

Davies, Nichola (SF - Culture & Sport - Cadw)

From: Grant, Fiona (DH - CADW)
Sent: 14 August 2013 11:52
To: Halfpenney, Ian (DH - CADW); Roberts, Kathryn (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW)
Subject: DE138

Hi All,

I have left a telephone message with the neighbour leaving the office phone number if they need to get in touch (Suzanne is aware).

I have spoken with Mark Walters (planning) at CPAT to see if he had any planning queries, and if Highways would be aware that a new access to the A5 had been created.

He did not have a contact for Highways, but the number from WCBC website is 01978 292 055. I have not contacted Highways directly as yet.

Fiona

Dr. Fiona Grant

Warden Henebion Maes / Field Monument Warden

Cadw

Llywodraeth Cymru / Welsh Government

☎ 01691 718 757/ 07896 355138

E-bost: fiona.grant@cymru.gsi.gov.uk

E-mail: fiona.grant@wales.gsi.gov.uk

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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Grant, Fiona (DH - CADW)
Sent: 14 August 2013 23:04
To: Roberts, Kathryn (DH - CADW); Halfpenney, Ian (DH - CADW); Hughes, Gwilym (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
Subject: DE138

Hi All,
Briefly -

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On site we met with three men - one a neighbour, [REDACTED] the other two said they were the new owners of the parcel of land in question.

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Steven James [REDACTED]

Danny Roberts [REDACTED]

(Mr James stated that they were travellers, so I presume this address refers to the travellers site in [REDACTED] - they would not give me any further address details)

I explained who I was and why we were on site. I gave them the contact number of Cadw (Nantgarw) and my card. They had no objection to us putting up the stop sign, which we erected adjacent to the access point to the A5 (photographed). I told them that no further works should take place on the site. They appeared very distressed and stated that they had had no knowledge of the status of the site until this morning when a reporter from the Daily Mail had come on site and questioned them.

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Mr James requested that I explain the nature, extent and status of the site. We all walked to view the full extent of the works, and I pointed out the features and extent of the scheduled area.

Kate - I will compile the original damage assessment report, cataloguing the damage as recorded from my visit on Tuesday 13th asap. Is a separate statement required regarding this visit tonight, or should I include it in the damage assessment report.

Fiona

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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Hughes, Mair (LS)
Sent: 14 August 2013 15:36
To: Roberts, Kathryn (DH - CADW); Halfpenney, Ian (DH - CADW)
Cc: Whiting, Suzanne (DH - CADW)
Subject: RE: Land at Plas Offa Farm, Whitchurch Pentre, Chirk

Will do Kate.

My only other suggestion, in case the solicitors aren't able to assist, would be to contact Sean Mullen of Plas Offa to establish what part of the land he has sold and, if it relates to the land in question, whether he has any contact details for the buyer? You have probably tried this route already though.

I will keep you posted.

Thanks
Mair

Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
Ffon/Tel: 029 2082 5370
Ffacs/Fax: 02920 825121
ebost/email: mair.hughes@wales.gsi.gov.uk

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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Hughes, Mair (LS)
Sent: 14 August 2013 13:44
To: Halfpenney, Ian (DH - CADW)
Cc: Hughes, Gwilym (DH - CADW); Roberts, Kathryn (DH - CADW); Grant, Fiona (DH - CADW); Davies, Will (DH - Cadw)
Subject: RE: Urgent Land Registry Search Required

Ian

I've attached official copies relating to Plas Offa for your information showing the current owner as being Sean John Mullen. Insofar as the plan is concerned, all of the areas edged in green have been sold off and are no longer part of this title therefore if you need to establish ownership of any of those areas please let me know and I will carry out further searches.



Unfortunately you are correct that there has been a very recent sale of part of the land and the application to register that transfer is still pending at the Land Registry. Therefore I cannot confirm whether any part of the area in question has been sold to a third party or whether it relates to a different part of the title.

The Land Registry's website does, however, provide details of the firm of solicitors who lodged the application so if you wish I can contact them to try and find out which part of the land has been sold and to whom?

I also attach official copies which relate to land to the West of Plas Offa for your info in case any of this land is also affected. There is no application pending against this title and you'll see that the owner is shown as being Sian Glynne-Jones.



