

Date: 14 July 2026

IN THE MATTER OF

SECTION 52 OF THE WATER RESOURCES ACT 1991 (AS AMENDED BY SECTION 22 OF
THE WATER ACT 2003) AND

REGULATION 31 OF THE WATER RESOURCES ACT (ABSTRACTION AND IMPOUNDING)
REGULATIONS 2006

PROPOSAL BY THE ENVIRONMENT AGENCY TO VARY ABSTRACTION LICENCE NO.
14/46/004/0685 HELD BY MR MILES R. FURSDON IN RELATION TO OLD WALLS HYDRO

OBJECTION BY MILES R. FURSDON

WITNESS STATEMENT OF MILES FURSDON

I, **MILES ROBERT FURSDON** of Waterleat Lodge, Widecombe in the Moor, Newton Abbot,
Devon, TQ13 7FA, **Will Say** as follows:

Introduction

- 1 I am the owner of the hydroelectric scheme at Old Walls, Widecombe in the Moor (**Old Walls Hydro**). I operate Old Walls Hydro in partnership with my wife, Gail Fursdon.
- 2 I am the holder of the water abstraction licence no. 14/46/004/0685 (the **Licence**) which authorises water abstraction for power generation at Old Walls Hydro.
- 3 I make this statement in support of my objection to the proposals of the Environment Agency (the **EA**) to vary the Licence pursuant to section 52 of the Water Resources Act 1991.
- 4 In this statement I refer to documents in the Core Documents list prepared by the EA using the reference **CD#**. I also refer to documents in the accompanying Exhibit using the reference **MRF1/#**.

History of Old Walls Pre-1995

- 5 The original hydro scheme at Old Walls farm was installed in 1936. Dartmoor did not have mains electricity until 1962, so prior to that, properties had to rely on alternative sources of energy.
- 6 My grandfather purchased Old Walls farm in 1946. I was born eight years later in 1954. As a child growing up at Old Walls alongside the smaller hydro scheme, I developed a strong interest in hydropower. Even from a young age (as young as 10 years old), I recognised the potential of the site, particularly the untapped capacity of the river, and saw that the hydro scheme could generate significantly more power if properly developed.
- 7 My father ran Old Walls farm from 1950 until 1970. Due to my father's poor health, I then took over the management of Old Walls farm that year (aged 16), including the existing hydro scheme.
- 8 In 1977 I married my wife, Gail. We have two children, Yvette and Luke. Gail and I also entered into a partnership (known as M.R. & G.R. Fursdon) in 1977. Gail and I took the tenancy of Lowerton Farm in 1978, and we then ran Lowerton Farm and Old Walls farm as a single unit.
- 9 I then inherited Old Walls farm after my father's death in 1993. Gail and I continued to live at Lowerton Farm until 2009, when our son Luke took over Lowerton Farm and we moved into Waterleat Lodge, the cottage we built on the site.
- 10 Gail and I have always aimed to produce something of value. In the early 1990s, Gail and I made a strategic decision to reduce cattle numbers and invest in hydro generation. Our aim was to leave the farm in a better condition than when we took it on.

Old Walls Hydro today

- 11 In 1995, I redesigned and expanded the original scheme into the current scheme that operates at Old Walls today. I never had any formal training or gained any professional qualifications in engineering. To this day, my knowledge of hydropower is based entirely on a lifetime of practical experience working with hydro at Old Walls and assisting with numerous other hydro projects across Devon and beyond, including (for example) helping to install turbines at Castle Drogo in Drewsteignton, Becky Falls, and several sites in Chagford.

