

Department for Energy Security and Net Zero
3-8 Whitehall Place,
London
SW1A 2EG

BY EMAIL ONLY

John.Mckenna@energysecurity.gov.uk

Date: 29 May 2025
Our reference: I:1162224

Dear Sirs

The National Grid Electricity Transmission PLC (NGET) Cotswolds Visual Impact Provision Project Compulsory Purchase Order 2025

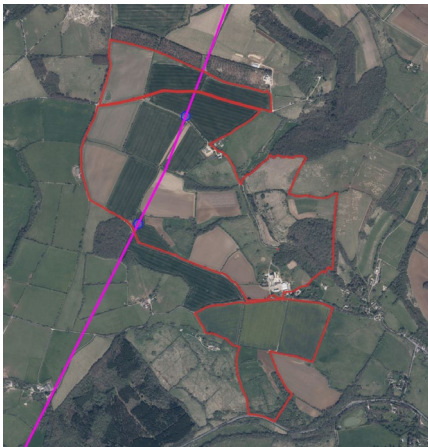
We act on behalf of John and Rosemary Barnes ("**Mr and Mrs Barnes**") freehold owners and occupiers of **Whalley and Puckham Farms, Whittington, Cheltenham, GL54 4HA**. We also represent Mr Henry Barnes ("**Henry Barnes**") Mr and Mrs Barnes' son, a partner in R.H Barnes and Sons of the same address. Collectively they are referred to as "**R H Barnes and Sons**" in this letter.

Whalley and Puckham Farms

Whalley and Puckham farms extends to just under 500 acres of arable pasture and woodland. The farm has two main houses, one at Whalley and the other at Puckham Farm. In addition, the farm has 2 Cottages. In recent years the Barnes family have invested significantly in the conversion of 2 Cotswold Stone barns and the construction of a leisure and Pool Building. The property offers families and parties the chance to stay in luxury accommodation in the beautiful Cotswold landscape. The accommodation is used in conjunction with the other facilities to host parties, get aways, yoga retreats and other tourism and leisure activities. The tranquil location is a specific selling point for the property

The family farm traditional cereal crops and run a commercial shoot on the farm

The extent of the farm is shown below (Existing National Grid line purple)



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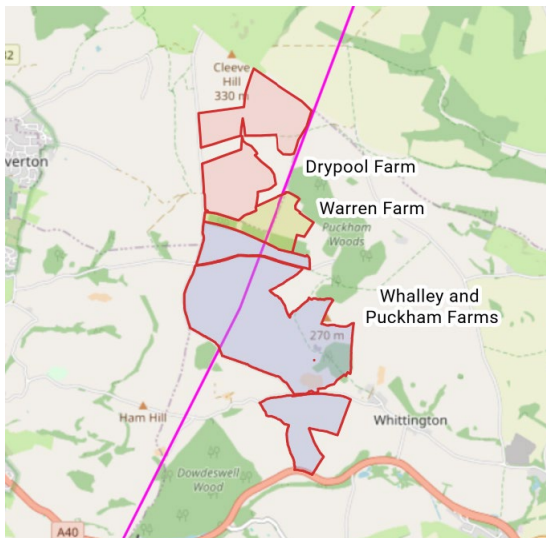
Your partners in property

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Regulated by RICS

In addition to farming Whalley and Puckham Farms, RH Barnes and Sons hold agricultural tenancies over two other holdings to the north, being Warren Farm of 50 acres (this tenancy commences in September 2025) and Dry Pool Farm of 200 acres. The combined agricultural enterprise covers approximately 750 acres.

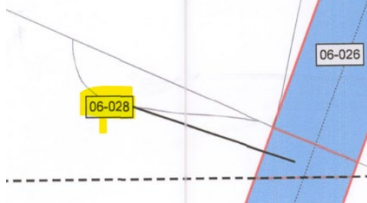

The extent of the agricultural enterprise is shown below.

