

THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (COTSWOLDS VISUAL IMPACT PROVISION PROJECT) COMPULSORY PURCHASE ORDER 2025

THE ELECTRICITY ACT 1989 AND THE ACQUISITION OF LAND ACT 1981

STATEMENT OF REASONS OF THE ACQUIRING AUTHORITY FOR THE MAKING OF A COMPULSORY PURCHASE ORDER FOR THE ACQUISITION OF LAND AND NEW RIGHTS TO FACILITATE THE COTSWOLDS VISUAL IMPACT PROVISION PROJECT

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STATEMENT OF REASONS OF THE ACQUIRING AUTHORITY FOR THE MAKING OF THE ORDER

1. INTRODUCTION

- 1.1 National Grid Electricity Transmission Plc (company registration number 02366977) ("**NGET**") has made The National Grid Electricity Transmission Plc (Cotswolds Visual Impact Provision Project) Compulsory Purchase Order 2025, (the "**Order**") under Section 10 and Schedule 3 of the Electricity Act 1989 (the "**1989 Act**") and the Acquisition of Land Act 1981 (the "**1981 Act**").¹
- 1.2 This Statement of Reasons (the "**Statement**") is a non-statutory statement and is not intended to constitute the Statement of Case which NGET will be required to prepare in accordance with the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event of an inquiry into the Order.
- 1.3 The Visual Impact Provision Schemes ("**VIP Schemes**"), of which the Cotswolds Visual Impact Provision Project (the "**Cotswolds VIP Project**", "**Project**" or "**scheme**") is one, seek to utilise a £465m funding provision made available by NGET's economic regulator, the Office of Gas and Electricity Markets, or 'Ofgem'. This provision has been made in response to lobbying from stakeholders and feedback received from the wider public, in order to enable works to be carried out by NGET to help reduce the landscape and visual impacts of existing electricity transmission lines in National Parks and National Landscapes in England and Wales.
- 1.4 NGET has previously commissioned leading landscape experts to evaluate all 571km of its overhead electricity lines which currently run through National Parks and National Landscapes in England and Wales. Based on this detailed assessment and evaluation, an independent panel comprising senior representatives of 15 stakeholder groups determined to prioritise five locations which it was considered would benefit most in landscape terms from the removal of overhead electricity lines in the first phase of activity.
- 1.5 An approximately 7-kilometre section of existing overhead electricity line in the Cotswolds National Landscape, which runs from the west of Winchcombe to the south east of Cheltenham and parallel to the Cotswold Way National Trail for much of its length, was selected as one of the five prioritised locations.
- 1.6 NGET has agreed with stakeholders that the best way to achieve the intended landscape enhancements in this part of the Cotswolds National Landscape is to remove the existing section of overhead line and replace it with electricity cables buried underground.

¹ On 1 April 2019, the Electricity System Operator became a legally separate company within the National Grid Group. NGET remains the transmission owner and operator and is responsible for the delivery of the Cotswolds VIP Project.

- 1.7 The Cotswolds VIP Project therefore represents an opportunity to conserve and enhance the natural beauty of an important part of the precious landscape of the Cotswolds National Landscape.
- 1.8 For the avoidance of doubt, this Statement and the justification for the Order, relates to the Cotswolds VIP Project only.
- 1.9 This Statement sets out NGET's justification for promoting the Order and explains why, in NGET's opinion, there is a compelling case in the public interest for compulsory purchase powers to be confirmed.
- 1.10 If confirmed by the Secretary of State for Energy Security and Net Zero (the "**Secretary of State**"), the Order will enable NGET to acquire compulsorily the land and rights included in the Order (the "**Order Rights**"). The Order Rights are required in order to install approximately 7 kilometres of 400kV underground cables, construct two new cable sealing end compounds ("**CSECs**") and permanent access roads, connect the new underground cables to the remaining existing overhead lines, dismantle and permanently remove 7 kilometres of existing Overhead Line ("**OHL**") including 18 pylons. The Order Rights will also enable NGET to expand an existing NGET substation in Melksham, Wiltshire to allow for the siting of a new shunt reactor and thereby facilitate delivery of the Cotswolds VIP Project.
- 1.11 This Statement is made having regard to all applicable non-statutory guidance relating to the promotion of compulsory purchase orders in England where the Order is to be confirmed by the Secretary of State.

2. THE COTSWOLDS VIP PROJECT

2.1 Location of the Cotswolds VIP Project

- 2.1.1 The Cotswolds was designated as an Area of Outstanding Natural Beauty ("**AONB**") in 1966 in recognition of its rich, diverse and high-quality landscape. AONBs are designated under the Countryside and Rights of Way Act 2000 ("**CRoW Act 2000**") for the purposes of conserving and enhancing the natural beauty of the relevant area. From 22 November 2023, AONBs have been renamed as National Landscapes (though statutorily still referred to as AONBs). At 790 square miles, the Cotswolds National Landscape is the largest of the 38 National Landscapes in England and Wales, and the second largest protected landscape in England. It is an area of national significance, with the International Union for the Conservation of Nature ("**IUCN**") recognising the Cotswolds National Landscape as a Category V protected landscape – a protected area managed mainly for landscape protection and recreation.²
- 2.1.2 The Cotswolds National Landscape is crossed by five NGET OHLs (4TE, 4YX, XL, ZF and ZFB). Subsection ZF.2 of the 400kV Feckenham-Walham/Feckenham-Minety or 'ZF' OHL was identified within the 2014 Landscape and Visual Impact Provision Technical Report ("**LVIP Technical Report**") commissioned by National Grid as a red category subsection, which denotes subsections which are judged to have overall combined landscape and visual

² See <[Landscape: Character and Guidelines - Cotswolds National Landscape \(cotswoldsaonb.org.uk\)](https://www.cotswoldsaonb.org.uk/landscape-character-and-guidelines)>. The IUCN is an international organisation working in the field of nature conservation and sustainable use of natural resources. It is comprised of over 1,400 governmental and non-governmental members. Category V status is given to protected landscapes and/or seascapes managed mainly for conservation and recreation. All 46 National Landscapes in the UK are Category V protected landscapes.

impacts of high importance³. This results from the combination of a high score for landscape impact and a high score for visual impacts on users of trails and cycleways and visual impacts on visitors to publicly accessible sites. The LVIP Technical Report's findings in respect of the landscape and visual impacts of subsection ZF.2 were summarised as follows:

It has landscape impacts of high importance. The large-scale landscape which has few overt human influences, is of high quality and contains many features that are representative of the special qualities of the National Landscape. Expansive views across sparsely settled farmland and the distinctive skylines of the escarpments give the area a high scenic quality. The pylon line is a prominent feature which alters the rural qualities and tranquil nature of the landscape.

In terms of visual impacts, although the scale of impact of ZF.2 varies, pylons are clearly visible from many locations. This subsection is therefore judged to have visual impacts that are of a high level of importance. The nearby town of Winchcombe and some small dispersed settlements have views of the pylon line, but the wide geographical spread of these impacts and the numbers of people affected means that overall the importance of visual impacts on communities is considered to be moderate. Local public rights of way are mainly concentrated around the scarp slopes with fewer footpaths on the high ground. Although in places pylons are very visible, overall the importance of impacts on these receptors is also considered to be moderate. The Cotswolds Way National Trail runs along the top of the scarp and there are also a number of regional trails in the area. High importance impacts are recorded for these recreational receptors. There are also a number of visitor locations within this subsection including Sudeley Castle and other heritage sites, panoramic viewpoints and a number of car parks. The presence of these encourages people to access the area. Visitors over a wide area are affected by views of pylons. High importance visual impacts are recorded for these receptor groups.

- 2.1.3 Subsection ZF.2 enters the National Landscape from the west of Winchcombe heading in a southerly direction, rising up to Prescott where it turns southeast across high ground before descending into subsection 3 southeast of Cheltenham. This line runs broadly parallel to the Cotswold Way National Trail for much of its length, with many regional trails also crossing the area. As well as Cotswold Way National Trail, the existing overhead line can be seen from Belas Knap long barrow, the Winchcombe Trail and other regional trails, and Cleeve Common.
- 2.1.4 A 2020 study commissioned by National Grid split subsection ZF.2 into three smaller subsections (ZF.2(A), (B) and (C)) to allow for appraisal of the landscape and visual impact of the route in more detail. The conclusion and recommendation was that National Grid should consider undergrounding the central subsection ZF.2(B) as the removal of this part would result in the most significant visual benefits to the widest range of physical receptors. This smaller subsection of OHL is some 7km long and starts immediately south of the B4632 (tower ZF306), in proximity to Postlip/Postlip Mills. From Breakheart Plantation the OHL runs in a south-westerly direction to the east of Cleeve Common Site of Special Scientific Interest (SSSI), past Wontley, Drypool and Wood Farms, and down towards Dowdeswell Wood (tower ZF325). There are a number of disused quarries either side of the OHL. The closest villages are Langley (north), and Charlton Kings to the south-west. The closest town is Winchcombe (north east). The route crosses two Local Authority administrative areas - Tewkesbury Borough Council and Cotswold District Council.

³ See paragraph 3.5 below for further details of the VIP process

2.2 Description of the Cotswolds VIP Project

2.2.1 The Cotswolds VIP Project constitutes NGET's proposal to underground approximately 7 kilometres of the existing OHL subsection ZF.2(B) which runs from the west of Winchcombe to the south east of Cheltenham, within the Cotswolds National Landscape.

2.2.2 The key components of the project are the installation of approximately 7 kilometres of 400kV underground cables, the dismantling and permanent removal of 7 kilometres of existing OHL including 18 pylons, the construction of two new CSECs which will each require a new terminal pylon in order to connect the new underground cable to the remaining existing OHL (resulting in the net removal of 16 pylons), a permanent cable easement with an approximate width of 40 metres and the expansion of an existing NGET substation in Melksham, Wiltshire to allow for the siting of a new shunt reactor. A temporary (one year) OHL diversion will be required at the southern CSEC. A description of the works is at paragraph 2.3 and 2.4 below.

2.3 Underground Works

2.3.1 The intention of the project is for OHL to be replaced by an underground cable. Removal of the OHL can only take place once the cable is installed and commissioned. Hence, cable installation precedes the dismantling of the OHL. 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 would also include temporary and permanent land drainage requirements. The project has sought to minimise the proposed land take for construction, and in this context the construction swathe represents the maximum width that might reasonably be required, having regard to the need to provide working widths and some flexibility to allow for unfavourable ground conditions. The cables will each be laid in the trenches to a specified spacing and bedded and surrounded by a compacted layer of cement bound sand ("**CBS**"). Protective tiles, featuring lettering warning of the danger of electricity below, will be laid above the CBS to protect the cables from future excavation works. Alternatively, a cable ducting system may also be used which involves laying plastic ducts for the cables and then installing associated materials to stabilise and protect those ducts. The remainder of the trench will then be backfilled with a thermally suitable material, sourced from excavated material wherever possible. The cables are then pulled through the installed ducts. The land-take required is not materially altered if cable ducting is deployed. In some locations cables may be installed using horizontal directional drilling which is a trenchless method in which a hole is drilled along a pre-determined path, subsequent hole enlargement follows the path set by the hole, from the surface with minimum disturbance. Cables are then pulled through the enlarged hole. Again, this results in a similar land-take. These are the main methodologies likely to be deployed and form the basis for identifying the land necessary for this Project.

2.3.2 Following completion of the cable installation, the ground would be returned to its previous use. Affected hedgerows and other field boundaries would be reinstated. Trees felled would not be replanted over the buried cable, but a tree replacement strategy would be undertaken by planting elsewhere to offset the arboricultural impact of tree loss and to take into account the landscape character, local treescape and biodiversity features of the immediate and adjoining areas.

2.4 Above Ground Works/Sites

2.4.1 As part of the Project, it will be necessary to connect lengths of cables which are supplied in lengths of approximately 900m. These joints are made at locations known as "link

boxes”, which NGET typically seeks to locate at field boundaries to make them less obtrusive. This is because at each location a “link pillar” and small compound are installed. The link pillars enable earthing of the cables to be monitored.