- 12 If I could redesign any parts of the scheme now, there is nothing I would change. All parts of the scheme work in harmony with each other, which means that changing one part of the scheme would have a knock-on effect to the rest of the scheme, affecting how the scheme functions as a whole.
- 13 Old Walls Hydro provides clean electricity and, in normal weather conditions, it is the main source of energy for the farm. Electricity from Old Walls Hydro supports Waterleat Lodge, which is a short distance away from the turbine. We built Waterleat Lodge ourselves and specifically designed it to operate using only electricity generated on site (with the exception of the wood burner which we use in winter). Our daughter Yvette and our son-in-law Chris live in the farmhouse at Old Walls – Old Walls Hydro supplies electricity to the farmhouse, which has never been connected to the grid. Old Walls Hydro also supplies electricity to farm buildings and the workshop.
- 14 Old Walls Hydro was connected to the mains in 1995, so became capable of exporting electricity. Around 75% of the energy produced by Old Walls Hydro is exported to the National Grid.
- 15 In the rare event that abstraction has to cease due to inadequate river flow or for maintenance works, we also have solar panels on site and battery storage which can cover the energy needs of the farm. If the farm's energy needs could not be met by these sources for any reason, we have the option to buy back energy from the National Grid. For nearly all of last year, we did not need to import any electricity at all.

Waterleat Walks & Talks

- 16 Over the years we have shown many visitors around Old Walls farm. For around 10 years (between 2010 and 2020), Gail and I ran “Waterleat Walks & Talks”, in which we provided organised educational tours of Old Walls farm. We delivered the sessions as one of the requirements of our Higher-Level Stewardship (HLS) scheme, which was to give educational visits. We received a fixed payment of £100 per visit, subject to completion of an evaluation form.
- 17 In contrast to the wider farming industry, Old Walls farm had a significant carbon-negative footprint – the aim of the sessions was to demonstrate that, within what is typically a carbon-intensive industry, it is possible to turn things around.
- 18 The sessions were delivered to a wide range of groups. We hosted sessions for students ranging from pre-school children through to third-year engineering students. We also

hosted sessions for many adult groups, including history groups (such as the Dartmoor Preservation Association) and environmental groups. The EA visited in 2006; a "thank you" letter from the EA is included at **MRF1/1**.

- 19 I have given a number of talks about the scheme outside of Old Walls, including to students at the University of Plymouth, the Eden Project, the Soil Association and the British Hydropower Association.
- 20 The tours at Old Walls were always tailored to suit the audience. For example, we adapted sessions for specialist groups, including a school for visually impaired students. I made practical models and demonstrations, covering not just hydro but the wider environmental context, with clear links to subjects such as science, maths and English. Gail and I would usually run the sessions together – I would talk mainly about the hydro scheme, and Gail would talk mainly about the wider environment.
- 21 The scheme ran formally for 10 years, and over that time we had just under 2,500 visitors. Attendance varied year to year, with typically between 12 and 20 groups of up to 30 people annually. We continue to run tours, but only informally on an ad-hoc basis.

Ecology at Old Walls

- 22 All my life I've seen salmon (adult and smolts) at Old Walls. Every year I see adult salmon and sea trout migrating upstream past the weir, usually in the autumn, and smolts migrating downstream typically between late April and May. The video at **MRF1/2** and the written record at **MRF1/3** shows smolts present at the forebay in April and May 2026.
- 23 In addition to salmon and sea trout, there are brown trout (which remain in freshwater) present in both the river and the leat.
- 24 Salmon and sea trout tend not to move in low-flow conditions, and they migrate when water levels are higher. I have consistently observed salmon leaping the weir; they used to do so with ease even before the fish pass was constructed. Sea trout are generally smaller and are more likely to use the fish pass.
- 25 We do not see eels at Old Walls – traps have been set previously, but no eels were captured. For that reason, in 2015, we were given a notice exempting us from the requirement to place an eel screen at Old Walls Farm (**MRF1/4**). The notice expired in January 2020, however we have not observed any eels at Old Walls since then.