Please let me know if you need anything else or I can do anything to help.

Thanks
Mair

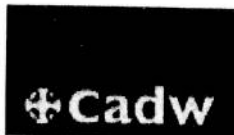
Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
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CADW Scheduled Ancient Monument site visit report.

VISITED BY

F. Grant

FILE

GENERAL

SITE NAME

Offa's Dyke: Sections N and S of Plas Offa

SITE No.

DE134

VISIT DATE

14/08/2013

REASON

Other

CONDITION TREND

CONDITION CURRENT

VULNERABILITY

OVERALL RISK LEVEL

NOTES

Visit made with Ian Grant (CPAT) in order to erect a stop notice.

On site we met with three men - one a neighbour, [REDACTED] the other two said they were the new owners of the parcel of land in question.

Their names and contact details are:

Steven James [REDACTED]

Danny Roberts [REDACTED]

I explained who I was and why we were on site. I gave them the contact number of Cadw (Nantgarw) and my card. They had no objection to us putting up the stop sign, which we erected adjacent to the access point to the A5 (photographed). I told them that no further works should take place on the site. They appeared very distressed and stated that they had had no knowledge of the status of the site until this morning when a reporter from the Daily Mail had come on site and questioned them.

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Mr James requested that I explain the nature, extent and status of the site. We all walked to view the full extent of the works, and I pointed out the features and extent of the scheduled area.

MANAGEMENT

SOURCES

Site visit photographs were taken

ARCHAEOLOGICAL ITEMS

Davies, Nichola (SF - Culture & Sport - Cadw)

From: Halfpenney, Ian (DH - CADW)
Sent: 15 August 2013 10:31
To: Grant, Fiona (DH - CADW); Roberts, Kathryn (DH - CADW); Hughes, Gwilym (DH - CADW); Hughes, Mair (LS)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
Subject: RE: DE138

Fiona

Thanks very much for doing this. I know how difficult it can be being the first on site and informing the owners - it's not easy.

Include this meeting in the damage report as well - but just detail it as a separate event/follow up action in the report.

Mair - the information regarding the solicitors comments will need to be followed up if you speak to the solicitor or their secretary - i.e. did the solicitors know the site was scheduled - did they do a search and were the new owners aware of the scheduled nature of the site.

Ian

From: Grant, Fiona (DH - CADW)
Sent: 14 August 2013 23:04
To: Roberts, Kathryn (DH - CADW); Halfpenney, Ian (DH - CADW); Hughes, Gwilym (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
Subject: DE138

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Fiona

Dr. Fiona Grant

Warden Henebion Maes / Field Monument Warden

Cadw

Llywodraeth Cymru / Welsh Government

☎ 01691 718 757/ 07896 355138

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E-mail: fiona.grant@wales.gsi.gov.uk

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From: Hughes, Gwilym (DH - CADW)
Sent: 15 August 2013 10:03
To: Grant, Fiona (DH - CADW); Roberts, Kathryn (DH - CADW); Halfpenney, Ian (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW); Evans, Alyson C (CADW)
Subject: RE: DE138

Thank you for this Fiona and for your prompt action. I understand that Kate has informed the police and that they will be carrying out an investigation. At least we have now ensured no further damage takes place. I have asked Alyson to prepare a briefing for the Minister.

Gwilym Hughes

Cyfarwyddwr Cynorthwyol / Assistant Director
Amgylchedd Hanesyddol / Historic Environment
Cadw
Llywodraeth Cymru / Welsh Government
Ffôn / Tel (01443) 336033
E-bost Gwilym.Hughes2@cymru.gsi.gov.uk
E-mail Gwilym.Hughes2@wales.gsi.gov.uk



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Cadw**

Llywodraeth Cymru / Welsh Government

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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Hughes, Gwilym (DH - CADW)
Sent: 15 August 2013 11:29
To: Halfpenney, Ian (DH - CADW); Grant, Fiona (DH - CADW); Roberts, Kathryn (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
Subject: RE: DE138

Please invite CPAT to put together a grant application to the contingency fund for doing the recording work asap

Gwilym Hughes

Cyfarwyddwr Cynorthwyol / Assistant Director
Amgylchedd Hanesyddol / Historic Environment
Cadw
Llywodraeth Cymru / Welsh Government
Ffôn / Tel (01443) 336033
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From: Halfpenney, Ian (DH - CADW)
Sent: 15 August 2013 10:39
To: Grant, Fiona (DH - CADW); Roberts, Kathryn (DH - CADW); Hughes, Gwilym (DH - CADW)
Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
Subject: RE: DE138

Kate

Will you contact the new owners?