- 2.4.2 The connection between retained OHL and new underground cables also requires the construction of two CSECs at the north and south of the cable route to facilitate the transition from the overhead line to the underground cable. Each CSEC would comprise a fenced compound measuring approximately 80 metres by 40 metres containing cable terminations (cable sealing ends), electrical equipment and support structures enclosed by security fencing. There will be a pylon close to the CSEC that enables OHL to connect to a gantry within the CSEC from which circuits lead to the cable. Applications for planning permission in respect of the construction of the two CSECs have been submitted and are described in further detail at paragraph 7.2 below.
- 2.4.3 During construction, a temporary construction compound of approximately 75 metres by 75 metres will also be required adjacent to each CSEC site. The function of these compounds will be to provide laydown areas, soil storage, parking, welfare facilities, waste facilities and security facilities. Following the completion of construction, the temporary site installation facilities will be removed.
- 2.4.4 The design of the CSECs has taken care to reduce their visual impact by retaining as much existing vegetation around them as possible and landscape proposals have been sought to filter and screen views to the CSECs as far as possible. In order to minimise visual impact of the CSECs, the access road to each has been carefully designed to maximise screening and will have a grasscrete surface. The fence colour will also be recessive. New native trees, woodland and scrub planting will also be planted to provide visual enclosure when the CSECs are viewed from surrounding roads and public rights of way and to help filter views.
- 2.4.5 An expansion to an existing NGET substation on land to the west of Melksham Substation, Melksham, Wiltshire (“**Melksham Substation**”) is also needed. This is to allow for the siting of a new 400 kV shunt reactor to control voltage in the transmission system. This is because the Project will result in an increased amount of cable in the ground which will cause system voltages in the South-Central region to rise. Therefore, voltage control is needed which is provided by a shunt reactor. The shunt reactor would be sited in the west of Melksham Substation and connected by cables to the rest of the substation. It will be 13.9 metres in length, 6.15 metres in width and 8.3 metres in height, with the body made of steel and copper windings. Internal roadways would also be constructed and the fence line would be extended around the new substation extension. The site will use an access track to the battery energy storage site located to the southwest of Melksham Substation for temporary construction access which would be diverted around the edge of the new extension. Permanent access will be through the Melksham Substation and its existing access road. An application for planning permission in respect of the Melksham Substation has been submitted and is described in further detail at paragraph 7.2.5.

3. JUSTIFICATION

3.1 Preliminary

Introduction

- 3.1.1 NGET owns and maintains the high-voltage electricity transmission network in England and Wales. The network carries electricity from the generators to substations where the voltage is lowered ready for distribution to homes and businesses. It is NGET’s statutory duty under

section 9 of the 1989 Act to develop and maintain an efficient, co-ordinated and economical system of electricity distribution in England and Wales.

3.1.2 In accordance with section 38 and Schedule 9 of the 1989 Act, in formulating the proposals for the installation below ground of an electric line, or the execution of any other works for or in connection with the transmission of electricity, NGET must have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest.

3.2 The following sub-paragraphs in this Section 3 (*Justification*) set out the justification for the Project and the legal and policy framework within which the Cotswolds VIP Project exists. In the following sub-paragraphs, it details firstly the benefits of the Project and the details of the assessments carried out in respect of the Cotswolds VIP Project which demonstrate these at paragraph 3.2 (*Benefits*). It goes on to address the regulatory position of NGET as an economically regulated utility and NGET's statutory licence. It then considers the role of the Stakeholder Advisory Group and the Stakeholder Reference Groups at paragraph 3.4 (*Process*). Finally, it explains the community consultations and acceptability testing undertaken by NGET (forming part of NGET's wider consultation exercise relating to the VIP Schemes) at paragraph 3.5 (*Consultation*).

3.3 **Benefits**

Introduction

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. The Cotswolds landscape has few overt human influences, is of high quality and provides expansive views across sparsely settled farmland and the distinctive skylines of the escarpments which give the area a high scenic quality. However, the pylon line is a prominent feature which is clearly visible from many locations, including a number of publicly accessible sites and public rights of way, and alters the rural qualities and tranquil nature of the landscape. As such, the Cotswolds VIP Project, which will lead to the removal of the 18 pylons and approximately 7 kilometres of OHL spanning the Cotswolds National Landscape east of Cheltenham, would significantly benefit the natural beauty of the Cotswolds National Landscape, particularly with regards to its landscape and visual qualities.

3.3.2 In summary, whilst there would be some temporary adverse short-term effects upon landscape character as a result of construction activities, upon operation, only beneficial effects are predicted which will increase over time as a result of landscape mitigation. For example, the Project will result in visual amenity benefits for local communities in nearby villages and settlements, as well as for users of publicly accessible sites including heritage sites (Sudeley Castle and Belas Knap Long Barrow) and Open Access Land (including Cleeve Hill Common and Longbarrow Bank). The Project will also give rise to visual amenity benefits for users of public rights of way, promoted cycleways and footpaths. Users of transport routes will also experience positive impacts from the Project as the removal of the OHL and pylons will enhance the views of those travelling on the local road network. These benefits are further detailed in the following paragraphs.

Initial 2014 Landscape & Visual Impact Assessment

3.3.3 NGET published a Landscape and Visual Impact Methodology ("**LVIM**") in 2014 with the aim of identifying those sections of existing transmission line in England and Wales that have the most significant impacts on the landscape and visual amenity of National Parks and National Landscapes.

- 3.3.4 Using the methodology set out in the LVIM, the LVIP Technical Report judged the existing section of overhead line which comprises the subsection ZF.2(B) involved in the Cotswolds VIP Project (referred to in the LVIP Technical Report as Subsection ZF.2) to have combined landscape and visual impacts of high overall importance.
- 3.3.5 The LVIP Technical Report was used by NGET as the basis to inform the subsequent detailed design and development of the Cotswolds VIP Project. The landscape and visual impacts of the Project are summarised in further detail in the following paragraphs.
- 3.3.6 In winter 2021, Chartered Landscape Architects, Gillespies, undertook a landscape and visual appraisal of the potential CSEC siting zone options for the Cotswolds VIP Project. The focus of the study was on key receptors such as people engaged in recreation, visiting key attractions and walking or cycling on National and regionally promoted trails where the landscape and views make an important contribution to their enjoyment.

Landscape and Visual Appraisal 2024

- 3.3.7 Following this, the Landscape and Visual Appraisal, 2024 ("**LVA**") prepared by LUC on behalf of NGET considered the landscape and visual effects of the Project as a whole and was submitted as part of the CSEC planning applications (detailed below at paragraph 7.2). The LVA concludes that, overall, the landscape effects of the Project will be beneficial and will occur due to the removal of OHL and associated pylons. The LVA is summarised in further detail below.
- 3.3.8 Different groups of people will be affected by changes to their views and visual amenity as a result of the Cotswolds VIP Project. The LVA assesses the impact on views and visual amenity with reference to Negligible, Minor, Moderate and Major levels of visual effect. In this context, "**Negligible**" means that the Project will not result in a noticeable change in views. "**Minor**" means that the Project will result in a small change in a relatively lower value view, or one with lower susceptibility to change. This level of effect may also occur when a larger scale of effect is of short duration or affects a small part of the visual receptor / affects few people. Whereas "**Moderate**" means that the Project will result in a noticeable change in the view, likely affecting a visual receptor with a moderate susceptibility to that type of change, or locally valued. This level of effect may also occur when a smaller scale of effect acts on a more widely valued view, or a larger scale of effect acting on a view valued at a more local level. This level of effect may also occur when a large scale of effect occurs over a relatively short period or over a small area. Finally, "**Major**" means that the Project will result in an obvious change in the view, likely affecting a visual receptor with a high susceptibility to that type of change, and/or affecting a valued view. The effect is likely to be long term and affect a relatively large part of the receptor or affect a large number of people. The nature of the effect are described as either beneficial, adverse or neutral and are determined in relation to the degree the Project fits with the landscape character and the contribution to the landscape that the Project makes.
- 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. However, upon operation, only beneficial effects upon landscape character are predicted, which will increase over time as a result of the landscape mitigation.
- 3.3.10 For **local communities** in nearby villages and settlements, the positive visual impact arising from the Cotswolds VIP Project can be explained as follows:
- (a) For the scattered communities to the **north and south-east of Postlip** and surrounding **Whittington** the overall effect of the removal of the OHL and pylons

on visual amenity for residents once the Project is operational in year 15 ("Year 15") is considered to be Minor beneficial.

- (b) For the communities between **Breakheart Plantation, West Down (part of Cleeve Common)** and **Arle Grove**, the existing pylons and existing OHL are currently a notable detractor in views. As such, the removal of these is considered to have Moderate to Major beneficial effects on visual amenity for residents in Year 15.
- (c) For the scattered communities south-east of **Postlip** and between **Arle Grove and Dowdeswell Wood**, a Minor to Negligible beneficial effect on visual amenity is predicted at Year 15.
- (d) For the communities surrounding **Upper and Lower Dowdeswell** and on the upper slopes of **Ravensgate Hill**, the Project will have an overall Negligible beneficial effect at Year 15 on visual amenity.

3.3.11 For **users of public rights of way, promoted cycleways and footpaths**, the visual amenity benefits arising from the Cotswolds VIP Project can be explained as follows:

- (a) Walkers using the **Cotswold Way National Trail**, which is of national value as one of the most used of the National Trails, currently experience views of the existing OHL and associated pylons as it goes from Winchcombe to Ham Road and Dowdeswell Wood. Between Winchcombe to Cleeve Common, there will be Moderate to Minor improvements to views at Year 0 which will increase to Moderate to Major improvements in Year 15 as a result of the removal of the OHL and pylons. There is also considered to be Moderate beneficial effects at Year 15 along the trail between Cleeve Common to Ham Road. There is considered to be Moderate to Minor adverse effects at Year 15 for users of the trail between Ham Road to Dowdeswell Wood (which is a very short length of the trail) due to the proximity of the CSEC. From Dowdeswell Wood to Ravensgate Hill, there is considered to be Minor beneficial effects at Year 15 for users.
- (b) The overall effect of the Project on users of **Winchcombe Way** (a trail from Winchcombe to Cleeve Hill Golf Course) and **Sabrina Way** (part of the national bridle route network and extends between Gloucestershire to Derbyshire) is considered to be Moderate to Major beneficial at Year 15.
- (c) The overall effect of the Project on users of the **Windrush Way** (which provides a connection between the Cotswold Way at Winchcombe to the Oxfordshire Way to the south-east), **Wardens Way** (a 22-kilometre walking connection between Winchcombe and Bourton on the Water), **public rights of way west of Winchcombe** and AWB31 and the **Cheltenham Circular Footpath (ZCK61 and ZCK62)** is considered to be Minor beneficial at Year 15.
- (d) Users of **public rights of way to the south-west of Postlip Mill complex** (AWB22 and AWB23) will benefit from long-term improved views due to the removal of pylons on higher ground to the east and south-east. As such, the overall effect of the Project on users is considered to be Moderate to Minor beneficial at Years 0 and 15.
- (e) For users of public right of way AWB24 located north and north-east of Postlip Mill complex, the overall effect of the Project on visual amenity is expected to be Negligible neutral.

- (f) For users of **public right of way AWB63** located to the south-east of Postlip Mill complex and public right of way KWH19 (a link from Ham Road to the Cotswold Way National Trail), the overall effect of the Project at Year 15 is considered to be Moderate to Minor adverse effects on visual amenity.
- (g) For users of public rights of way to the east, north and south-west of Lower Dowdeswell and elevated public rights of way north of the A436, the overall effect of the Project on visual amenity is considered to be Minor Neutral.

3.3.12 For **users of publicly accessible sites**, the Cotswolds VIP Project will give rise to the following specific visual amenity benefits:

- (a) Visitors to **Sudeley Castle** (located to the south-east of Winchcombe) will experience improvements to views south-west from the castle as a result of the removal of the OHL and pylons. The overall effect of the Project for visitors is considered to be Minor beneficial at Year 15. Visitors to the scheduled monument, **Belas Knap Long Barrow**, which is adjacent to the Cotswold Way National Trail, will also benefit from the removal of the OHL and pylon and the overall effect of the Project for visitors is considered to be Moderate to Minor beneficial at both Years 0 and 15.
- (b) There are many large areas of **Open Access Land**, notably Cleeve Hill Common which is an SSSI and includes three scheduled monuments and is located to the south of the OHL and Longbarrow Bank. There will be positive benefits for visitors to these areas due to the improvement in views as a result of the removal of pylons. The overall effect of the Project for users of Cleeve Hill Common at Year 0 is considered to be Moderate beneficial which is to increase to Moderate to Major beneficial at Year 15. The overall effect for users of Longbarrow Bank open access land is considered to be Minor beneficial at Years 0 and 15. For visitors to the Kilkenny Nature Reserve and open access land, located on higher ground to the south of the A436, the overall effect of the Project on visual amenity is considered to be Negligible neutral.

3.3.13 **Users of transport routes** will also experience positive impacts from the Cotswolds VIP Project. These can be described as follows:

- (a) Removal of the OHL and pylons will bring benefits in enhancing the views of those travelling on the **local road network**. For example, the overall effect of the Project is considered to be Minor beneficial for people travelling on the Langley Road (between Winchcombe and the B4632), Sudeley Hill and Salt Way (from Winchcombe to Sudeley Castle and beyond), Corndean Lane (from south-western Winchcombe to Charlton Abbots), minor roads east of Whittington village and the A40 (which follows the River Chelt). The Project is considered to have a Moderate beneficial effect at Year 15 on people using minor roads north-west of Whittington village.
- (b) For travellers on the B4632, the minor road south of Corndean Hall and the A436, the overall effect of the Project on visual amenity is considered to be Negligible Neutral at Year 15. For people travelling on minor roads through and east of Lower and Upper Dowdeswell, the effect is considered to be Minor neutral and for travellers on Ham Road, the overall effect of the Project is considered to be Minor adverse in terms of visual amenity.