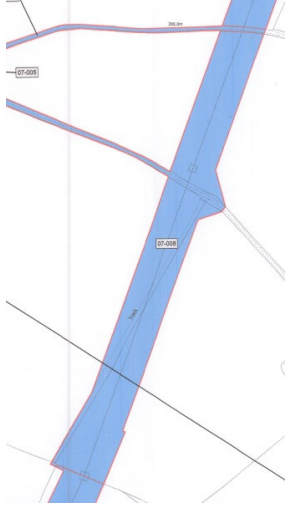

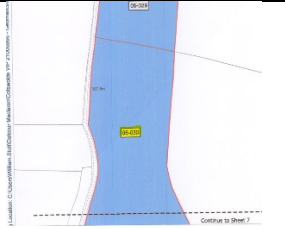





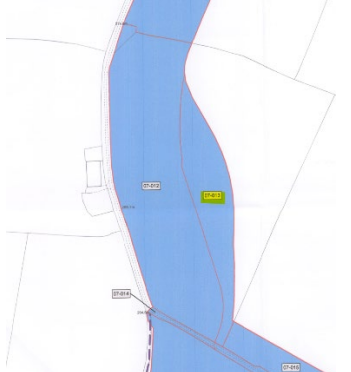




Cotswolds Visual Impact Provision Project Compulsory Purchase Order 2025


The freehold property, registered at the Land Registry; GR390146, GR390140, GR297805 and GR390266

Whalley and Puckham Farms are impacted by the above Order in the following plots:-

Number on Map	Extent, Description and Situation of the Land	Plan	Sq M	Ha	Ac
06-028	Acquisition of Overhead Line Removal Rights over 934 square metres of agricultural land and electricity cables (south of Drypool Farm and west of Cedar House Woodlands Farm)		934	0.09	0.23
07-007	Acquisition of overhead Line Removal Rights over 6100 square metres of agricultural land and electricity cables (north of Puckham Farm and east of Cotswolds Way)		6100	0.61	1.51

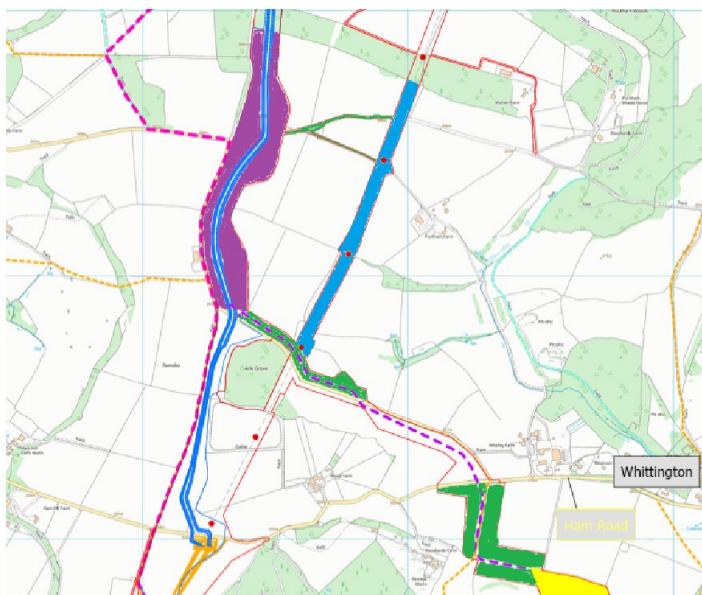
07-008	Acquisition of overhead Line Removal Rights over 32025 square metres of agricultural land, hedgerow, access track, private road, access splay (west of Puckham Farm and east of Cotswolds Way) and electricity cables and pylon		32025	3.20	7.91
07-016	Acquisition of Overhead Une Removal Rights over 21388 square metres of agricultural land, hedgerow (north of Arie Grove and east of Cotswolds Way) and electricity cables and pylon		21388	2.14	5.28
06-030	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 21921square metres of agricultural land (south of Drypool Farm and east of Cleeve Common)		21921	2.19	5.42
07-001	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current {HVAC} Rights over 32002 square metres of agricultural land (west of Puckham Farm and east of Cleeve Common)		32002	3.20	7.91
07-011	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 40890 square metres of agricultural land (west of Puckham Farm and east of Cotswolds Way}		40890	4.09	10.10