We also need to consider 'mobilising' CPAT to go out and undertake a detailed measured survey of the extent of the damage to ensure accurate mapping and reporting of the extent of the damage - although we'd need the owners permission for this.

Ian

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Cc: Davies, Will (DH - Cadw); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW)
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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Hughes, Mair (LS)
Sent: 21 August 2013 11:33
To: Roberts, Kathryn (DH - CADW)
Cc: Grant, Fiona (DH - CADW); Hughes, Gwilym (DH - CADW); Whiting, Suzanne (DH - CADW); Kevern, Richard (DH - CADW); Halfpenney, Ian (DH - CADW)
Subject: FW: Land at Plas Offa Farm, Whitchurch Pentre, Chirk
Attachments: Transfer.pdf

Kate

For your information...

Thanks
Mair

Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
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From: Kate Wellings [<mailto:Kate.Wellings@ghplegal.co.uk>]
Sent: 21 August 2013 11:26
To: Hughes, Mair (LS)
Cc: Richard Lloyd
Subject: Land at Plas Offa Farm, Whitchurch Pentre, Chirk

Dear Miss Hughes,

Mr Kennan has forwarded your email to me.





As you may be aware I did send a copy of the Transfer to PC Burgess yesterday and I attach hereto a further copy of the Transfer dated 2nd August 2013.

I trust that you will understand that it is not possible for me to respond to your enquiries until I speak to the Solicitor who dealt with this matter. She returns from annual leave next Tuesday 27th August and I would therefore propose to respond as soon as possible thereafter.

Regards

Richard Lloyd

From: Richard Lloyd
Sent: 21 August 2013 09:05
To: Kate Wellings
Subject: FW: Land at Plas Offa Farm, Whitchurch Pentre, Chirk

	Kate Wellings Legal Secretary to Richard Lloyd 37-39 Willow Street Oswestry SY11 1AQ T 01691 659194 F 01691 652755 DX 26605 W www.ghplegal.co.uk	   Lexcel Practice Management Standard Law Society Accredited
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From: Nicholas Kennan
Sent: 21 August 2013 08:42
To: 'Hughes, Mair (LS)'
Cc: Richard Lloyd
Subject: RE: Land at Plas Offa Farm, Whitchurch Pentre, Chirk

Dear Miss Hughes,

This matter is now with the senior partner, Mr Richard Lloyd, and I have passed your enquiry to him. However, Miss Hibbert is not contactable on leave and Mr Lloyd may be unable to respond until such time as Miss Hibbert returns.

Regards,

Nicholas Kennan

From: Hughes, Mair (LS) [mailto:Mair.Hughes@Wales.GSI.Gov.UK]
Sent: 21 August 2013 08:06
To: Nicholas Kennan
Cc: Halfpenney, Ian (DH - CADW)
Subject: FW: Land at Plas Offa Farm, Whitchurch Pentre, Chirk
Importance: High

Dear Mr Kennan

I write further to my email below and would be grateful to receive a response urgently please.

Your client's application to register the transfer is still pending at the Land Registry therefore if you are at least able to provide a copy of the transfer to confirm ownership of the land in question at this stage I would be extremely grateful.

I look forward to hearing from you.

kind regards
Mair Hughes

Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
Ffon/Tel: 029 2082 5370
Ffacs/Fax: 02920 825121
ebost/email: mair.hughes@wales.gsi.gov.uk

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From: Hughes, Mair (LS)
Sent: 15 August 2013 11:57
To: 'Nicholas Kennan'
Subject: RE: Land at Plas Offa Farm, Whitchurch Pentre, Chirk

Dear Mr Kennan

Many thanks for your email.

I understand that representatives of Cadw met with your client on site this morning to explain the position.

Unfortunately Mr Roberts expressed to Cadw that he was unaware of the fact that part of the land he has acquired is scheduled and is consequently subject to the provisions of the Ancient Monuments and Archaeological Areas Act 1979.