In summary, the LVA concludes that the overall effects of the Project would result in substantial improvement to landscape character and visual amenity within the Cotswold National Landscape.

3.4 Regulatory position

3.4.1 In December 2023, as a result of the Levelling Up and Regeneration Act 2023, section 85 of the CRoW Act 2000 was amended to confer a general duty on relevant authorities to seek to further the purpose of AONB designation as follows:

"In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty" (section 85 (A1) CRoW Act 2000).

3.4.2 Section 85 (2) defines "relevant authorities" for this purpose as:

- (a) any Minister of the Crown;
- (b) any public body;
- (c) any statutory undertaker; and
- (d) any person holding public office.

3.4.3 The amended section 85 duty requires all public bodies, statutory undertakers (including NGET) and holders of public office to seek to further the AONB purpose when carrying out functions in relation to or affecting land within an AONB. The landscape enhancements which will be achieved by the Project's permanent removal of approximately 7 kilometres of OHL and the net removal of 16 pylons seek to further the purpose of the Cotswolds National Landscape (an AONB).

3.4.4 NGET is regulated by its economic regulator, the Office for Gas and Electricity Markets ("**Ofgem**"), which carries out price control reviews to set NGET's permitted revenues. These reviews limit the amount of money that can be earned by NGET from charges to use the transmission network. Therefore, NGET is incentivised to be more efficient in managing its infrastructure.

3.4.5 Each price control is set for a particular period, after which a new one replaces it. The current price control period is known as 'RIIO-T2' and runs for five years from 2021 to 2026.

3.4.6 Stakeholder consultation is an important component of the current RIIO-T2 regulatory framework and is an area of particular focus for NGET in the context of the Cotswolds VIP Project. This is addressed later in this Statement.

3.4.7 The RIIO model (Revenue = Incentives + Innovation + Outputs) places a greater focus on incentives to drive the innovation that is necessary to deliver a sustainable energy network, combined with value for money for consumers, now and in the future.

3.4.8 As part of the previous RIIO-T1 framework, which covered the period from 1 April 2013 to 31 March 2021, Ofgem, in its capacity as government regulator for gas and electricity markets in Great Britain, set aside a fund of £500 million (in 2009/2010 prices) for NGET and other national transmission owners to address the visual impact of existing transmission infrastructure. Ofgem set out its expectation for NGET in its final proposals

for RIIO-T1, published in December 2012. This was supported by Ofgem's strategy for RIIO-T1 which was published in March 2011 (Strategy for the new transmission price control – RIIO-T1 – Outputs and incentives). This document summarises Ofgem's decision to introduce the allowance in order to encourage transmission owners to reduce their wider environmental footprint and the impact their existing infrastructure has on local landscape, habitat and visual amenity in designated areas. Ofgem's decision and size of the provision was taken in response to feedback from stakeholders and research into consumers' willingness to pay to mitigate the visual impact of existing transmission infrastructure in Britain's designated landscapes undertaken by NGET in June 2012. Following the success of the VIP Schemes, consumer research and extensive feedback from stakeholders, Ofgem has made a further provision of £465 million available for the period 1 April 2021 to 31 March 2026. The size of the provision was based on activity in the RIIO-T1 price control period, feedback from stakeholders and a further study into consumers' willingness to pay to mitigate visual impact undertaken by NGET in 2019.

- 3.4.9 Ofgem developed this initiative due to increased stakeholder lobbying on the environmental impacts of electricity transmission. For new infrastructure, visual impacts must be taken into account, and each transmission owner must demonstrate that they have considered alternatives including rerouting and/or undergrounding. However, for existing transmission lines, Ofgem proposed an allowance be made available in order to mitigate the visual impacts of such infrastructure.

Special Licence Condition 3.10

- 3.4.10 Pursuant to Section 9(2) of the 1989 Act, NGET as the holder of an electricity transmission licence, is charged with the duty "*to develop and maintain an efficient, co-ordinated and economical system of electricity transmission*". NGET's licence has certain conditions attached to it, with which NGET is obliged to comply as a statutory electricity company, and the salient Special Condition 3.10 is summarised below.
- 3.4.11 Special Condition 3.10 governs how NGET can submit funding requests to Ofgem for projects that will enhance the landscape by mitigating the impact of pre-existing transmission infrastructure. It also states the minimum information that must be presented to Ofgem and how each funding request will be assessed. Part E of Special Condition 3.10.15 allows NGET to add projects to its licence which have been submitted prior to April 2021 but for which no Ofgem allowance has been provided. The Project was submitted to Ofgem in January 2021. Before making a decision, Part H of Special Condition 3.10.21 provides that Ofgem will publish on its website the text of the proposed direction, the reasons for it and a period during which representations may be made on the proposed direction (no less than 28 days).
- 3.4.12 If an application under Special Condition 3.10 is sent to Ofgem and subsequently approved, it is recorded in a table of 'outputs' in NGET's transmission licence: the Enhancing Pre-existing Infrastructure Project allowance (EPI allowance table).
- 3.4.13 The EPI allowance table contains a summary of what will be delivered by NGET. Categories within this table include:
- (a) Project name and designated area;
 - (b) Project description (description of works to be carried out);
 - (c) Allowance; and
 - (d) Year of delivery.

3.4.14 The annual breakdown of the permitted costs will be recovered by NGET across a 45 year life of the regulatory asset value (RAV).

3.4.15 Once the projects have been approved and written into the licence, NGET is obliged to deliver these 'outputs' to completion. Failure to deliver these 'outputs' would be considered a breach of NGET's statutory licence, which could lead to financial penalties. Hence, NGET is required by its licence to deliver schemes of this nature.

3.5 Process

Visual Impact Provision Schemes

3.5.1 NGET's VIP Schemes make use of the above licence arrangements introduced by Ofgem to reduce the impact of existing electricity transmission lines in English and Welsh National Landscapes and National Parks.

3.5.2 NGET's approach to the selection, funding and delivery of the VIP Schemes is principally governed by its VIP Policy as supported by Ofgem in April 2013 following public and stakeholder consultation (the "**VIP Policy**").⁴

3.5.3 In accordance with Section 7 of the VIP Policy, NGET undertook its most recent detailed review of the Policy in 2021 in conjunction with various stakeholders to ensure its continued fitness for purpose. The review identified the need for only minor updates to the document (which were made and approved by Ofgem).

3.5.4 In line with the VIP Policy, the Stakeholder Advisory Group ("**SAG**") was established in April 2014 to fulfil an integral role in guiding key decision-making on the Visual Impact Provision schemes. Further information on the SAG is at Paragraph 3.4.13 (*Stakeholder Advisory Group*) of this Statement.

3.5.5 NGET's overarching objective in the context of the VIP Schemes ("*to achieve the maximum enhancement to the landscape from the available funds whilst ensuring that no significant adverse impacts arise as a result*") continues to be guided by five principles set out in its VIP Policy.⁵ Working in line with these principles and with relevant stakeholders, NGET will prioritise proposals for VIP Schemes which:

- (a) result in the greatest landscape enhancement benefits (**Principle 1**);
- (b) result in the greatest opportunities to conserve and enhance natural beauty, wildlife and cultural heritage whilst avoiding unacceptable impacts on the natural and historic environment which cannot be mitigated (**Principle 2**);
- (c) result in the greatest opportunities to encourage public understanding and enjoyment of the protected landscapes including positive socio-economic impacts (**Principle 3**);
- (d) are technically feasible in the context of the wider transmission system (**Principle 4**); and

⁴ National Grid: Visual Impact Provision: 'How we intend to reduce the visual impact of existing electricity transmission lines in National Parks and Areas of Outstanding Natural Beauty'.

⁵ See Pages 01 and 08 of the VIP Policy.

- (e) are economical and efficient (**Principle 5**).
- 3.5.6 Alongside the VIP Policy, NGET also published the LVIM in 2014 which established the basis for determining which of the 571 kilometres of existing transmission lines situated in National Parks and National Landscapes within England and Wales had the most significant adverse impacts on the landscape and visual amenity of those designated landscapes.
- 3.5.7 The emphasis of the LVIM was on making a comparative assessment of the impacts of the sections of transmission line within the designated areas to enable a shortlist of candidate schemes to be considered by the SAG as part of its decision-making process.
- 3.5.8 The LVIP Technical Report, provided to the SAG in October 2014, included a ranking of all sections of transmission line assessed pursuant to the LVIM. The LVIP Technical Report allowed the SAG to recommend that early technical assessment and feasibility work be undertaken in respect of the top 12 sections of line which were ranked as having the highest level of combined landscape and visual impacts. This included the route of the Cotswolds VIP Project.
- 3.5.9 Additional assessment and development of the 12 shortlisted options was subsequently undertaken by the SAG, in consultation facilitated by NGET with the relevant local Stakeholder Reference Groups ("**SRGs**"), against the guiding principles set out in the VIP Policy. Further information on the SRGs is at Paragraph 3.4.3 (Stakeholder Reference Groups) of this Statement.
- 3.5.10 This process culminated in NGET's decision in September 2015 to proceed with four VIP Schemes: (i) Dorset National Landscape, (ii) New Forest National Park, (iii) Peak District National Park (East) and (iv) the Eryri VIP Project. In March 2019, the SAG recommended that the New Forest National Park project be paused due to concerns surrounding demonstrating imperative reasons of overriding public interest to support the required application for planning permission within the RIIO-T1 timeframe. Due to there being a genuine risk of significant delay and additional legal costs, NGET decided that the New Forest VIP Project should be paused and in July 2019 the North Wessex Downs VIP Project was selected to be taken forward. At the November 2019 SAG meeting it was noted that Cotswolds VIP was a shortlisted project for RIIO-T2. In June 2020, it was recommended by the SAG that the Cotswolds VIP Project should be a priority undergrounding project and in March 2022 NGET stated their commitment to proceed with ongoing stakeholder engagement and work towards submitting both the planning and Ofgem funding applications as soon as possible. In NGET's opinion, the chosen VIP Schemes are together capable of delivering the greatest benefit in terms of mitigating the visual impact of NGET's existing overhead lines within the time available.
- 3.5.11 In the context of the Cotswolds VIP Project specifically, it was concluded that removal of the section of existing OHL should be prioritised as the line currently conflicts with the character of the landscape forming a highly visible intrusive feature which has a widespread influence on the landscape surrounding it. As detailed in the LVIP Technical Report, the large scale landscape has few overt human influences, is of high quality and contains many features that are representative of the special qualities of the National Landscape. Expansive views across sparsely settled farmland and the distinctive skylines of the escarpments give the area a high scenic quality. The pylon line is a prominent feature which alters the rural qualities and tranquil nature of the landscape. Removal of the OHL would enhance the landscape, visual amenity and natural beauty in the area.
- 3.5.12 The removal of the OHL is actively supported and promoted by a wide range of stakeholders in the area as well as some local people, including some affected property owners. The stakeholders include Gloucestershire County Council, Tewkesbury Borough Council,

Cotswold District Council, Cotswolds National Landscape, Cotswold Way National Trail & Access Partnership, Natural England, Historic England, the Environment Agency and Gloucestershire Wildlife Trust, as well as the local town and community councils and the elected members for the affected wards of Gloucestershire County Council, Tewkesbury Borough Council and Cotswold District Council.

Stakeholder Advisory Group

- 3.5.13 The SAG, which is chaired by leading environmentalist Professor Chris Baines, comprises senior representatives from 15 organisations that are dedicated to enhancing the landscape and countryside throughout England and Wales (including the Campaign for the Protection of Rural England (CPRE), National Parks England, Natural England, Historic England, National Trust and the National Landscapes Association). Both Ofgem and NGET are represented at the SAG.
- 3.5.14 Some of the organisations represented on the SAG were initially responsible for lobbying and convincing Ofgem to make financial provision available for the VIP Schemes and their Scottish counterparts. The groups argued that the impact of existing OHL was detrimental to the special qualities of National Landscapes and National Parks to such an extent that measures should be taken where possible to reduce their landscape and visual impact.
- 3.5.15 Although Ofgem are represented at the SAG, they do not have voting rights on the decisions taken by the group. Ofgem's primary role is to challenge the SAG, with a focus on protecting consumer interests so that the SAG does not promote VIP Schemes which could be perceived to be uneconomical.
- 3.5.16 The SAG typically meets approximately twice per year in order to carry out the following principal functions:
- (a) helping to identify initial priorities for the VIP Schemes, based on the guiding principles set out in the VIP Policy and the landscape assessment undertaken in 2014;
 - (b) considering the technical inputs provided by NGET, and the input of wider stakeholders who are not directly represented on the SAG;
 - (c) identifying the specific infrastructure and locations which would most benefit from the VIP Schemes;
 - (d) defining the VIP Schemes which should be taken through to the development phase; and
 - (e) re-considering and/or re-assessing the priorities and use of the VIP Schemes, as development of the projects progresses.
- 3.5.17 The SAG ultimately recommended in June 2020 to select the Cotswolds VIP Project from the initial shortlist of 12 potential VIP Schemes.
- 3.5.18 NGET subsequently sanctioned continued development of the recommended VIP Schemes.
- 3.5.19 Having been heavily involved throughout the development and evaluation process, the SAG fully supports the need for the Cotswolds VIP Project. Since the Cotswolds VIP Project was prioritised in June 2020, continued support for it has been a standing item on meeting agendas for the SAG. At each meeting, the SAG has unanimously expressed its support for the Project.