07-012	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 42021square metres of agricultural land		42021	4.20	10.38
07-013	Acquisition of Construction Compound Right over 13462 square metres of agricultural land {north of Arie Grove and east of Cotswolds Way)		13462	1.35	3.33
07-015	Acquisition of Access Rights over 8402 square metres of agricultural land and copse (north of Arie Grove and east of Cotswolds Way)		8402	0.84	2.08
07-017	Acquisition of Access Rights & Overhead line Removal Rights over 2258 square metres of agricultural land and electricity cables (north of Arie Grove and east of Cotswolds Way)		2258	0.23	0.56
07-022	Acquisition of Access Rights over 13771 square metres of agricultural land and hedgerow (east of Arie Grove and west of Whalley Farm)		13771	1.38	3.40
08-004	Acquisition of Access Rights over 31 square metres of copse (south of Ham Road and west of Whittington House)		31	0.00	0.01

08-005	Acquisition of Access Rights over 65476 square metres of agricultural land and hedgerow (south of Ham Road and north of London Road, A40) and public footpath (Whittington 2)		65476	6.55	16.18
Totals			300681	30.06	74.29

The break down of rights sought under the Order are:-


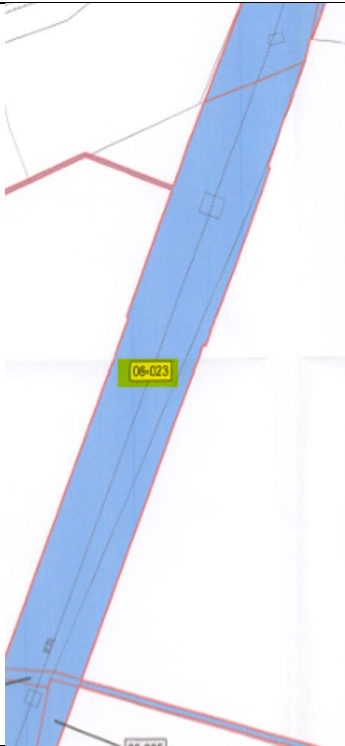


- 14.94 acres of "Overhead Line Removal Rights" (Shown approximately blue below)
- 37.14 acres of "Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights" (Shown approximately purple below)
- 22.22 acres of "Access Rights" (Shown approximately green below)







Land held under Farm Business Tenancies are:-

Warren Farm, which is impacted as follows:-

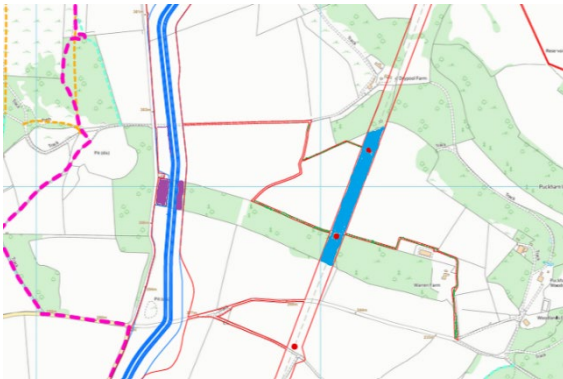
Number on Map	Extent, Description and Situation of the Land	Plan			

