deed of Grant prepared by Geldards on behalf of WPD which Burges Salmon (acting for the Commissioners) had forwarded to you. Whilst giving us a general idea of the rights and obligations which will be sought, this is no more than a standard precedent and does not advance our understanding of the proposals. Furthermore, the drawing that you have now sent is, I think, the one made by WPD in July 2021, and now carrying the AWP logo. You commissioned a survey from, I believe, WPD a few weeks ago, but we have heard nothing further about its findings.

The advice I have taken is that a letter of comfort such as you suggest would probably not assist a developer in making their bid, for it is not a legal undertaking: a future Parish Council might change its mind. And it would give no more comfort than your reassurance to potential developers based on the content of our November 2021 letter to the Commissioners. Such a letter of comfort could potentially also have unintended consequences for the Council or be misinterpreted. And there is no advantage to the Council in providing such a letter. To do so would require a deal of time both for councillors and solicitors: we would need to call an extraordinary meeting to discuss the text. And in order to discuss it intelligently, we would need the technical details to be contained in the Deed of Grant between the Council and WPD, making the need for a letter of comfort unnecessary.

To sum up, I am not inclined to go down this path of providing a letter of comfort; and could not do so swiftly. It would be helpful to hear of WPD's current assessment; your plan for using the Station Road route; and see a draft Deed of Grant from WPD tailored to the proposals for the site.

With best wishes

Yours sincerely

Nick

Nick Bradley

Chair Ide Parish Council

Cc Mel Liversage, Clerk to Ide Parish Council

David Howe, solicitor

Peter Cloke, Chair Ide Community Orchard Management Group