- 3.5.20 At its meeting in March 2024, the SAG was given a detailed update on the Cotswolds VIP Project, including in respect of the relevant planning application and pre-application consultation materials. Following this, in May 2024 the SAG were asked for their views on the Project and the use of powers of compulsory purchase. The SAG agreed that they would support NGET in pursuing this option if it was deemed necessary as a way of securing all the land rights that are needed to deliver the Cotswolds VIP Project.
- 3.5.21 NGET will continue to engage in respect of the Cotswolds VIP Project with the SAG, the local SRG, the local community and the wider public, and will consult with the SAG on key Project decisions as well as on the most effective ways to engage with local stakeholders.

Stakeholder Reference Groups

- 3.5.22 As part of the development and review of the shortlisted VIP Schemes, NGET also established individual SRGs comprised of representatives from organisations within each of the affected National Parks or National Landscapes.
- 3.5.23 In the context of the Cotswolds VIP Project, the SRG is comprised of representatives from public authorities, national bodies and local organisations including Gloucestershire County Council, Tewkesbury Borough Council, Cotswold District Council, Cheltenham Borough Council, Cotswolds National Landscape, Cotswolds Trails & Access Partnership, Natural England, Historic England, Environment Agency and Gloucestershire Wildlife Trust.
- 3.5.24 The SRG for the Cotswolds VIP Project was first convened in February 2022. One of the key aims of the initial meeting was to consult with members on early stage plans, ideas and progress to date and establish whether the SRG members favoured the idea of removing the overhead line and whether they would be prepared to support such a project and input into its development.
- 3.5.25 At the second meeting which took place in March 2023, NGET presented the emerging route for the cables that would replace the existing OHL, the preferred location for the CSECs and the proposed site access. There was general approval for the route. The third SRG meeting took place in September 2023 during which NGET gave more detail on the preferred route and updated the SRG on the continuing community engagement. The SRG were happy to see that the Project was progressing well with good landowner engagement and virtually no opposition at public events as recorded. The third meeting took place in September 2023. At the meeting, NGET gave updates on the surveys that had been undertaken and, in particular, ecological surveys that had revealed the wide variety of bat species – some rare – in the area. These surveys have had a direct impact on the routeing decisions. NGET also updated the SRG on the latest round of consultation events that had taken place over the summer period. Feedback had been overwhelmingly positive with particular interest in the archaeology. Following the visit of the national SAG to the project earlier in the year, there was discussion on drystone walling and the likely shortage of skilled practitioners in the coming years.
- 3.5.26 The fourth meeting of took place at the end of February 2024. At the meeting NGET presented details of the emerging planning application for the CSECs and answered questions. Discussion points included the likely project impact (if any) on calcareous grassland and ancient woodland and biodiversity net gain.
- 3.5.27 The SRG for the Cotswolds VIP Project has been consulted in the design and evolution of the Project, thus allowing NGET to continue an open dialogue with local stakeholders, keep them informed about the Project and gather their insight and views into the emerging project. The SRG has been invaluable in providing vital information and advice on NGET's plans for reducing the impact of its electricity lines in the Cotswolds National Landscape

and has actively encouraged NGET in its development of the Cotswolds VIP Project at every stage.

3.6 Consultation

Community Consultations

3.6.1 Consultation and stakeholder input has been integral to the design and development of all of the VIP Schemes, including the Cotswolds VIP Project.

3.6.2 Both NGET and Ofgem have ensured that stakeholders play an ongoing, central role in helping to identify those areas with existing overhead electricity lines which would benefit most from investment to reduce the visual impact.

3.6.3 Under Section 38 and Schedule 9 of the 1989 Act, NGET has a duty to have regard to the desirability of the preservation of amenity, particularly including the effect of NGET's work on communities. NGET's Stakeholder, Community and Amenity Policy sets out a commitment to meet this duty, making the following consultation commitments:

"We will promote genuine and meaningful stakeholder and community engagement. We will meet and, where appropriate, exceed the statutory requirements for consultation or engagement."

3.6.4 In the context of the Cotswolds VIP Project, NGET has sought to go above and beyond consultation guidelines and requirements set out for developers, including by engaging with as many stakeholders as possible and tailoring its consultation programme with regard to the community in Winchcombe, a market town to the north of the project, by hosting drop-in events at the museum and annual country show and taking information stalls to halls in the surrounding villages of Charlton Kings and Whittington in order to maximise opportunities for feedback. This approach has been acknowledged and commended by representatives of the Cotswold National Landscape at SRG and SAG meetings.

3.6.5 Prior to finalising its proposals, NGET had careful regard to the feedback it received from local stakeholders and residents during the consultation process. Engagement with both the community and stakeholders in relation to the Cotswolds VIP Project commenced at an early stage, primarily in order to gather detailed information and inform NGET's understanding of the local area, but also with an intention of giving the local community a sense of ownership of the Project itself.

3.6.6 Early engagement involved technical workshops and drop ins with key representatives of organisations including Natural England, Tewkesbury Borough Council, Cheltenham Borough Council, Cotswold District Council and the Cotswolds National Landscape and Cotswolds Trails & Access Partnership.

3.6.7 A series of further public information events took place in July 2022 to September 2022 at Cleeve Hill Common, Charlton Kings, Winchcombe Museum and Country Fair, Whittington, and Cleeve Hill Golf Club. These events provided opportunities for members of the public and stakeholders to give feedback. A further series of public information events took place at the same venues in July 2023 to September 2023 at which the feedback from the public was positive.

3.6.8 In addition to these events, NGET has met with other stakeholder and community groups on several occasions. These included presentations to the Cotswolds National Landscape, local MPs (including Laurence Robertson former MP for Tewkesbury, Sir Geoffrey Clifton-Brown MP for the Cotswolds and Alex Chalk former MP for Cheltenham), Gloucestershire

County Council, Tewkesbury Borough Council, Cotswold District Council, Cheltenham Borough Council, Winchcombe Town Council, Charlton Kings Parish Council, Cotswolds Trails & Access Partnership, British Horse Society, Winchcombe Walkers are Welcome group, Cotswolds Rangers, Winchcombe Museum, Gloucestershire Wildlife Trust, Butterfly Conservation and National Highways. The Councils expressed their support for the Project while providing valuable input on local issues including the Project's scope and local road safety issues. NGET will also shortly be writing to the newly elected MPs for Tewkesbury and Cheltenham to brief them on the Project. NGET has also briefed representatives of Cleeve Common Trust at a local level by delivering a presentation to trustees in August 2022 and holding regular update meetings to discuss issues including access, commoners and protection of wildlife. There have been expressions of support from all of these groups during the Project development stages and the pre-application consultation.

- 3.6.9 As well as the numerous events and meetings outlined above where people could feedback to NGET directly or via forms available at the events, a dedicated Project website was established in 2022. The website offers regularly updated information on the project (including all the planning documentation) and a range of feedback options including email, and a consultation phone line.
- 3.6.10 Further engagement continued throughout development of the Cotswolds VIP Project. This included direct engagement with individuals and groups through a combination of one-to-one meetings (where appropriate), presentations to small groups, letters, email updates and phone conversations. Regular updates were also provided to the local media, published on the Project website and made available at scheduled drop-in events.
- 3.6.11 As detailed above, drop-in events have been held annually in the local area since 2022, giving individuals the opportunity to receive information on the Cotswolds VIP Project, meet the Project team and provide feedback on the proposals. NGET scheduled these events for weekend and evening hours in order to maximise the highest potential for engagement from local people and communities.
- 3.6.12 Consultation feedback has demonstrated strong support for NGET's proposals. Local residents and other stakeholders are supportive of the vision of the Cotswolds VIP Project and its potential to enhance the local landscape, and in particular with regard to the improvements to the visual amenity of the area.
- 3.6.13 Other consultees have highlighted that such a clear visual improvement to the landscape of this part of the Cotswolds National Landscape would also improve the quality of life of local residents and visitors, and thereby promote longer-term economic benefits by way of increased revenue from tourists attracted to a more aesthetically-pleasing destination. For a predominantly rural area with an economy largely sustained by income generated from tourism, the economic benefits associated with the Cotswolds VIP Project are vitally important.
- 3.6.14 Feedback from property owners in the vicinity of the Cotswolds VIP Project has generally been positive during discussions about the granting of land rights. Comments have been framed in terms of being a benefit to their own property interests and for the area as a whole.

Acceptability Testing Report 2018 and 2022

- 3.6.15 Stakeholder consultation is an important component of the RIIO-T2 regulatory framework and, as noted in preceding paragraphs, an area of particular focus for NGET in the context of the Cotswolds VIP Project.

- 3.6.16 Building on NGET's previous research into consumers' willingness to pay to mitigate the visual impact of existing transmission infrastructure in Britain's designated landscapes, Ofgem requested that further analysis be undertaken by NGET to assess if consumers would find it acceptable to pay for the VIP Schemes via increases in their electricity bills.
- 3.6.17 The analysis comprised a multi-strand programme of research with consumers, including ten discussion groups, nine in-depth interviews with vulnerable consumers and a quantitative survey of 2,002 consumers aged over 16. The output of this analysis, the Visual Impact Project Acceptability Final Report, was published in April 2018 (the "**Acceptability Testing Report 2018**").
- 3.6.18 The Acceptability Testing Report 2018 concluded that the majority of consumers (66%) supported the VIP Schemes and considered it acceptable for costs associated with these schemes to be borne via increases in their electricity bills.
- 3.6.19 Consumer support for the VIP Schemes was focused on the perceived enhancements to the country's most beautiful landscapes which could be delivered at an affordable cost. Although consumers recognised that the total cost of the VIP Schemes is substantial, the cost per household is relatively low at £0.60 per year for the next 25 years.⁶
- 3.6.20 In particular, the Acceptability Testing Report 2018 identified that the undergrounding of power lines is widely seen as an improvement compared to the continued use of existing overhead power lines and pylons. Undergrounding was seen by many consumers as a modernising step forward and a moral action necessary to improve the appearance of Britain's most beautiful landscapes for future generations.
- 3.6.21 Notwithstanding the above, the Acceptability Testing Report 2018 identified that the level of support for the VIP Schemes was high considering the underlying negativity that consumers often express towards the energy sector and organisations working within it. Moreover, it was felt that the minority's opposition to the VIP Schemes was often underpinned by hostility to the energy sector as a whole and rejection, in principle, that consumers should bear the cost of the schemes.
- 3.6.22 This was followed by another programme of consumer research to further test the acceptability of the overall VIP Schemes. A total of 2,000 household consumers across England, Wales and Scotland completed an online survey and sampling quotas were specified based on Office National Statistics Census data to be nationally representative. The survey was complemented by eight 90-minute online focus groups with a total of 58 participants. Groups reflected a mix of age ranges, socio-economic groups and locations. The output of this analysis, the Visual Impact Provision Acceptability Testing – North Wessex Downs Technical Report, was published in July 2022 (the "**Acceptability Testing Report 2022**").
- 3.6.23 The Acceptability Testing Report 2022 concluded that there was a good level of support for the overall VIP programme. In total, 75% of consumers considered that the overall VIP Schemes and the costs associated (that being £0.27 per year for the average bill-payer from 2023-2047) were "acceptable" or "very acceptable".
- 3.6.24 Consumer support for the VIP Schemes centred on the perceived improvements to natural areas (45%) and that the impact on bills was reasonable (64%). In addition, respondents

⁶ See Page 6 of the Acceptability Testing Report 2018: "*The estimated cost of the VIP projects has been derived using revenue calculations as per the RII0-T1 price control, with the exception that the depreciation life has been reduced to 25 years to allow for a worst-case value. The value is in 2017/18 price base and includes network consumer bill impact only.*"

were generally found to be willing to pay an amount higher than the expected maximum bill impact for the VIP Schemes to fund undergrounding projects. This is a clear indication that consumers perceive substantial added value from the VIP Schemes over and above the actual bill impact.