06-020	Acquisition of Access Rights over 1758 square metres of copse (south of Drypool Farm and east of Cleeve Common)		1758	0.18	0.43
06-023	Acquisition of Overhead Line Removal Rights over 19956 square metres of agricultural land and hedgerows (south of Drypool Farm and west of Puckham Woods) and electricity cables and pylon		19956	2.00	4.93
06-024	Acquisition of Access Rights & overhead Line Removal Rights over 355 square metres of agricultural land electricity cables and copse (south of Drypool Farm and west of Puckham Woods)		355	0.04	0.09
06-025	Acquisition of Overhead Line Removal Rights over 1056 square metres of woodland (south of Drypool Farm and west of Cedar House Woodlands Farm)		1056	0.11	0.26


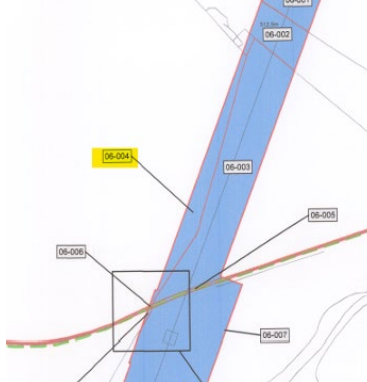

06-026	Acquisition of Overhead Line Removal Rights over 4453 square metres of agricultural land, copse, access track (south of Orypool Farm and west of Cedar House Woodlands Farm) and electricity cables and pylon		4453	0.45	1.10
06-027	Acquisition of Access Rights over 2389 square metres of access track (south of Puckham Woods and west of Cedar House Woodlands)		2389	0.24	0.59
06-029	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 9713 square metres of woodland (south of Drypool Farm and east of Oeeve Common)		9713	0.97	2.40
07-009	Acquisition of Access Rights over 1568 square metres of access track (south of Warren Farm and north of Puckham Farms)		1568	0.16	0.39
			41248	4.12	10.19







The break down of rights sought under the Order are:-



- 6.38 acres of "Overhead Line Removal Rights" (Shown approximately blue below)
- 2.40 acres of "Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights" (Shown approximately purple below)
- 1.41 acres of "Access Rights" (Shown approximately green below)



Dry Pool Farm which is impacted as follows:-

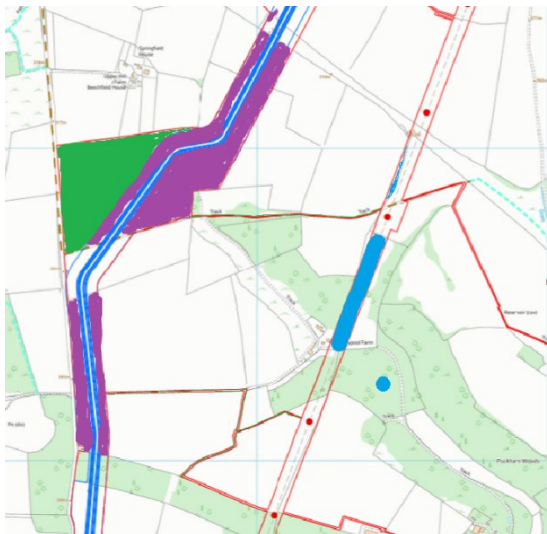
Number on Map	Extent, Description and Situation of the Land	Plan	Sq M	Ha	Ac
04-011	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 33733 square metres of agricultural land (west of West Down and north of Drypool Farm)		33733	3.37	8.34
06-004	Acquisition of Overhead Line Removal Rights over 2430 square metres of agricultural land (north of Drypool Farm and west of West Down)		2430	0.24	0.60
06-006	Acquisition of Access Rights & Overhead Line Removal Rights over 11 square metres of access track (north of Drypool Farm and west of West Down) and restricted byway (Southam 140}		11	0.00	0.00