I would therefore be grateful if you could please confirm that:

- (a) this was revealed in your local authority search and/or replies to enquiries from the previous owners.
- (b) your client was made aware of the scheduled status of the site

Many thanks for your help.

Kind regards
Mair

Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
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ebost/email: mair.hughes@wales.gsi.gov.uk

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Davies, Nichola (SF - Culture & Sport - Cadw)

From: Roberts, Kathryn (DH - CADW)
Sent: 04 June 2014 14:56
To: Roberts, Kathryn (DH - CADW)
Subject: FW: Emailing: Offa's Dyke Extract of management report
Attachments: Offa's Dyke Extract of management report.pdf

-----Original Message-----

From: Roberts, Kathryn (DH - CADW)
Sent: 21 August 2013 16:51
To: 'Thomas, Eleri (Sgt 1708)'; 'richard.burgess@nthwales.pnn.police.uk'
Subject: Emailing: Offa's Dyke Extract of management report

This is an extract from our database in which we record visits to monuments - information about the condition of monuments is kept in the management text section. If you require the full document we can provide it - the rest of the fields are about the monument itself - appearance etc.

Dr Kate Roberts
Uwch-arolygydd Henebion ac Archaeoleg
/ Senior Inspector of Ancient Monuments and Archaeology Cadw
Llywodraeth Cymru / Welsh Government
Plas Carew, Uned/Unit 5-7 Cefn Coed, Parc Nantgarw, Nantgarw, CF15 7QQ.

* 01443 336013
* 079 686 09826

Kathryn.Roberts@Wales.gsi.gov.uk
Kathryn.Roberts@Cymru.gsi.gov.uk

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Dylai unrhyw ddatganiadau neu sylwadau a wneir uchod gael eu hystyried yn rhai personol ac nid yn rhai gan Lywodraeth Cynulliad Cymru, unrhyw ran ohoni neu unrhyw gorff sy'n gysylltiedig â hi / Any of the statements or comments made above should be regarded as personal and not those of the Welsh Assembly Government, any constituent part or connected body.

P Helpwch yr amgylchedd - peidiwch ag argraffu hon os nad oes gwir raid. Help our environment - only print this if really necessary.

Full Management Report - Internal Use
SAM Visit Management Text

SAM No: DE138(WRE)

SAM Name: Offa's Dyke: Section N & S of Plas-Offa

Visit Date: 25/02/1988

Visited By: Bell L M

Management Text: I spoke to [REDACTED] on the telephone, prior to my visit. He said that I was quite welcome to visit the site.

I met Mr Mullen at the farm. He was quite approachable, and has an interest in the dyke. Mr Mullen expressed his concern that a neighbouring tenant farmer had caused some damage to the side of the dyke behind the outbuildings at Plas Offa. I accompanied him to this part of the site. Mr Mullen said that the tenant farmer was a [REDACTED]. He said that this part of the site however was owned by the [REDACTED]. The damage has occurred to the east side of the dyke, south of the farm outbuildings. A trench has been cut into the dyke removing an area 1m in depth and 2.5m across. This trench runs from the east side of the dyke to the fence line which stands on the summit. No damage has been incurred to the west side of the dyke. Mr Mullen said that the tenant farmer had been attempting to form a low rubble bank across the field south of the outbuilding, to prevent surface water draining down into the barns. Mr Mullen added that drainage was always a problem. Mr Mullen said that he told the tenant farmer that he was causing damage to the dyke, and the farmer then stopped all further work. Mr Mullen said that he would prefer it if his name was not mentioned in connection with this event, as he did not want the farmer to think that he had reported him, as he had to live with his neighbours.

Mr Mullen said that he was keen on providing some facilities at his farm for the Offa's Dyke walkers, such as overnight accommodation. He enquired whether Cadw could provide anything that would be of interest to the walkers such as leaflets or a display stand. Mr Mullen said that he had the buildings, and the necessary funding, and he wondered whether Cadw had any ideas for such a scheme.

Some mature trees have been felled in the past, along the west side of the dyke at the south end of the section. The tree stumps have been left in place, and no erosion appears to have occurred. There is however some dead timber along this section at the S end, which would benefit from removal. Near the centre of Section B on the west side of the dyke, a small area of the ditch has been covered by modern infill.