- 3.6.25 This was followed by a further programme of consumer research held between April to July 2024 which examined the acceptability of the Cotswolds VIP Project to household consumers ("**Acceptability Testing 2024**"). Again, a total of 2,000 household consumers across England, Wales and Scotland completed an online survey and 8 online focus groups were held with a total of 55 participants from varying socio-economic and demographic backgrounds. This concluded that there are high levels of consumer support for the Cotswolds VIP Project. In total, 82% of respondents stated that the Project and its bill impact (that being around £0.13 per household per year are "acceptable". Consumer support centred on the visual impact improvement from the Project (59%), the low per consumer cost (44%) and the steps taken to reduce wider impacts (40%) as the major reasons for support. In addition, the Acceptability Testing 2024 research also found that the wider VIP programme had a high level of consumer support, with 78% of respondents supporting the full suite of potential VIP projects. These results are a clear indication that consumers support and perceive material added value from the Cotswolds VIP Project and the wider VIP programme over and above the actual bill impact.

4. ENABLING POWER

- 4.1 By Section 9(2) of the 1989 Act, the holder of a licence authorising him to participate in the transmission of electricity is charged with the duty "*to develop and maintain an efficient, co-ordinated and economical system of electricity transmission*".
- 4.2 NGET is a holder of an electricity transmission licence granted or treated as granted under Section 6(1)(b) of the 1989 Act which authorises it to participate in the transmission of electricity for the purpose of giving a supply to any premises or enabling a supply to be so given ("**Licensed Activities**"). The Cotswolds VIP Project is a "purpose connected with the carrying on" of the Licensed Activities. NGET owns the high voltage electricity transmission network in England and Wales and operates the transmission system across Great Britain.
- 4.3 Section 10 and Schedule 3 of the 1989 Act empower NGET "*to purchase compulsorily any land [including rights in land] required for any purpose connected with the carrying on of the activities which [NGET] is authorised by [its] licence to carry on.*" Therefore, the powers of compulsory acquisition under the 1989 Act can be used by NGET to assemble the relevant land required for the purpose of the Project.

5. LAND AND RIGHTS REQUIRED

- 5.1 The Information Plans accompanying this Statement show the key features of the Project in relation to the land within the Order limits, including the proposed cable route, pylons to be removed, pylons to be retained, the northern and southern CSECs, temporary construction compounds and accesses.

5.2 Land Referencing

- 5.2.1 Land referencing for the Cotswolds VIP Project commenced in 2021 with desktop studies undertaken to establish Land Registry title information together with known information about landowners and occupiers in the area. Desktop studies were also undertaken to identify any special category land in the area. Sources of information included local authority websites, Commons Register, Natural England, English Heritage, Highways

England, Crown Estate and the National Trust. Desktop referencing was completed in March 2024. Land owner questionnaires were issued in November 2021 to facilitate survey access.

5.2.2 This was followed by detailed land referencing which commenced in 2023. This included a refresh of the Land Registry data, a review of registered land titles and the issuing and follow-up of detailed questionnaires to all known persons with interests in land. This also included the erection of notices in respect of unregistered land (accompanied by a plan showing the extent of the unregistered land) and investigations into that land. Such notices requested that any party with an interest in the unregistered land come forward and make claim to their interest. Land interest questionnaires were then sent to claimants to confirm their interest. Site walkovers were also conducted to identify any information not obtained from desktop research or contact site referencing, for example any information that has recently changed or change in land use.

5.2.3 In light of this comprehensive and thorough approach, NGET has met the test of diligent inquiry in establishing the persons interested in the land. This then enables such landowners as have been identified to be notified of the proposed compulsory purchase order.

5.2.4 In April 2024, land interest questionnaires were issued along with a plan to landowners, occupiers and other interested parties asking for information about the nature of their ownership, occupation, if there are tenancies and/or any other party with an interest in their land such as rights of way. Recipients of land interest questionnaires were also asked to identify whether the boundary of their interest is correctly identified on the plan. This fed into the detailed land referencing for the purpose of producing the Order Maps and Schedule to the Order.

5.3 Permanent Land Acquisition

5.3.1 The sites coloured pink on the Order Maps are those where permanent land acquisition is sought. However, NGET's approach is only to acquire the interests that it requires over the various plots within the Order. Therefore, should NGET only require new rights over this land or any part of it rather than its permanent acquisition, it will seek to create these rather than acquiring a freehold estate.

5.3.2 For the Cotswolds VIP Project the areas subject to permanent land acquisition are the above ground sites south of Postlip Mills, Winchcombe and south of Ham Road, Cheltenham, both for the construction and operation of the northern and southern CSECs respectively and land to the west of Melksham Substation for the expansion of the substation to allow for the siting of a new shunt reactor. Landowners and their agents are currently engaged in positive negotiations over the Heads of Terms.

5.4 Acquisition of New Rights

5.4.1 The new rights to be purchased compulsorily over the land under this Order are described in Table 1 of the Order Schedule in accordance with the following definitions:

"Arcing Horn" means the projecting conductor used to protect transmission infrastructure from damage during power surges on towers ZF302, ZF303, ZF304, ZF305, ZF306, ZF307, ZF325, ZF326, ZF327, ZF328, ZF329 and ZF330;

"electricity infrastructure" means the underground cables (including wires, earth wires, fibre optic cables, distributed temperature sensor fibre cabling and other communication cables, pipes, coatings and ducts), connections, cable draw pits, cable joints, cable marker posts, cable terminals, earth bonding and tape, drains, culverts, fibre optic pits, inspection

boxes, trenches, marking bands, protective boards or tiles, jointing pits, link boxes, manholes, monitoring equipment, apparatus, conductors, supports, plant, equipment, pillars, warning tape, sheaths for transmitting and/or distributing electricity at such voltage as NGET or other licenced operators may from time to time require for the purposes of its or their operations together with other underground or overground equipment and apparatus associated with or ancillary to such underground cables;

“**electric lines**” means the electric lines and conductors (including wires, earth wires, fibre optic cables and other communication cables, pipes, coatings and ducts and connections) for transmitting and/or distributing electricity at such voltage as NGET or other licenced operators may from time to time require for the purposes of its or their operations together with the tower(s) (if any) for supporting the same and any ancillary equipment and apparatus associated with or ancillary to such electric lines and conductors.

Rights	Description of Rights
Access Rights	<p>All rights necessary to access the Order Land and adjoining land with or without vehicles, plant, machinery, apparatus, equipment, materials and personnel for the purposes of constructing, installing, commissioning, inspecting, surveying, maintaining, repairing, altering, renewing, replacing and removing or decommissioning the electricity infrastructure, including:</p> <ul style="list-style-type: none"> a) to carry out de-watering and drainage works and installing, altering or reinstating land drainage systems; b) discharge water into existing drains and watercourses; c) to carry out works to facilitate such access including to construct, lay down, use and remove access roads including any necessary bridging, culverting or diversion of water courses and drains, modifying road verges and junctions and installing, using, altering, diverting, and removing services and utilities; d) the right to fence, erect scaffolding, hoardings or signage or otherwise secure the requisite compound; e) to access the Order Land and adjoining land to use horizontal directional drilling, where appropriate, for the installation of the cables; f) to fell, trim or lop trees, shrubs, hedges and bushes and to clear and remove any and all vegetation which may damage, obstruct or interfere with the exercise of these Access Rights; g) to make good any damage caused in connection with the exercise of these Access Rights; and h) to carry out any activities ancillary or incidental thereto, <p>and rights to prevent and remove any works or use of the land which may interfere with or obstruct such access or the exercise of these Access Rights.</p>

<p>Electricity Infrastructure Construction Rights</p>	<p>All rights necessary for the purposes of or incidental to the construction, installation and commissioning of the electricity infrastructure, including to:</p> <ul style="list-style-type: none"> a) excavate, construct and install the electricity infrastructure in, on, under or over the land, including using trenchless techniques such as horizontal directional drilling and ducting; b) test and commission the electricity infrastructure installed in, on, under or over the land and to remedy initial faults and defects in it at any time prior to the date on which it is energised and ready for commercial operation; c) energise and commercially operate the electricity infrastructure for a period of no more than four months following initial commercial operation; d) enter the land and carry out surveys and investigations, including aerial surveys (including the right to fly an unmanned aircraft over the land and to enter and retrieve and recover any such unmanned aircraft from the land); e) carry out archaeological works and environmental and/or ecological mitigation and/or works with or without vehicles plant and equipment; f) carry out works required or permitted by a planning permission and/or consent or licences; g) erect and remove fencing, scaffolding, hoardings or signage or otherwise secure the compound; h) store and stockpile and where necessary use, manage and process plant, machinery, apparatus, and materials (including excavated material) and/or equipment; i) access the land and adjoining land with or without vehicles, personnel and plant, machinery, apparatus, equipment and materials for such purposes; j) construct, lay down, use and remove access roads and work areas including any bellmouths, necessary bridging, culverting or diversion of water courses and drains, carrying out security operations, carrying out earth works, modifying road verges and junctions and installing, using, altering, diverting, and removing services and utilities; k) carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; l) discharge water into existing drains and watercourses; m) protect and prevent damage to or interference with the electricity infrastructure and the construction of the same;
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	<ul style="list-style-type: none"> n) fell, trim or lop trees, shrubs, hedges, bushes and vegetation and to remove or alter any and all walls, fences or any other structures or erections on the land which may damage, obstruct or interfere with the exercise of these Electricity Infrastructure Construction Rights with or without vehicles plant and equipment; o) all necessary rights of support for the electricity infrastructure; p) erect, create, use and remove welfare facilities including portable toilets, portable cabins and offices and electricity generators; q) install, use and remove artificial lighting; r) install and remove protection measures for third party structures / assets, including scaffolding; s) install, use, alter, divert and remove services and utilities; t) make good any damage caused in connection with the exercise of these Electricity Infrastructure Construction Rights; u) reinstate the land and to monitor reinstatement works; and v) carry out any activities ancillary or incidental thereto, <p>and rights to prevent and remove any works or use of the land which may interfere with or obstruct such access or the exercise of these Electricity Infrastructure Construction Rights.</p>
<p>Construction Compound Rights</p>	<p>All rights necessary for the purposes of or incidental to the establishment, use and removal of works compounds associated with the construction and commissioning of the electricity infrastructure and/or the construction, commissioning and decommissioning of the electric lines, including rights to:</p> <ul style="list-style-type: none"> a) erect, create, use and remove a works compound which may include portable cabins and offices, noise enclosure, substation and welfare facilities including portable toilets and electricity generators; b) store, stockpile and where necessary use, manage and process plant, machinery, apparatus, materials (including excavated material) and/or equipment; c) remove topsoil, adjust the height of the land, lay terram and/or stone surface (or similar surface) on the compound and to store the soil; d) access the land and adjoining land with or without vehicles, personnel and plant, machinery, apparatus, equipment, personnel and materials for such purposes; e) carry out works to facilitate such access including to construct, lay down, use and remove access roads including any bell

	<p>mouths, temporary roads, necessary bridging, culverting or diversion of watercourses and drains, erecting fencing or gates carrying out security operations, carrying out earth works, removing buildings or structures or apparatus, modifying road verges and junctions;</p> <ul style="list-style-type: none"> f) erect, create, use and remove temporary towers and any associated apparatus (including earth wires) for the purpose of diverting electric lines to enable the dismantling of the existing pylons; g) fence, erect hoardings, scaffolding or signage or otherwise secure the compound; h) carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; i) discharge water into existing drains and watercourses; j) monitor, including assets and equipment; k) carry out environmental surveys and works for the purpose of protecting wildlife and habitats during construction; l) support and protect the compound; m) install, use and remove artificial lighting; n) park cars; o) protect and prevent damage to or interference with the operation and maintenance of any works constructed pursuant to these Construction Compound Rights; p) fell, trim or lop trees, shrubs, hedges, bushes and vegetation and to remove any and all walls, fences or other structures which may damage, obstruct or interfere with the exercise of these Construction Compound Rights with or without vehicles plant and equipment; q) install, use, alter, divert and remove services and utilities; r) reinstate the land and make good any damage caused in connection with the exercise of these Construction Compound Rights; and s) carry out any activities ancillary or incidental thereto, <p>and rights to prevent and remove any works or use of the land which may interfere with or obstruct such access or the exercise of these Construction Compound Rights.</p>
<p>High Voltage Alternating Current</p>	<p>All rights necessary for the purposes of or incidental to the retention, commissioning, operation, protection, inspection, maintenance,</p>