06-008	Acquisition of Overhead Line Removal Rights over 44 square metres of copse (north of Drypool Farm and west of West Down)		44	0.00	0.01
06-010	Acquisition of Access Rights over 1609 square metres of access track (north of Drypool Farm and west of West Down) and restricted byway (Southam 140)		1609	0.16	0.40
06-011	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 89812 square metres of agricultural land and copse (north of Drypool Farm and west of West Down)		89812	8.98	22.19
06-012	Acquisition of Construction Compound Rights over 72559 square metres of agricultural land (north of Drypool Farm and west of West Down)		72559	7.26	17.93
06-017	Acquisition of Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights over 48835 square metres of agricultural land and access track (west of Drypool Farm and east of Cleeve Common)		48835	4.88	12.07
06-018	Acquisition of Access Rights over 4870 square metres of private road (The Dingle), verges and access track (west of Drypool Farm and east of Cleeve Common)		4870	0.49	1.20

06-019	Acquisition of Overhead line Removal Rights over 519 square metres of agricultural land and copse (south of Drypool Farm and east of Cleeve Common)		519	0.05	0.13
06--021	Acquisition of Overhead Une Removal Rights over 26658 square metres of agricultural land, woodland, building and hardstanding (east of Drypool Farm and west of Puckham Woods)		26658	2.67	6.59
Totals			281080	28.11	69.45

The break down of rights sought under the Order are:-

- 7.32 acres of "Overhead Line Removal Rights" (Shown approximately blue below)
- 42.60 acres of "Electricity Infrastructure Construction Rights & High Voltage Alternating Current (HVAC) Rights" (Shown approximately purple below)
- 19.53 acres of "Access Rights" (Shown approximately green below)



The combined effect of the Scheme upon RH Barnes and Sons agricultural enterprise is that approximately 154 acres of the holdings are affected. The impact of the Scheme affects 20% of the agricultural area. The length of the underground cable across the three holdings is approximately 2.5km, which is 35% of the entire underground route. These factors demonstrate that RH Barnes and Sons are key stakeholders and participants in the successful implementation of the Scheme, should the objection below be satisfied and the Confirming Authority approve the Order.

Objection

As owners and occupiers R H Barnes and Sons hold a qualifying interest under Section 12 Acquisition of Land Act 1981.

R H Barnes and Sons are no strangers to the process of compulsory acquisition. Prior to acquiring Whalley and Puckham Farms they owned a similar sized farm in Staffordshire. That farm was significantly impacted by the HS2 railway project

with the result that following six years of negotiation the Staffordshire farm was purchased by HS2 allowing them to move on.

Negotiating with any acquiring authority is worrying and stressful. To date consultations and negotiations have been characterised by both of these emotions. No clarity has been obtained through negotiation and hence the requirement for R H Barnes and Son to formally object to the scheme to seek changes and undertakings to lessen the impact upon them as individuals and to their businesses.

R H Barnes and Son do not object to the principle of the aims of the scheme. They agree with the statement of Reasons at 3.3.1 *"The Cotswolds VIP Project has the potential to benefit and enhance the natural beauty of a portion of the Cotswolds National Landscape"*. However the statement at 3.3.9 *"In relation to effects upon landscape character upon the site and surrounding area, there would be some temporary adverse short-term effects as a result of construction activities"*, takes no account of the effects upon those making their living from the land and the landscape. Short term effects are actually at least 3 years. In section 9.1 the timetable for delivery suggested the works will commence in June 2026 and the pylons would be removed "by 2029". The Scheme is therefore significant over a period of three years. There is a distinct possibility that the effects on the agricultural, shooting and leisure businesses will last longer.

Haul Road

The Haul Road from the Preferred Construction Compound north of the A40 is a significant issue for the property. The proposed route of the Haul Road is likely to significantly affect the agriculture, shoot and the leisure enterprise. The concern is noise dust, pollution, vibration and disruption which will be suffered by the proposed route. The route and its proximity to Whalley Farm is shown approximately by a red line below.