Visit Date: 17/12/1993

Visited By: Bell L M

Management Text: Section A [N of road]:
I wrote to [REDACTED], prior to my visit, but received no reply. While on site I met two farm workers delivering sheep feeders to Field 2. They said that Fields 1, 2 and 4 were owned by [REDACTED], and that [REDACTED] owned the northernmost Field 3.

Section B [S of road]:
I wrote to [REDACTED] prior to my visit but received no reply.

I met Mr Mullen at Plas Offa farm. He was quite approachable and had no objection to a visit to the site. Mr Mullen would like some Offa's Dyke leaflets at his farm for Offa's Dyke footpath walkers.

Visit Date: 29/01/2003

Visited By: Halfpenney I

Management Text: A road bisects this section of Offa's Dyke. The two sections are subject to different land use activities and pressures.

Full Management Report - Internal Use
SAM Visit Management Text

SAM No: DE138(WRE)

SAM Name: Offa's Dyke: Section N & S of Plas-Offa

The section south of the road De138B is not part of the public footpath and is largely used for stock grazing, with farm buildings having encroached onto the northern section of the Dyke. Although the grazed sections are overgrown with scrub they do not appear to be in a worsening condition. There are some localised areas of erosion, but these seem to be through established routes, where there is no real alternative access.

The section to the north of the road De138A has mixed usage and a public footpath runs along this stretch of the Dyke. The southern fields are given over to crops and the Dyke is fenced on both sides. This does prevent the Dyke from damage, but it has allowed the Dyke to become very overgrown, although it is in a stable condition. Further north the Dyke is not fenced, but is part of a grazed field. The grass cover on the Dyke is good and there are a number of mature trees along the crest of the Dyke. The majority of these trees are in a stable condition. The main problem in this northern section is the stock access at the very northern end. However, at this point the Dyke is no longer evident. Generally this section is also in a stable condition.

I have visited sections of Offa's Dyke immediately to the south of De138 accompanied by Ian Bapty and he is keen to establish some management agreements with the owner to the south [REDACTED] also owns some of DE138B and it is hoped that any management agreement on sections of Dyke to the south would also include scrub management on the southern end of De138B.

Davies, Nichola (SF - Culture & Sport - Cadw)

From: Roberts, Kathryn (DH - CADW)
Sent: 04 June 2014 14:48
To: Roberts, Kathryn (DH - CADW)
Subject: FW: Offa's Dyke Update 21-08-2013

From: Roberts, Kathryn (DH - CADW)
Sent: 21 August 2013 18:22
To: Hughes, Gwilym (DH - CADW); Evans, Alyson C (CADW); Lewis, Marilyn (DH - CADW)
Subject: Offa's Dyke Update 21-08-2013

Attached is an updated report outlining the progress with the Offa's Dyke damage case. I have included Alyson in case the Minister requires an update.

Archaeologists from CPAT will visit tomorrow to carry out an EDM survey and to cover and protect the exposed sections. They are not available to carry out the more detailed record until September because next week coincides with the Walton basin excavations which are time-restricted due to negotiated access arrangements. Once covered the damaged section of Dyke should be secure for the time being.

Contact has been made with the new owners and I am satisfied that they will not be carrying out any further work on site.

A press statement was issued last week which is still largely correct - wording included in my report below. The only substantial change could be to state that the police investigation is underway and Cadw has made arrangements for recording and protective measures to take place to prevent any further deterioration. I do not foresee the police concluding their investigation this week because some key interviewees are currently out of the country on holiday.



Offa's Dyke Damage DE138 Update 21st August 2013

Dr Kate Roberts, Snr Inspector of Ancient Monuments

Background

Offa's Dyke is a 1200 year old linear earthwork which runs through the English/Welsh borders from Treuddyn (near Wrexham in north east Wales) to Sedbury Cliffs (on the Severn estuary, in southern Gloucestershire).

The Dyke consists of an earthen bank which can be up to 8 metres high, associated with a ditch to the west, and typically occupies an imposing position in the landscape with fine and commanding views into Wales. It is not known exactly what the Dyke looked like when first built, but archaeological excavation suggests that the western side of the bank was revetted with turf to create a near vertical face, and it is possible that some kind of timber palisade or wall also existed on top of the earthwork.