<p>(HVAC) Rights</p>	<p>surveying, repair, alteration, renewal, replacement, removal and decommissioning of the electricity infrastructure, including to:</p> <ul style="list-style-type: none"> a) access the land and adjoining land with or without vehicles, personnel and plant, machinery, apparatus, equipment and materials for such purposes; b) carry out works to facilitate such access, including to construct, lay down, use and remove access roads including any temporary roads, bridging, culverting or diversion of watercourses and drains, removing and erecting fencing/gates, carrying out security operations, carrying out earth works, altering the level of land, removing buildings or structures or apparatus, modifying road verges and junctions and installing, using, altering, diverting, protecting and removing services and utilities; c) use horizontal directional drilling and ducting, where appropriate, for the installation of the electricity infrastructure; d) carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; e) discharge water into existing drains and watercourses; f) install and remove protection measures for third party structures/assets, including scaffolding; g) divert and remove services and utilities; h) all necessary rights of support for the electricity infrastructure; i) enter the land and carry out surveys and investigations, including aerial surveys (including the right to fly an unmanned aircraft over the land and to enter and retrieve and recover any such unmanned aircraft from the land); j) protect and prevent damage to or interference with the operation and maintenance of the electricity infrastructure; k) fell, trim or lop trees, shrubs, hedges, bushes and vegetation and to remove or alter any and all walls, fences or any other structures or erections on the land which may damage, obstruct or interfere with the electricity infrastructure with or without vehicles plant and equipment; l) with or without vehicles plant and equipment to carry out mitigation planting and monitoring; m) fence, erect hoardings, scaffolding or signage or otherwise secure the requisite compound; n) prevent changes to the use, or level of the surface of, the land;
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	<p>o) make good any damage caused in connection with the exercise of these HVAC Rights; and</p> <p>p) carry out any activities ancillary or incidental thereto.</p> <p>and rights to prevent and remove any works, obstacles or use of the land which may interfere with or obstruct such access or the exercise of these HVAC Rights.</p> <p>The HVAC Rights may be acquired over such part of the Order Land plots described in Table 1 of Schedule 1 to the Order as may be necessary PROVIDED THAT the 'rights corridor' within which the HVAC Rights shall be acquired shall not exceed 40 metres in width.</p> <p>AND PROVIDED FURTHER THAT the width restrictions above shall not apply to the acquisition of the access rights described at paragraph a) and c) above, which rights may be acquired over such part of the Order Land plots described in Table 1 of Schedule 1 to the Order as may be necessary.</p>
Overhead Line Rights	<p>All rights necessary for the purposes of or incidental to the construction, retention, commissioning, operation, protection, maintenance, surveying, repair, renewal, replacement, removal and decommissioning of the electric lines, including to:</p> <p>a) take all necessary rights of support for the electric lines;</p> <p>b) install and remove protection measures for third party structures/assets, including scaffolding;</p> <p>c) test and commission the electric lines and to remedy initial faults and defects in them at any time prior to the date on which it is energised and ready for operation;</p> <p>d) enter the land and carry out surveys and investigations, including aerial surveys (including the right to fly an unmanned aircraft over the land and to enter and retrieve and recover any such unmanned aircraft from the land);</p> <p>e) carry out archaeological works, environmental and/or ecological mitigation and/or works (including mitigation planting) and associated monitoring and maintenance;</p> <p>f) carry out works required or permitted by a planning permission and/or consent or licences;</p> <p>g) erect and remove fencing, scaffolding, hoardings, or signage or otherwise secure the requisite compound;</p> <p>h) store and stockpile and where necessary use, manage and process plant, machinery, apparatus, and materials (including excavated material) and/or equipment;</p>

	<ul style="list-style-type: none"> i) access the land and adjoining land with or without vehicles, personnel, plant, machinery, apparatus, equipment and materials for such purposes; j) facilitate a footpath diversion; k) construct, lay down, use and remove access roads including any bellmouths, temporary roads, necessary temporary bridging, culverting or diversion of water courses and drains; l) carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; m) discharge water into existing drains and watercourses; n) protect and prevent damage to or interference with the operation and maintenance of the electric lines and construction of the same; o) fell, trim or lop trees, shrubs, hedges, bushes and vegetation and to remove and alter any and all walls, fences or any other structures which may damage, obstruct or interfere with these Overhead Line Rights with or without vehicles plant and equipment; p) erect, create, use and remove welfare facilities including portable toilets, portable cabins and offices and electricity generators; q) install, use and remove artificial lighting; r) install, use, alter, divert and remove services and utilities; s) prevent changes to the use, or level of the surface of, the land; t) rights necessary for the purposes of or incidental to the installation, alteration, retention, commissioning, operation, protection, maintenance, surveying, repair, renewal, replacement, removal and decommissioning of the Arcing Horns; u) carry out incidental works to allow safe access to the electric lines such as vegetation clearance and bird nest removal; v) apply a temporary electricity earthing system to electric lines; w) replace permanent colour plates on electric lines; x) make good any damage caused in connection with the exercise of these Overhead Line Rights; and y) carry out any activities ancillary or incidental thereto, <p>and rights to prevent and remove any works or use of the land which may damage, interfere with or obstruct such access or the exercise of these Overhead Line Rights.</p>
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Overhead Removal Rights	Line	All rights necessary for the purposes of or incidental to the dismantling, removal and decommissioning of the electric lines, including to:
		<ul style="list-style-type: none"> a) install and remove protection measures for third party structures/assets, including scaffolding; b) enter the land and carry out surveys and investigations, including aerial surveys (including the right to fly an unmanned aircraft over the land and to enter and retrieve and recover any such unmanned aircraft from the land); c) carry out archaeological works, environmental and/or ecological mitigation and/or works (including mitigation planting) and associated monitoring and maintenance; d) carry out works required or permitted by a planning permission and/or consent or licences; e) erect and remove fencing, scaffolding, hoardings or signage or otherwise secure the requisite compound; f) store and stockpile and where necessary use, manage and process plant, machinery, apparatus, and materials (including excavated material) and/or equipment; g) access the land and adjoining land with or without vehicles, personnel, plant, machinery, apparatus, equipment and materials for such purposes; h) carry out works to facilitate such access, including to construct, lay down, use and remove access roads including any bellmouths, temporary roads, necessary bridging, culverting or diversion of water courses and drains, removing and erecting fencing/gates, carrying out security operations, carrying out earth works, altering the level of land, removing buildings or structures or apparatus, modifying road verges and junctions and installing, using, altering, diverting, protecting and removing services and utilities; i) carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; j) discharge water into existing drains and watercourses; k) fell, trim or lop trees, shrubs, hedges, bushes and vegetation and to remove and alter any and all walls, fences or any other structures which may damage, obstruct or interfere with these Overhead Line Removal Rights; l) bring onto the land, position and swing the jib of a crane loaded or unloaded through the airspace above the land for the purposes of removing machinery and equipment;

	<ul style="list-style-type: none"> m) erect, create, use and remove welfare facilities including portable toilets, portable cabins and offices and electricity generators; n) install, use and remove artificial lighting; o) install, use, alter, divert and remove services and utilities; p) prevent changes to the use, or level of the surface of, the land; q) reinstate the land and monitor the reinstatement works; r) make good any damage caused in connection with the exercise of these Overhead Line Removal Rights; and s) carry out any activities ancillary or incidental thereto, <p>and rights to prevent and remove any works or use of the land which may interfere with or obstruct such access or the exercise of these Overhead Line Removal Rights.</p>
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5.4.2 The land over which the new rights are to be purchased compulsorily is shown coloured blue on the Order Maps. The Schedule of Interests to the Order indicates in respect of each plot, which rights are sought.

5.4.3 The above new rights are for the benefit of the undertaking of NGET for the transmission of electricity including without limitation such land and hereditaments forming part of that undertaking as are accommodated by the rights set out in the Order.

5.5 Mining Code

5.5.1 Ownership of the mines and mineral rights are excluded from the Order.

5.5.2 However, Parts II and III of Schedule 2 to the 1981 Act, which concern the 'Mining Code', are expressly incorporated within the Order, first in order to safeguard and protect all apparatus and other equipment which will be constructed and/or installed by NGET and its contractors for the purposes of the Cotswolds VIP Project and second to preserve the rights of the owner of the sterilised mines or minerals to claim compensation.

6. ACQUISITION STRATEGY AND PROGRESS TO DATE

6.1 NGET's Acquisition Strategy

6.1.1 NGET's preference will always be to secure land rights on a voluntary basis. This will be through negotiation with individual landowners to obtain option agreements for the grant of an easement for the trench, cables and/or new overhead line, a lease for temporary construction land, and for the acquisition of land necessary to site the CSECs and expand Melksham Substation to site a new shunt reactor. To help to facilitate this, National Grid's Guidance on Land Rights for New Electricity Transmission Assets (England and Wales) ("**GLR**") has been used.

- 6.1.2 The GLR was developed by National Grid in 2010 in order to provide a consistent methodology for acquiring land rights for National Grid's infrastructure projects, both for Development Consent Orders and Town & Country Planning Act/Compulsory Purchase Order schemes. The GLR has been implemented on all National Grid projects requiring land and rights acquisition, and remains under continuous review to ensure that it is still fit for commercial purpose, and meets the expectations of third party landowners and occupiers. National Grid was one of the first utility companies to formally adopt and promote this approach and it accords with the Guidance on Compulsory Purchase and Crichel Down Rules.
- 6.1.3 A recent review of the GLR undertaken by National Grid in 2024 identified that the GLR still enables effective and consistent communication with those most affected by National Grid's proposals, and that it continues to meet the requirements of CPO guidance on seeking to acquire land by negotiation. Its terms continue to enable National Grid to treat people fairly.
- 6.1.4 A system of payments for rights for the Cotswolds VIP Project was adopted using the principles of both the GLR and CPO guidance to ensure consistency and fairness in submitting reasonable offers for land and rights across the Project area.
- 6.1.5 Initially, heads of terms ("**HoTs**") were issued and negotiated on the basis that NGET would be granted the option to exercise rights and create easements or transfer land as appropriate. Upon agreement of these principal terms, these are then translated into legal agreements.
- 6.1.6 Negotiations with landowners and occupiers to secure voluntary option contracts for easements for the trenches within the Cotswolds VIP Project have been ongoing since May 2024.
- 6.1.7 Negotiations with landowners to secure voluntary option contracts for the CSECs sites and associated land and rights have also been ongoing since May 2024.
- 6.1.8 Negotiations with the landowner to secure voluntary option contracts for the expansion of Melksham Substation and associated land and rights have been ongoing since April 2024.
- 6.1.9 NGET currently benefits from easements/wayleaves in relation to the existing overhead line. Where appropriate, NGET will be utilising these existing rights to carry out the works. However, in some cases the relevant rights require amending or replacing to ensure the rights are sufficient for powers of removal that are expected to be exercised. In such instances, NGET are seeking agreements to vary existing agreements.
- 6.1.10 Whilst NGET seeks to avoid the use of compulsory purchase powers by negotiating by private treaty, in order to ensure the timely delivery of the Cotswolds VIP Project, it is now necessary to seek compulsory purchase powers. Negotiations to obtain, by agreement, the remainder of the necessary land and rights will continue in parallel with the compulsory purchase process.
- 6.1.11 Given that the Cotswolds VIP Project comprises in part the removal of existing overhead electricity lines, the Project will inevitably cross existing assets held by statutory undertakers, including transport and highway authorities, in respect of which asset protection and crossing agreements may be required. Further detail is provided at Paragraph 7.5 of this Statement.

6.2 Progress

6.2.1 As indicated above, NGET has been seeking to secure all necessary land and rights required to deliver the Cotswold VIP Project. To date heads of terms have been issued to all known landowners and negotiations progress positively. No landowners have refused to negotiate so far.

6.2.2 NGET will continue to seek to voluntarily acquire rights over plots where there are known landowners and will continue to negotiate heads of terms with all landowners that are yet to agree heads of terms. NGET will do this in parallel with the promotion of the Order, as the Order is its last resort to ensure that it has acquired all the rights that it requires to deliver the Project in accordance with the project programme. Notwithstanding NGET's ongoing commitment to voluntary negotiations with known landowners, NGET must have certainty in respect of the rights that it requires in order to ensure the comprehensive delivery of the Project.

7. OTHER CONSENTS

7.1 Permitted Development Rights

7.1.1 The majority of the Cotswolds VIP Project is to be consented pursuant to permitted development rights.

7.1.2 NGET will make use of permitted development rights for:

- (a) the excavation of the cable trenches (General Permitted Development Order (GPDO) 2015 Schedule 2, Part 15, Class B(a));
- (b) the installation of the section of underground electric and fibre cable between the two CSECs located at each end of the cable route (General Permitted Development Order (GPDO) 2015 Schedule 2, Part 15, Class B(a)); and
- (c) the installation of temporary construction compounds and construction working areas (including the haul road) that are required to construct the infrastructure listed above (General Permitted Development Order (GPDO) 2015 Schedule 2, Part 4, Class A).

7.1.3 All activities beneath ground which are associated with the trench, including its ultimate fit-out and cable installation, will also be carried out pursuant to permitted development rights.

7.1.4 Permitted development rights are not available in most cases where development is "EIA development" as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Therefore, in respect of those elements of the Cotswolds VIP Project that are to be consented pursuant to permitted development rights, NGET has sought confirmation from the relevant local planning authorities and other statutory bodies through the environmental impact assessment ("**EIA**") screening process that the development is not 'EIA development'.