In order of preference the RH Barnes and Sons would want to see:-

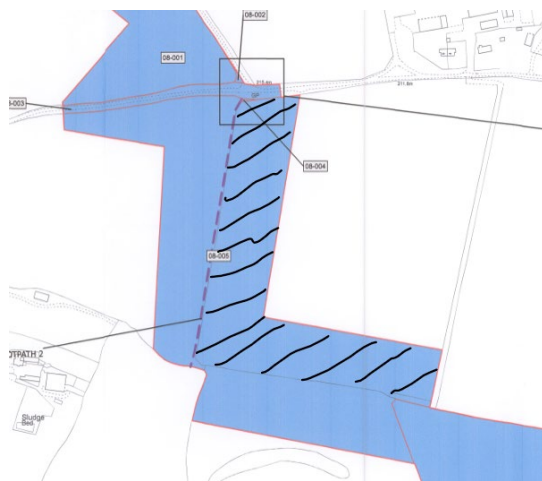
- 1) The Construction Compound relocated to a position on the route of the cable, perhaps closer to the end sealing compound. A relocation would eliminate the need for a haul road from the proposed compound close to Whalley Farm. (RH Barnes and Sons are aware of other objectors who propose that the End Sealing Compound be located in locations S5 or S6 in the statement of reasons, something they would support. Relocating the End Sealing Compound would provide the opportunity to relocate the Construction Compound north of the A40 on the cable route between tower ZF328 and ZF327)
- 2) The Haul Road re-routed west from its proposed position to follow a route marked either blue or yellow below



- 3) Without prejudice to the alternatives in 1) and 2) above, if the location of the Construction Compound and the Red Haul Road is demonstrated as the only viable option, then the RH Barnes and Sons require the Order to be specific on the following points:-
 - a) The Haul Road should be located South and West of the "Middle Court" field boundary



- b) The Haul Road should avoid the productive field of Middle Court entirely. In order that Middle Court is not disturbed the boundary of the Order and Plans should be amended to remove part of Plot No 08-005 as cross hatched below



- c) To facilitate access the fields to the south of Middle Court, provision needs to be included for a crossing point for agricultural and shoot purposes over the Haul Road.
- d) The noise of tracked vehicles, large dump trucks as well as roadgoing lorries and vans will cause significant noise dust and vibration with vehicles on the red Haul Route. The South West prevailing wind places Whalley Farm directly down wind of the Haul Road. Significant disruption to the houses, holiday accommodation and the other leisure facilities will be felt over the three year construction period. NGET should in the Order be required to implement a number of mitigation measures including:-
- i) Constructing the haul road with a Tarmac surface particularly the section North and South of the Ham Road crossing extending north from the Ham Road at least 250m
 - ii) A speed limit should be imposed on all vehicles to reduce noise and vibration as they pass Whalley Farm
 - iii) Clear hours of operation of the haul road will need to be set out restricting the Haul Road use to standard working hours
 - iv) In dry weather the Haul Road will need to be sprayed to reduce the dust.
 - v) In wet weather Ham Road will need to be clear of mud and debris. Tarmacking the adjacent surfaces should mitigate the mud issue.
 - vi) Experts in noise dust, pollution and vibration should be engaged by NGET to provide analysis of the effect of the Haul Road upon Whalley Farm. Such report should provide methods of monitoring the effects, agreed limits and plans to maintain the effects below such limits (such as, but not limited to the basic requests in iv) and v) above.
 - vii) Planting tree screening on Whalley Farm west of the Farmhouse garden north for approximately 120m to join an existing hedge line. Semi Mature trees will be required to create the visual barrier for the converted barn to reduce visual intrusion for the holiday guests.