Design & Construction of Old Walls

- 26 The leat was constructed as part of the redesign in 1995. Construction of the leat took me around three months. It was designed so that, once excavated, it would not need to be revisited, which ensured the works were carried out with minimal disruption. It was therefore essential to get the design and execution right the first time.
- 27 Six trees had to be removed during the works. The leat crosses a field which was previously used for grazing; however, once the leat was cut through the middle, it would have been unsafe to continue grazing cattle there, as they could bunch and push each other on the slope. As a result, we fenced off the steepest section. The upper part of the field continues to be grazed, and the steeper area has been planted with approximately 800 hardwood trees. There was one large veteran oak tree which we deliberately worked around, as we did not want to remove it. It remained in place for many years. No additional material was imported during construction.
- 28 The surrounding vegetation has largely been allowed to regenerate naturally. Trees line both sides of the leat and there is extensive fern growth along its length. Minimal maintenance was required for the first two years, after which occasional mowing became necessary. As the tree canopy has developed, growth has reduced and only light maintenance is now needed.
- 29 The area provides a valuable habitat, particularly for bats due to the damp woodland conditions, as well as other wildlife such as deer, otters, goosanders, ducks and herons. The Two Moors Way footpath passes alongside the river, on the opposite side of the valley to the farm.
- 30 The leat also provides a valuable habitat for fish. There is natural weed growth along the base of the leat (see **MRF1/5-7**). Adult fish travelling upstream will generally pass over the weir and rest in the weir pool, but at times will also use the leat as a resting area because the water there is calmer, before continuing their migration upstream.
- 31 Abstraction at Old Walls Hydro is controlled by the turbine. The system is designed so that the turbine opens and closes to maintain the water level in the leat at the desired level at all times. Most leats were traditionally designed with a relatively steep gradient to ensure that the water reached its intended destination. In contrast, our leat is virtually flat. When the flow is restricted, water therefore backs up and spills over the weir. The intention is to control where the water spills, rather than allowing it to do so unpredictably. If the river flow is low, the turbine shuts down completely and all water flows over the weir.

- 32 The engineering design of the leat was based on achieving the correct balance of flow velocity, gradient and channel size. If the flow is too fast or the channel is incorrectly sized, the system will not operate as intended. The dimensions and configuration are therefore critical and have been carefully designed to ensure the scheme functions effectively. It has also been designed to avoid the erosion of the banks of the leat.
- 33 The original Licence granted in 1992 (**CD2**) required a Hands off Flow (HoF) over the weir of 5 litres per second. The Licence included a provision which would increase the HoF to 25 litres per second if a new scheme was developed within 10 years, which is what we did. As a result, the current Licence now requires 5 times more water to remain in the river than would have been the case under the original scheme.

Debris

- 34 A large volume of debris travels down the river, especially during high-flow events and flooding. Debris can include heavy material such as stones, grit, and logs (even sometimes discarded Christmas trees). It also includes lighter material, including leaves which are shed during the winter months. Debris can also include non-natural material such as litter.
- 35 As water flows into the slower-moving area, heavier material drops out naturally, while lighter floating or suspended material continues downstream. The settlement tank at the head of the leat is designed to work with the natural behaviour of the river and capture the heavy material (typically stones and gravel) travelling downstream.
- 36 Gail and I empty the settlement tank at the intake of stones, gravel and sand once a year, in the summer when the river is low. I refer to the video at **MRF1/8** which is timelapse footage of us emptying the intake and spillway this year on 6 July. As demonstrated in the video, the process is hard work – with 3 people and machinery, the process took around 7 hours, not including preparation time the day before.
- 37 While the heavier material is deposited in the settlement tank and spillway, the lighter floating or suspended organic debris continues down the leat and accumulates at the forebay screener. As explained further below, the screener cleans itself of debris and deposits the collected material into a pile behind the screen. A photograph of the pile of debris behind the screener which accumulated between summer 2025 and summer 2026 is included at **MRF1/9**. The pile of debris in the photo represents one year's worth of debris from the forebay screener. Occasionally heavier floating debris such as branches or logs enter the leat at the intake, so this will also accumulate at the forebay screener.