7.1.5 The Cotswolds VIP Project is situated within the administrative boundaries of Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council.

7.1.6 A letter requesting an EIA screening opinion was submitted to Tewkesbury Borough Council and Cotswold District Council on 18 December 2023.

7.1.7 Both Tewkesbury Borough Council and Cotswold District Council have since screened the Cotswolds VIP Project and have confirmed in writing that it is not 'EIA development'. Therefore, permitted development rights are available to NGET in these circumstances.

7.2 Planning Permission

7.2.1 In relation to the construction of CSECs and the provision of access tracks, applications for planning permission were submitted in June 2024 to Tewkesbury Borough Council (Reference 24/00505/FUL) and to Cotswold District Council (Reference 24/01778/FUL) in whose administrative areas the CSECs would lie (together the "**Planning Applications**").

7.2.2 The description of development for which planning permission is sought pursuant to the Planning Applications is as follows:

"Proposed construction of Cable Sealing End Compound to facilitate the connection between underground cables and existing OHL and associated permanent access roads (and bell-mouth) to the CSECs in addition to temporary bell-mouths created to support the cable construction along classified roads."

7.2.3 Planning permission for the southern CSEC was granted by the Cotswold District Council on 25 March 2025. Planning permission is pending for the northern CSEC.

7.2.4 In relation to the expansion to the Melksham Substation to allow for the siting of a new shunt reactor, an application for planning permission was validated on 18 November 2024 to Wiltshire Council (Reference PL/2024/09954) (the "**Melksham Planning Application**").

7.2.5 The description of development for which planning permission is sought pursuant to the Melksham Planning Application is as follows:

"Expansion of an existing substation to allow for the siting of a new shunt reactor".

7.2.6 These applications are unlikely to present an impediment to the delivery of the Project and NGET are not aware of any reasons why planning permission might be withheld.

7.3 Consents Pursuant to the 1989 Act

Section 37 Consent

7.3.1 NGET has been granted a Section 37 consent under the 1989 Act for the temporary (one year) overhead line diversions that will be required at the southern CSEC. Consent was granted on 6 November 2024.

7.4 Section 38 consent pursuant to the Commons Act 2006

7.4.1 NGET has been granted a Section 38 consent under the Commons Act 2006 to carry out works over a narrow strip of land which is part of Cleeve Hill Common, to the west of the

existing overhead line. Consent was granted by the Planning Inspectorate on behalf of the Secretary of State for Environment, Food and Rural Affairs on 4 March 2025.

7.5 Other Consents

Highways Orders

7.5.1 The Cotswolds VIP Project will require a small number of highway orders, in the form of temporary Traffic Regulation Orders, along with certain other conventional highways consents, such as a section 278 agreement, which the contractor may from time to time seek to obtain from the relevant highways authority.

7.5.2 These highways orders will be required in respect of the overhead electricity line removal and access works. Given the programme for those works, the orders are not proposed to be sought by NGET until nearer the commencement date.

7.5.3 In any event, the highways orders and other consents are standard consents, and are unlikely to present an impediment to the delivery of the Project.

Consent under Cleeve Common Bye Laws

7.5.4 The works require the consent of the Conservators of Cleeve Common ("**Conservators**") under the Commons Regulation (Cleeve) Provisional Order Confirmation Act 1890 and its associated byelaws. The Conservators granted consent on 19 November 2024.

8. SPECIAL CATEGORY LAND & STATUTORY UNDERTAKERS

8.1 Special Category Land: Common Land

8.1.1 Sections of the Cotswolds VIP Project will pass through Common Land. This term is defined in the 1981 Act as "*any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green*".

8.1.2 Whilst no freehold estate is intended to be acquired in the Common Land, rights in the Common Land are sought for Electricity Infrastructure Construction, Overhead Line Removal and HVAC.

8.1.3 These rights engage Section 28 and Paragraph 6(1)(a) of Schedule 3 to the 1981 Act and accordingly an application for a certificate in relation to Common Land will be made to the relevant Secretary of State on the basis that "*the land, when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before*".

8.1.4 In these circumstances, the Overhead Line Rights are only required for a temporary period for removal of the existing overhead line, affect only a limited part of the total Common Land in the area and ultimately result in the removal of the existing overhead lines and pylons. Electricity Infrastructure Construction Rights are also only required for a temporary period in order to enable the installation of the cables and associated infrastructure. The HVAC Rights are required in order to enable their operation and affect only a limited part of the total common land in area.

8.1.5 The rights affect only a limited part of the total Common Land in the area and, following a temporary period of installation, access to the Common Land will be as before and the land will be no less advantageous following the acquisition of the rights. Users of such land are

amongst the beneficiaries of the Cotswolds VIP Project, as set out in Paragraph 3.3 of this Statement (Cotswolds VIP Project Landscape & Visual Impact Assessment).

8.1.6 The certificate application will be made shortly after the Order is made. It will be advertised as required by the relevant Secretary of State and there will be a period for representations to be made in respect of the application for the certificate.

8.2 Forestry Commission Land

8.2.1 The Order also includes land over which the Forestry Commission has an interest, that being a forestry dedication covenant.

8.2.2 In accordance with section 63 of the Electricity Act 1989 and the forestry dedication covenant, the Forestry Commission's authority to acquire such land as is necessary and to use the land other than for forestry purposes was granted on 4 December 2024.

8.3 Local Authorities & Statutory Undertakers

8.3.1 Interests are held by the following local authorities and statutory undertakers in land affected by the Cotswolds VIP Project:

- (a) Cheltenham Borough Council;
- (b) Gloucestershire County Council;
- (c) Wiltshire Council;
- (d) Wessex Water Limited;
- (e) Severn Trent Water Limited;
- (f) Openreach Limited;
- (g) Wales & West Utilities Limited;
- (h) Western Power Distribution (West Midlands) PLC;
- (i) Scottish and Southern Energy Power Distribution Limited;
- (j) National Grid Electricity Distribution PLC;
- (k) National Gas Transmission PLC;
- (l) National Highways Limited;
- (m) Environment Agency; and
- (n) Gigaclear Limited.

8.3.2 NGET's discussions and negotiations with each of these parties is ongoing.

9. FUNDING AND DELIVERY

9.1 Timetable for delivery

- 9.1.1 NGET will have a preferred bidder as main contractor in May 2025 further to its competitive tender and expect the contract to be awarded in March 2026 when preliminary surveys and works will commence, subject to securing necessary planning consents. The main construction works will commence in June 2026.
- 9.1.2 Subject to securing all necessary approvals and consents, NGET currently estimates that on-site works forming part of the Cotswolds VIP Project will commence in June 2026 and will take approximately two years to complete.
- 9.1.3 NGET's intention is for the underground connection to be operational and the existing pylons and overhead lines to be removed by 2029.

9.2 Funding

- 9.2.1 As noted above, the Cotswolds VIP Project forms part of the NGET's wider visual impact provision programme.
- 9.2.2 The RIIO-T2 framework covers the period from 1 April 2021 to 31 March 2026. NGET will be submitting its funding application to Ofgem in May 2025.
- 9.2.3 In order to be eligible for the £465m provision, visual impact provision schemes must be approved by Ofgem and written into NGET's transmission licence by 31 March 2026. Once written into the licence, they will become a licence condition with which NGET must comply.
- 9.2.4 Accordingly, funding would be available by the time that the Order enabled the exercise of compulsory acquisition powers. Furthermore, NGET have significant financial standing with a net asset figure on the balance sheet of the 2022/23 Accounts being £4,453 million which ensures that sufficient funding could be made available immediately to cope with any acquisition arising from a blight notice.

9.3 Statement Justifying Extent of Scheme to be Disregarded for the Purposes of Assessing Compensation in the No Scheme World

- 9.3.1 Section 6A of the Land Compensation Act 1961 ("LCA 1961") provides that "*the no scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of land.*"
- 9.3.2 For the purposes of s.6A, it is therefore a requirement to include in a Statement of Reasons the extent of the Scheme to be disregarded for the purposes of assessing compensation in the 'No Scheme World'.
- 9.3.3 In most cases the 'scheme' means the scheme of development underlying the acquisition and provided for by the Order unless it is shown that the underlying scheme is larger than, but incorporating the scheme provided by the Order.
- 9.3.4 In the case of the Cotswolds VIP Project, the 'scheme' is the Cotswolds VIP Project which is the proposed development scheme enabled by the Order.

10. ALTERNATIVES TO THE ORDER

10.1 No Action

10.1.1 The Cotswolds VIP Project forms part of the VIP Schemes through which works are intended to be carried out by NGET in order to help reduce the landscape and visual impacts of existing electricity transmission lines in National Parks and National Landscapes in England and Wales.

10.1.2 As such, the Cotswolds VIP Project would provide landscape and visual amenity benefits to the public as detailed in Paragraph 3 (Justification) of this Statement and widely consulted upon by NGET.

10.1.3 If the Project was not to be delivered, then these benefits would not be realised.

10.2 Options Appraisal

10.2.1 Paragraph 3 (Justification) of this Statement explains how the Cotswolds VIP Project was shortlisted and selected for promotion.

10.2.2 This Paragraph summarises the options that were considered in developing the detailed proposals.

10.2.3 An initial baseline assessment of factors that would affect the development options was undertaken. This included landscape and visual factors, ecology, the historic environment, soils and geology, hydrology and flood risk, tourism and socio-economic factors, traffic and transport constraints, and the presence of existing infrastructure and services.

10.2.4 The underground cable direct burial option was then taken forward for further investigation, based around the following 4 options for the location of the northern CSEC which were identified following an examination of the landscape on site, and the suitability of adapting existing towers to allow the termination of conductors.

Northern CSEC options:

- (a) Option N1 - Land north of B4632 and Tower Z306: The site spans across three arable fields immediately north of the B4632, which forms the south west site boundary. The site comprises predominantly arable crop, hedgerows and some hedgerow trees. Landform gently slopes down to Langley Brook; which forms a small part of the northernmost site boundary. An existing suspension pylon falls just outside the west boundary within the westernmost field. Access to this site would be directly from the B4632.
- (b) Option N2 – Land south of B4632 adjacent to ZF306: The site comprises a pastoral field immediately south of the B4632, which forms the northern site boundary. The entrance drive to Postlip Hall forms part of the western boundary of the site. The eastern boundary comprises an unnamed road, which leads to Dry Ground Farm, Postlip Paper Mill and a sewage works adjacent to the River Isbourne. There is an existing pylon within the field. Access to this site would off be from the B4632 via the unnamed road.
- (c) Option N3 – Land south of B4632 and north of ZF307: The site comprises a pastoral field with the Postlip Paper Mill access road (off the B4632) forming the boundary to the west. The site is immediately north of Postlip Paper Mill. Hedgerow planting runs along the western boundary and hedgerow and hedgerow trees to the south.

There is an existing pylon roughly in the centre of the site. The ground gently slopes down to the south towards the River Isbourne. Access to this site would be from the B4632 via the unnamed road.

- (d) Option N4 – Land south of Postlip Mills and south of ZF307, north of ZF308: The Siting Zone spans across two small arable fields, which are largely enclosed by existing woodlands and hedgerows. The driveway to Corndean Farm and Corndean Cottages forms the boundary to the north and east and to the south and west are blocks of woodland and an overgrown hedgerow. The overhead line spans the two fields. The ground has a slight slope from approximately 142m in the southwestern corner down to approximately 126m in the northeastern field. Access to this site would off be from the B4632 via the unnamed road.