Agricultural Impact

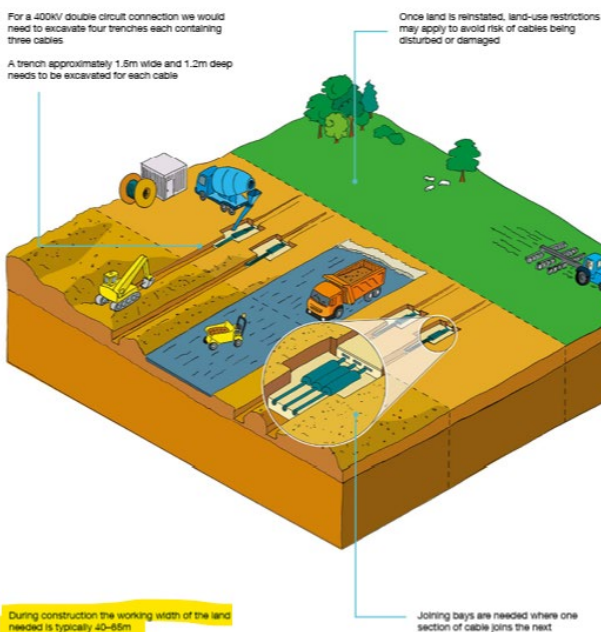
This letter identifies that approximately 20% of the farm is impacted by the scheme. Item 3a above identifies an area of land within the Order which is unnecessary for the construction of the scheme and needs to be removed from the Order. In common with the land identified in Plot 08-005 it is considered that NGET is seeking powers of compulsory acquisition over a significantly larger area than is required to construct and thereafter maintain the Scheme. In the Statement of Reasons at 2.3.1 it states *“Cable installation would require a construction swathe (also referred to as the cable corridor or working width) of up to **100 metres wide** along the 7 kilometres length of the cable route. This width is to accommodate the cable trenches, central haul road (metres wide), storage areas for stripped topsoil and sub soil from the cable trench excavation.”* (It is noted that the central haul road width is missing in the text).

In The Compulsory Purchase guidance¹ of January 2025 it states at 13.3 *“The acquiring authority should have a clear idea of how it intends to use the land which it is proposing to acquire and show that all the necessary resources are likely to be available to achieve that end within a reasonable timescale. If it is unable to do so, then it may be difficult to show conclusively that the compulsory acquisition of the land included in the compulsory purchase order is justified in the public interest. However, it will not always be possible for acquiring authorities to have specific, detailed proposals for the land include in a compulsory purchase order beyond the general planning framework for the area (including a masterplan for the land) which has been endorsed by the acquiring authority). In these cases, the confirming authority will expect the statement of reasons accompanying the submission of the compulsory purchase order to include a summary of the planning framework for the land concerned in sufficient detail to give reassurance of the use of the land following acquisition and the justification for the timing of the acquisition ”*

The Statement of Reasons is not clear other than needing up to 100meters wide construction swathe. Whilst the NGET document “Undergrounding high voltage electrical transmission lines” Jan 2015² is not with in the documents submitted with the Order, this document states that for Direct Buried Cables *“ A large cable swathe is normally required which can be **up to 65m** in width depending on the number of circuits and size of conductor to be installed.”*

The document provides a diagram:-

Direct Buried Cable Installation



¹ https://assets.publishing.service.gov.uk/media/67eac2220678ace40a7f27b8/CPO_Guidance_Update_January_2025.pdf

² https://www.nationalgrid.com/sites/default/files/documents/39111-Undergrounding_high_voltage_electricity_transmission_lines_The_technical_issues_INT.pdf

It is unclear how NGET justify a cable swathe on this Scheme 35% larger than the maximum suggested in their own technical issues document.

R H Barnes and Sons **OBJECT** to the fact that insufficient information has been provided to demonstrate that all of the land in the Order is necessary in the public interest for the Scheme. It is considered that NGET has not presented comprehensive justification as to the requirement for the land in the Scheme as Government Guidance at 13.1 requires.

Land Reinstatement

R H Barnes and Sons have not been provided with a comprehensive method statement as to how the agricultural land will be restored to full production. There does not appear to be a soil survey or report to assess the top soil depth or the method and timing of removal and storage. There is also no restoration plan or aftercare program for the agricultural soils.

In cooperation with NGET R H Barnes and Sons have allowed ground investigation works including archaeological trenching. Evidence of the restoration of these trenches is poor, these areas are currently demonstrating lost production. The relatively shallow excavation for archaeology demonstrates the significant damage the cable burial is likely to have on the land.