- 38 We attempted to install a screen at the head of the leat in 1995, but this was unworkable due to the high volume of heavy material. The EA agreed to the screen being at the forebay with the smolt bywash (**CD3**) rather than at the head of the leat. Given the amount of heavy material that is deposited in the settlement tank, it is clear to me that installing a screen at the head of the leat today would be just as unworkable as it was found to be in 1995. There would also be other practical issues which the EA has not considered, such as being able to connect a screen at the head of the leat to a power source.

Screener at the forebay

- 39 The main fish screen is located at the forebay. The screener is an automatic 10mm screen that fully covers the entrance to the turbine.
- 40 The screen at the forebay is self-cleaning. It does not operate on a timed cycle, but instead activates when it becomes blocked. At that point, it clears itself and deposits the collected material into a pile behind the screen. Each summer, we then remove any litter and turn the remaining pile of organic matter into compost, which can be spread on the farm.
- 41 The costs of operating and maintaining the screen are relatively small. The screen is powered by the electricity generated by the hydro scheme. The screen generally needs very little maintenance – the screen is removed approximately every five years for inspection, including checking the motors and repainting as required. Occasionally, the mesh can be damaged, for example by large debris such as logs, but this can be repaired. The original mesh lasted around 25 years before it was replaced, and the system is kept in good working order.

Kelt screen and tailrace screen

- 42 In addition to the screener at the forebay, we have a kelt screen at the intake which is operated seasonally (typically in the New Year) when kelts are present. It is not automated and would quickly clog if used year-round. I constructed and installed this voluntarily – it is not a requirement of the Licence.
- 43 We also have a tailrace screen which, like the kelt screen, is not a condition of the Licence. The tailrace screen is not in place permanently – we typically put it in place between around October and December, however fish behaviour does not operate to coincide with calendar dates, so we install the screen whenever we see the first salmon travelling upstream. Each year we can predict when this will be, based on our knowledge of the river, the weather and fish behaviour, and our observations of the river conditions that year. It would be

unnecessary for the tailrace screen to be installed permanently – it is only required to protect fish when they are migrating upstream who might instinctively follow the water flow towards the turbine. The tailrace screen is not needed at any other times of year, and having it installed permanently would be inefficient and lead to unnecessary wear on the machinery.

Smolt bywash

- 44 There is a smolt bywash at the forebay which allows smolts to be returned to the river.
- 45 We operate the bywash manually in response to smolt activity. Smolts tend to move early in the morning, often around 4am, and usually pass through within a few hours. We check the forebay for smolts each morning; when we see smolts, we open the cap to release them back into the river, typically for between 30 minutes and 2 hours, before closing it again once they have moved on. The system is monitored daily, although there are naturally periods when no fish are present.
- 46 One of the key benefits of the system is that we are able to actively monitor fish movement. It is mostly Gail and I who operate the smolt bywash, since it is only a short distance from Waterleat Lodge. However if neither of us are on site, my son-in-law Chris and my son Luke both live nearby and are both familiar with the operation of the system, so one of them will come and check the bywash. The reality of running a farm is that there always has to be someone on site, so we are never in a position where there is nobody around to check for smolts at the forebay. CCTV has been used so we can monitor and record the footage of fish activity from Waterleat Lodge.

Relationship with the EA

- 47 We have consistently co-operated with the EA (and formerly the NRA), however we have noticed a decline in the relationship over the years.
- 48 We worked very well with the NRA in the 1990s when they were updating our licence of entitlement and I was redesigning the scheme. In particular, Ann Riley, an engineer from the NRA, worked with me on the structural design she required for the weir notch and the calibration of flows. I also worked alongside Nick Prall who worked on the requirements for the Licence.
- 49 EA Fisheries officers also provided input on the weir design, suggesting improvements to assist fish passage. They designed and constructed a pool below the weir to ease the ascent for fish, on the basis that I would maintain it going forward, which I have done ever

since. The EA is now suggesting that the pool is substandard, despite having designed and installed it themselves.