Offa's Dyke is the most impressive monument of its kind anywhere in Europe, and a construction project of comparable landscape scale was not again to be undertaken for 1000 years, until the great canal schemes of the 18th century. It is one of the great engineering achievements of the pre-industrial age and the most dramatic built structure to survive from Anglo-Saxon times - as such it is crucial evidence of a key phase in British history which has generally left relatively few substantial visible remains.

Damage report

Timeline

On Monday 12th August Cadw was alerted that unauthorised works had been carried out within the scheduled area of a section of Offa's Dyke at Plas Offa near Chirk. Dr Fiona Grant, regional Field Monument Warden visited on 13th August and confirmed that the scheduled monument had been severely damaged by a mechanical excavator which had cut away half of the section of the dyke for a distance of c. 40m. It is a criminal offence to knowingly cause damage to a Scheduled Ancient Monument.

On 13/14th August Cadw initiated investigations to identify the owner of the land which we understood had recently changed hands. This included informing Welsh Government Legal Services who contacted the Land Registry and subsequently wrote to the new owner's solicitors who advised the owner to cease any works. Cadw Senior Inspector of Ancient Monuments, Kate Roberts informed Sgt Rob Taylor (wildlife and environment officer) of North Wales Police of the damage.

On 14th August Cadw's FMW returned to the site to erect a "Stop Notice" advising the owners that the site is protected by law and that all works should cease immediately. Two men at the site introduced themselves as the new

owners – they told the official that they had recently purchased the land and that it had been advertised as ideal for a paddock and stables. They stated that neither the vendor or their solicitor had alerted them to the protected status of the land. They agreed to cease all work immediately pending an investigation.

On 19th August Dr Kate Roberts and Dr Fiona Grant met representatives of North Wales police to hand over information in order to enable the police to commence their investigation of the incident. This included photographs of the damage, the damage report and names of the men believed to be the owners of the site.

On 20th August at the request of the police Dr Kate Roberts, Dr Fiona Grant and representatives of North Wales police met Mr Danny Roberts, the new owner at Offa's Dyke and inspected the damage with him. Also present was Mr Steven James, his friend who had assisted in the works which had resulted in the damage to the Scheduled Monument.

The owner expressed his shock at discovering that the land was protected and reiterated that he had not been aware of the scheduled status of the land until he was contacted by the Press and subsequently met the Cadw official. He agreed to cooperate fully with the investigation.

Police Investigation

A police investigation is now underway and Cadw staff are assisting with provision of information.

Initial indications are that :-

- a. the advertisement for the sale was misleading and represented the plot of land as "an ideal investment...ideal grazing or land for a pony with space for a stable to be erected'. In reality, all of the plot of land lies within the scheduled area and is therefore protected from development.
- b. Mr Roberts' solicitors carried out a local land search which identified the scheduled monument as a land charge; it is currently unclear whether this information was highlighted or its implications explained to Mr Roberts.
- c. Mr Roberts has stated that he informed the vendor and his solicitors that it was intention to build stables on the land and that neither indicated that there would be any difficulties preventing this.
- d. The vendor of the land was aware of the scheduled status of the land; Cadw records indicate that officials had met him on at least two occasions (1988 and 1993) and Cadw administration sent copies of the scheduled area map to his address by recorded delivery in 2000.

Please note, all of the above will be subject to formal verification by the police investigation.

Next Steps

The police investigation is still ongoing. We will wait to hear from them whether there is a case for criminal prosecution.

It is my view that the damaged Dyke needs to be repaired and restored to its original profile in order to maintain the integrity of the monument and prevent any future physical deterioration.

We have made arrangements for a full archaeological survey of the damaged and exposed sections of the earthwork to take place. This will be carried out by archaeologists working for the Clwyd Powys Archaeological Trust and will take place in two phases commencing with emergency recording on 22nd August 2013 after which the damaged sections of Dyke will be covered with tarpaulins to prevent any further damage, erosion or disturbance. Phase two will take place in September when the archaeologists are available to carry out more detailed study and recording of the damaged section.