R H Barnes and Sons **OBJECT** to the Scheme until the soil surveys have been carried out and expert reports and approved methods of reinstatement have been agreed.

Land Drainage

As above we are not aware of a drainage survey and how the underground works will affect the water table and land drainage. Reports and rectification schemes need to be designed. R H Barnes and Son **OBJECT** to the Scheme until matters of Drainage are considered and agreed in full.

Commercial Shoot

R H Barnes and Sons run a commercial shoot which generates an income for the farm. The works of construction is likely to affect the entire enterprise, to the worst case in which the enterprise will need to cease during construction. R H Barnes and Son **OBJECT** to the Scheme until a plan of mitigation (alternative locations) and/or compensation measures can be agreed.

Holiday and Leisure Business

As set out above one of the mainstays of the family business at Whalley Farm is the Holiday and Leisure business. The quiet location of Whalley Farm is essential to its ongoing success. Some mitigating measures relating to the Haul Road have been suggested, however these may not be sufficient in themselves to mitigate the impact on the business. These types of business rely on reputation and a "bad review" on an internet site or social media could prove very damaging in the long term to the business. R H Barnes and Son **OBJECT** to the scheme on the basis of the damage that could be caused to this important part of the business. A comprehensive approach to noise, dust and visual intrusion during construction is needed in order for the business to maintain its function of allowing visitors to stay, relax in a tranquil environment.

Lack of Engagement and Negotiation

The 'Guidance on the Compulsory Purchase Process' document includes the following requirements

- "Acquiring authorities **should use compulsory purchase powers** where it is expedient to do so and **where there is a compelling case in the public interest** to make a compulsory purchase order." (2.1)
- To demonstrate: reasonable steps to-
 - "understand the **impact of the exercise of the compulsory purchase powers** included in the compulsory purchase order and the acquisition of a person's interest in the land on those persons, for example affected owners and occupiers, through direct engagement with those parties"
 - attempt the **acquisition of all of the land and rights** included in the compulsory purchase order **by agreement**
- "The confirming authority **will expect the acquiring authority** to have **considered what mitigation measures will be in place** against any identified impacts of the exercise of the compulsory purchase powers included in the compulsory purchase order and the acquisition of a person's interest in the land . This may be through mitigation

already built into the existing compulsory purchase order process and compensation regimes, or through specific mitigations put in place for the compulsory purchase order to deal with identified issues.”

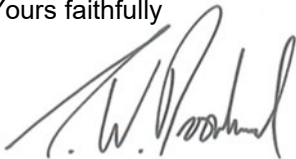
- This may mean agreement on the acquisition of land and rights is reached avoiding the need for the use of compulsory purchase powers or **minimising the number of objections** received to the compulsory purchase order.
- Compulsory purchase is **intended as a last resort** to secure the assembly of all the land needed for the implementation of projects.

R H Barnes and Son **OBJECT** to the scheme on the basis that meaningful negotiation regarding the acquisition of rights and the mitigation measures (some of which are highlighted in this document) have not taken place. Due to the lack of substantial discussions this formal objection has been necessary. This letter is a demonstration of the fact that NGET has failed in its obligations under government guidance.

Any compulsory purchase is a significant step for an acquiring authority and it appears that serious and diligent attempts to move forward by agreement has not taken place with R H Barnes and Son, despite them not holding a fundamental objection to the aims of the Scheme. It is considered that NGET have not taken their obligations to avoid compulsory purchase seriously enough. An offer via a standard Heads of Terms is acknowledged, however its terms are not satisfactory, the financial terms appear to be take it or leave it and there are no provisions for mitigation or construction methods to satisfy the genuine concerns of R H Barnes and Son

We reserve the right to expand upon and add to the points raised in this letter.

Yours faithfully



Tim Broomhead MRICS FAAV

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