- 50 We have always provided the required reports and information to the EA, including reporting on maximum abstraction and annual abstraction returns. Reporting was previously done on paper but is now submitted online. The site is inspected roughly every two to three years to check compliance with abstraction limits and screening requirements. We have consistently passed inspections – inspection certificates from 2016, 2017, 2018, and 2024 are included at **MRF1/10-13**.
- 51 Over the years we have collaborated with the EA on a range of projects. In 2007, a local EA fisheries officer (Chris Lawson) requested that we undertook a smolt trial to test the effectiveness of the smolt bywash and the condition of the smolts which went through the pipe. We agreed to help with the trial, which was undertaken by local fisheries officer Mike Maslin. Once the trial was concluded, we prepared a draft report to record the results (**CD20**) and asked the EA to sign this off. However, despite repeated requests from Gail and I (and despite a request via Jonathan Shaw, the Under Secretary of State who had visited the site), the EA did not sign this off. A letter from Richard Creswell from the EA is included at **MRF1/14**.
- 52 When the NRA became the EA, Nick Prall remained our main point of contact initially. In 2020, Emma Townsend (who we have not met) sent the first letter referring to the proposed Licence change (**MRF1/15**). The letter said "the decision has been made to make some changes to your licence", and Emma invited me to contact her to discuss it. From the tone of the letter, I understood that the decision to change my Licence had already been made, without me having any say in whether the Licence should be changed at all.
- 53 Emma Townsend continued to correspond with us, but our view was that, if the EA intended to proceed, they should do so formally.
- 54 Emma Townsend wrote to us in April 2020 to confirm that there would be a delay to serving the section 52 notice due to the Covid pandemic (**MRF1/16**). There was some further correspondence in 2020 and 2021, but it then went quiet until 2025 when we received a letter confirming that the EA planned to engage with us again (**MRF1/17**). The process has therefore taken over 6 years.
- 55 The letter we received on 6 February 2025 (**MRF1/17**) was from Carole Brennan, who identified herself as our new single point of contact. Carole said that she would like to arrange a call to introduce herself and discuss our Licence. We suggested meeting in

person so that Gail, Chris and I could all hear what she had to say; we suggested that she came down to our house. Carole then asked if she could bring some colleagues from the Hydrology or Fisheries teams – we said no, because they had visited the site many times before, and because Carole had presented the meeting as an introductory meeting for us to get to know her. Carole then requested if she could bring Steve Marks, a colleague from the EA – we accepted this request as she had concerns about visiting on her own and we did not want her to feel uncomfortable.

56 Carole and Steve both attended the meeting on 17 April 2025. Despite Carole being our single point of contact, Steve did most of the talking – Gail and I felt he was bullish and confrontational, talking about how our Licence was going to be changed. Gail left the meeting mid-way through, in tears.

57 In our written correspondence leading up to the meeting, Carole mentioned looking around the site, but as far as I recall neither she nor Steve ever mentioned it on the day. I would have been willing to show them around if they had asked.

58 In correspondence, Carole has stated that the proposed Licence changes could be beneficial both to us and the environment (**MRF1/17**). I have asked for an explanation as to how she had reached that conclusion, but she has never explained it.

Conclusion

59 My view remains that the EA has provided no site-specific evidence to justify its proposals to change my Licence. Implementing the Licence change proposals will come at a significant cost to me and my business, which will ultimately need to be compensated for using public funds. The operation of the hydro scheme would likely become economically unviable if the EA's proposals are implemented, which would mean that the environmental benefits of the clean energy generation would be lost. I care deeply about tackling climate change, protecting the environment and living sustainably – these principles have guided the way I live my life and the way I run my business. I feel strongly that Old Walls Hydro contributes positively to achieving these goals, which the EA must also share.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed



Name

MILES R. FURSDON

Date

14 JULY 2026