Pending the outcome of this survey a decision will be made on the best means by which the dyke can be repaired and restored.

Press and Publicity Arrangements

The damage has come to the attention of the press and has appeared in several papers and a BBC television news report. Further press interest is likely to occur.

The following press statement has been issued:

"We are aware of the reported damage to a section of Offa's Dyke which is a nationally important ancient monument protected by law. An investigation is currently underway to determine whether or not an offence has been committed. The police have been informed."

Background information

- It's a criminal offence to damage Offa's Dyke under the Ancient Monuments and Archaeological Areas Act 1979
- Offences under the Act can be subject to a fine or imprisonment of up to two years.
- Offa's Dyke is a 1200 year old linear earthwork which runs through the English/Welsh borders from Treuddyn (near Wrexham in north east Wales) to Sedbury Cliffs (on the Severn estuary, in southern Gloucestershire).
- The Dyke consists of an earthen bank which can be up to 8 metres high, associated with a ditch to the west and is believed to have been constructed on the orders of King Offa of the Anglo-Saxon kingdom of Mercia in the 8th century AD to mark the frontier with the Welsh kingdoms to the west. The surviving earthworks of Offa's Dyke are

protected under law as a scheduled ancient monument including the stretch where the damage has taken place.

Dr Kate Roberts 21st August 2013

Davies, Nichola (SF - Culture & Sport - Cadw)

From: Roberts, Kathryn (DH - CADW)
Sent: 04 June 2014 14:07
To: Roberts, Kathryn (DH - CADW)
Subject: FW: Land at Plas Offa Farm Whitchurch Pentre Chirk

From: Hughes, Mair (LS)
Sent: 13 September 2013 07:17
To: Roberts, Kathryn (DH - CADW); Halfpenney, Ian (DH - CADW)
Subject: FW: Land at Plas Offa Farm Whitchurch Pentre Chirk

Kate/Ian

Please see below for your information.

Please let me know if you'd like me to do anything.

Many thanks
Mair

Mair Hughes
Cyfreithwraig/Solicitor
Gwasanaethau Cyfreithiol Masnachol /Commercial Legal Services
Llywodraeth Cymru/ Welsh Government
Cyfeiriad/Address: 3rd Floor, Crown Building, Cathays Park, Cardiff, CF10 3NQ
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From: Kate Wellings [<mailto:Kate.Wellings@ghplegal.co.uk>]
Sent: 12 September 2013 16:46
To: Hughes, Mair (LS)
Subject: Land at Plas Offa Farm Whitchurch Pentre Chirk

Dear Miss Hughes

I write with reference to your emails of 15th and 21st August. I do apologise for the delay in replying. The delay of course has been occasioned by me having to check and consider our position.

I can inform you that this matter has now been referred to our insurers. Furthermore I can inform you that Mr Danny Arthur Roberts has instructed other solicitors namely Keppe Rofer of 11 Ship Street Brecon Powys LD3 9AB to obtain his file of papers from ourselves.




I am sure that you are aware that we have handed a copy of the file of papers (having received Mr Roberts signed authority) to the Police.

If you have not as yet received a copy of the Transfer from the Police please let me know and I will let you have a further copy

In the meantime I do not think that I can comment further in relation to this matter.

Regards

Richard Lloyd
GHP Legal

	<p>Kate Wellings I Legal Secretary to Richard Lloyd</p> <p>37-39 Willow Street I Oswestry I SY11 1AQ</p> <p>T 01691 659194 F 01691 652755 DX 26605</p> <p>W www.ghplegal.co.uk</p>	  Lexcel Practice Management Standard Law Society Accredited
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CADW Scheduled Ancient Monument site visit report.

VISITED BY

F.Grant

FILE

GENERAL

SITE NAME

Offa's Dyke: Sections N and S of Plas Offa

SITE No.

DE134

VISIT DATE

17/12/2013

REASON

Other

CONDITION TREND

CONDITION CURRENT

VULNERABILITY

OVERALL RISK LEVEL

NOTES

I spoke with the owner Mr Danny Roberts at 15.15 on Friday 13th December 2013 as it had been noted that the plastic sheeting protecting the damaged sections of dyke had become dislodged. He assured me that he would replace the sheeting over the weekend. However, on passing on Tuesday 17th December, the sheeting could be seen to still be dislodged. Will Davies (Cadw) and I replaced the sheeting, which appeared to have been deliberately removed, and secured it with sandbags and rocks. The ground surface upon which dyke material has been redeposited (to the west of the bank) during the unauthorised works was noted to be extremely soft and wet. Vehicular tracking was noted on the newly created track running along the west of the bank, with deep rutting in places.

MANAGEMENT

SOURCES

Site visit photographs were taken

ARCHAEOLOGICAL ITEMS

ITEM

CONDITION TREND

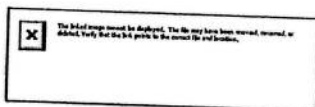
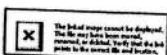
Davies, Nichola (SF - Culture & Sport - Cadw)

From: Andrew Swan <Andrew.X.Swan@opusinternational.co.uk>
Sent: 03 June 2014 13:53
To: Davies, Will (SF - Culture & Sport - Cadw)
Subject: RE: DE138: Offa' Dyke, Pentre Section, Chirk

Hi Will,

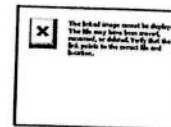
Yes, reins firmly gripped! No need to apologise for any delay, I understand things have been quite hectic your end as well. I must apologise though for not providing the cost information which you did indeed ask for. Now we have your comments I can progress this and tackle the other issues you've raised as well - hopefully get something back to you for review early next week.

Regards,



Andrew Swan | Engineer - Building Conservation | Opus International Consultants (UK) Ltd
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From: Davies, Will (SF - Culture & Sport - Cadw) [mailto:Will.Davies@Wales.GSI.Gov.UK]
Sent: 03 June 2014 13:27
To: 'Andrew.Swan@opusinternational.co.uk'
Subject: DE138: Offa' Dyke, Pentre Section, Chirk

Dear Andrew,

I understand that Paul has moved on and that you will be taking the reins for the above project. I apologise for an unavoidable delay on my part in providing the below comments on his draft.

The draft proposes a sensible and not overly complicated approach and is in general fine but there are a few issues, the first fundamental.

1. Indicative costs. As initially requested we will need the proposed scheme to be costed up, if only very broadly. This was the primary purpose of this commission as Cadw will be handing this report to the landowner and his present solicitor both to inform the reinstatement of the monument and acting as a guide to claim costs incurred. Another copy will be sent to planners officers at Wrexham CBC, who will incorporate this information into an enforcement notice.

I'd passed Paul the contact details of Paul Fairclough from Wrexham Highways dept - paul.fairclough@wrexham.gov.uk - who has indicated to me that a range of graded potential fill materials could be donated for free if whoever does the work provides the transport. I'm not sure whether the conversation took place but it would be worth clarifying the logistics of this and including in the text - reduced costs are likely to increase the chances of the owner actually undertaking these works. If the offer sounds feasible / appropriate the possibility should be flagged up in the report.

2. Could you add in an early paragraph that 'all reinstatement or restoration works will require Scheduled Monument Consent from Cadw' rather than.. We can then send the owner a copy of the application form with the final copy of the report.

3. Whilst we are used to reading and understanding this sort of document the landowner will have difficulties. Could you also add a brief non-technical summary? He can let his contractors deal with the technical aspects.

4. Section 530. Machines / vehicles access. Perhaps also stress that works should not be undertaken during a wet period in order to avoid the already very soggy backfilled ditch which access is gained from becoming a swamp. Site access may be better tackled as a separate section.

5. This might sound picky at this stage but under sections 525 and 525A my policy colleagues have asked if you remove the Opus reference for now as this could be construed as Welsh Government suggesting a contractor to the owner. This ultimately has to read as a stand alone report with recommendations for his consideration.

Do give me a ring to discuss – I'm out for a couple of days now but in again on Friday (my mobile is being repaired so it'll have to be the office).

Best wishes,

Will

Will Davies

Arolygydd Rhanbarthol Henebion ac Archaeoleg (Gogledd-ddwyrain Cymru)
Regional Inspector of Ancient Monuments and Archaeology (North East Wales)
Amgylchedd Hanesyddol / Historic Environment
Cadw
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