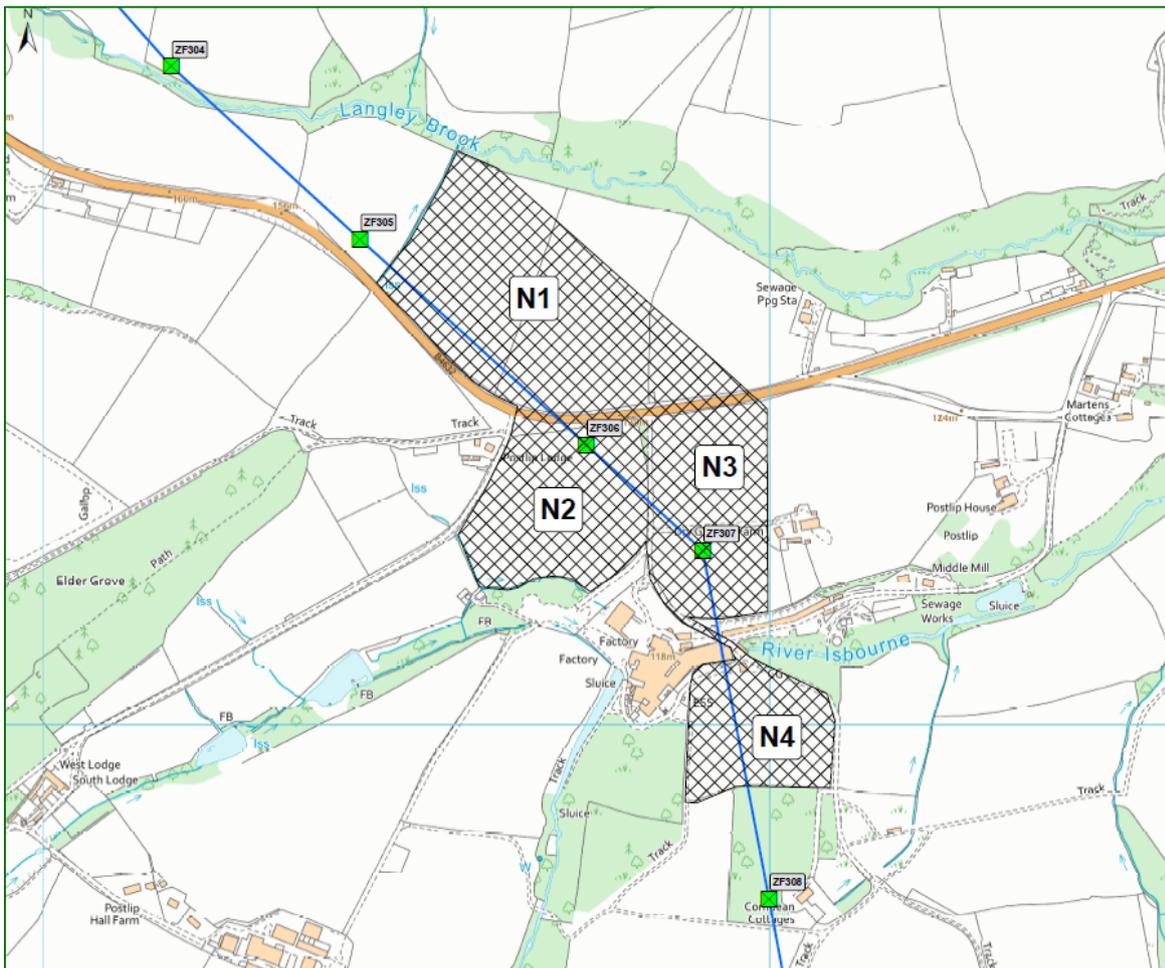


Figure 1: Northern CSEC Siting Options

- 10.2.5 Each of the options were assessed against the following topics: ecology, landscape and visual amenity, historic environment, water, traffic and transport, socio economics and technical complexity. Having carefully assessed the options against these considerations, NGET proposed that the northern CSEC located at N4 is the clear and compelling design solution.
- 10.2.6 NGET considered the following 6 options for the location of the southern CSEC:

Southern CSEC options:

- (a) Option S1 – Land south of Ham Road and west of tower ZF325: This site comprises a pastoral field to south of Ham Road. The field is bound by hedgerows and frequent hedgerow trees. S1 is situated on the western slopes of a shallow ridgeline of the High Wold along which the Cotswold Way runs adjacent and parallel to the eastern boundary. Landform slopes away from the northeastern corner down to the southwestern area which is ~237m above ordnance datum (“**AOD**”).
- (b) Option S2 - Land underneath existing OHL, south of Ham Road between towers ZF324 and ZF325: This site comprises a pastoral field to south of Ham Road and immediately west of Option S1. The field is bound by hedgerows and frequent hedgerow trees. S2 is situated on the eastern slopes of a shallow ridgeline of the High Wold along which the Cotswold Way runs adjacent and parallel to the western boundary. Landform slopes away from the northern area down to the south eastern area which is ~228m AOD.
- (c) Option S3 – Land north of Ham Road between towers ZF323 and ZF324: The site comprises pastoral fields to the north of Ham Road. The fields are divided by a hedgerow boundary with hedgerow trees, which also comprises the majority of the site edges. The Cotswold Way is approximately 115m west running from north to south. The ground slopes away from the northwestern area which is approximately 259m AOD down to the eastern area which is ~232m AOD.
- (d) Option S4 – Land south of Ham Road and east of option S2 above: The site comprises of a pastoral field, bound by Ham Road to the north and the access road to Upper Colgate Farm to the west. The field boundaries predominantly consist of mature hedgerow and hedgerow trees. To the east and south the Siting Zone is bound by Dowdeswell Wood (Ancient Woodland). The Cotswold Way National Trail runs adjacent to the southwestern boundary. The ground slopes away from the northern area of the site which is approximately 238m AOD down to the southern area which is ~220m AOD.
- (e) Option S5 – Land South of the A40 and east of tower ZF328: This site comprises an area of grassland through which the Cotswold Way passes, bound by the A40 to the north and Lineover Wood (Woodland Trust) Open Access woodland to the south. A picnic bench is located within the grassland near to the Cotswold Way National Trail. To the east is the access road to Lineover Wood visitor car park. The boundaries of the site predominantly consist of mature woodland. Although the site is located in the bottom of the River Chelt valley the localised landform is varied due to the steep banks of the A40 to the north and very steep banks associated with a dismantled railway to the south.
- (f) Option S6 – Land to south of the A40 and south of tower ZF328: This site comprises horse paddocks and is bound by Lineover Wood (Woodland Trust) Open Access woodland to the east. The field boundaries consist of a combination of hedgerow, hedgerow trees and post and wire fencing. The ground is undulating, with steep vegetated embankments of a dismantled railway running within the northern boundary of the site.

10.2.7 As with the northern CSEC, NGET carefully assessed the options against the topics summarised at paragraph 10.2.5. NGET concluded that the option of a direct burial route from N4 CSEC to S4 CSEC is the clear and compelling design solution. Following this, NGET assessed the 9 options for the layout of the northern CSEC location and OHL termination and the 6 options for the layout of the southern CSEC location and OHL termination.

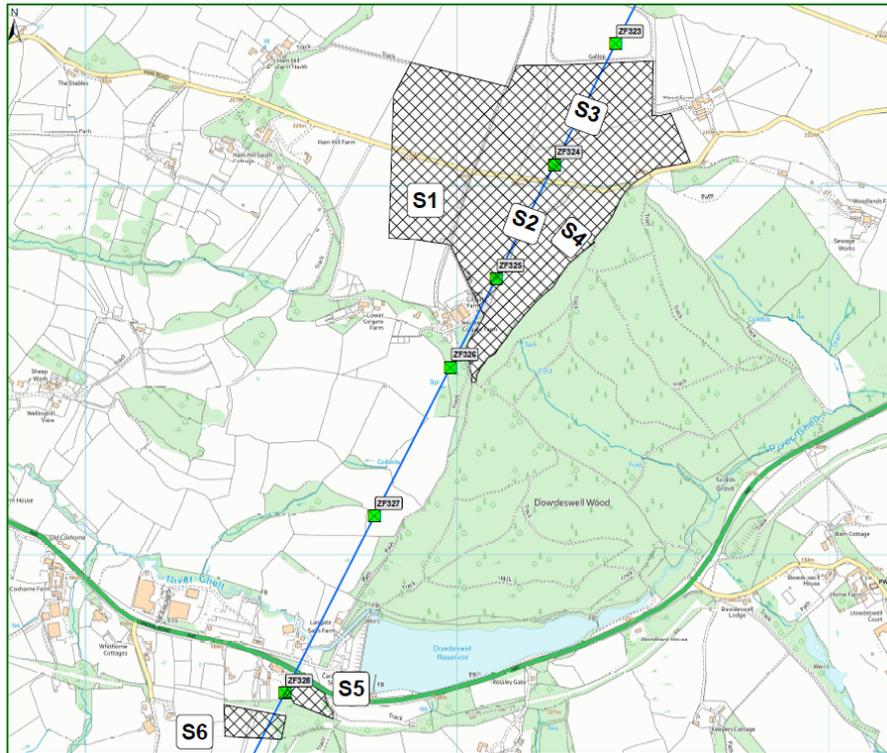


Figure 2: Southern CSEC Siting Options

- 10.2.8 On the northern side of the diversion, all the options consider installing a new terminal tower and CSEC on the eastern side of the existing line, between towers ZF307 and ZF308. All options consider the positions of terminal tower and CSEC to be in the same field.
- (a) North End A – terminal tower positioned on the northeast portion of the field and the CSEC in the middle.
 - (b) North End B – terminal tower positioned on the north side of the field and the CSEC on the southern bit of the field.
 - (c) North End C – terminal tower positioned at a central position and the CSEC on the northeast of the field.
 - (d) North End D.01 – CSEC positioned on the southeast part of the field and the terminal tower positioned at the east.
 - (e) North End D.02 – CSEC positioned on the southeast part of the field (slightly further north than D.01) and the terminal tower positioned at the east.
 - (f) North End D.03 – CSEC positioned on the southeast part of the field and the terminal tower positioned on the northern side.
 - (g) North End D.04 – CSEC positioned on the southeast part of the field (slightly further north than D.04) and the terminal tower positioned on the northern side.
 - (h) North End E – CSEC set at the east end of the field and the terminal tower in the centre.

- (i) North End F – the CSEC positioned at the northeast of the field and the terminal tower on the north end.

10.2.9 On the southern side of the diversion, NGET identified the following 6 options for the positioning of the CSEC between existing towers ZF324 and ZF325:

- (a) South End A – terminal tower positioned ahead of ZF325 and a standard gantry for the CSEC. This option would require a temporary diversion for the Feckenham – Walham circuit with a temporary tower set west from ZF325. Tower ZF325 to ZF308 would be dismantled.
- (b) South End B – similar to A but uses an angle tower and full tension gantry at the CSEC. The temporary diversion requirements are the same.
- (c) South End C – reusing the suspension tower ZF325 and siting two separate CSECs at each side of the existing alignment.
- (d) South End D – terminal tower positioned ahead (southwest) of ZF325 close to the existing barn and the Cotswold Way. The CSEC is set near to the terminal tower on the opposite side of the access road. Due to sharp angle of the alignment, the terminal tower has an auxiliary crossarm. Temporary diversion is required and construction works in both lands.
- (e) South End E – terminal tower positioned ahead of ZF324 close to Ham Road on the existing alignment. The CSEC position is set on the opposite side of the local access road. Due to the sharp bend of the alignment terminal tower has auxiliary crossarm. Temporary diversion of the Feckenham Walham circuit is required to erect the terminal tower.
- (f) South End F – the CSEC constructed slightly set off from the original alignment. Replacement of the suspension tower ZF325 would be required.

10.2.10 NGET carefully considered the above options against the following topics: landscape and visual impact, health and safety management, environmental and land use impact and engineering and construction considerations. NGET selected North End C and South End F to proceed to development stage and that now forms the basis of the Cotswolds VIP Project, as shown on the Order Maps. The CSECs are required to achieve the transition from an overhead to an underground cable. Both CSECs would require temporary and permanent access roads from the existing highway network which would result in additional construction activities.

10.2.11 NGET also considered various cable routes for the scheme using a preliminary cable route split between sections and routes and then assessed these against multiple criteria including technical, environmental, ecological, archaeological, visual impact and health and safety considerations. A summary of these routes is set out below.

- (a) Section 1 (from northern CSEC to tower ZF312) Route A – shown green on the map at figure 3 below from the northern CSEC crossing over the Breakheart Plantation.
- (b) Section 2 (from tower ZF312 to tower ZF317) Route A - shown light blue on the map at figure 3 and moves westerly towards field boundaries and crossing the ZF OHL under span ZF312-ZF313. It then carries south-westerly across Cotswolds Way and the Common Land towards Section 3.

- (c) Section 2 Route B - shown yellow on the map at figure 3 and moves south parallel to the ZF OHL, which it crosses at span ZF313- ZF314. It then diagonally to the west across a field before carrying south-westerly and across Cotswolds Way and the Common Land towards Section 3.
- (d) Section 2 Route C - shown green on the map at figure 3 and is similar to Route B to where they cross the ZF OHL but then follows the OHL in parallel before it goes diagonally across the Common Land towards Section 3.
- (e) Section 3 (form tower ZF317 to southern CSEC) Route A - shown orange on the map at figure 3 and moves diagonally across a field and towards the westerly field boundaries and then carries on due south in-between the Cotswolds Way and Arle Grove. It then passes through a narrow strip of land before it reaches Ham Road and the southern CSEC.
- (f) Section 3 Route B - shown purple on the map at figure 3 and moves south along field boundaries until Arle Grove, where it meets Route A and follows the same alignment to the southern CSEC.
- (g) Section 3 Route C - shown light blue on the map at figure 3 and carries on down in a south, south-easterly direction until existing tower 318. It then continues south parallel to existing towers until existing tower ZF321 before turning nearly east and going across a number of fields in the area. It then turns south again and goes parallel to ZF OHL, around Arle Grove, passes next to Wood Farm and carries on south to the CSEC.
- (h) Section 3 Route D - shown green on the map at figure 3. As with Route C, the route goes around the top of the hill and then continuous south-easterly until it crosses the OHL. It then follows the OHL alignment and carries on south, quite similarly to Route C.

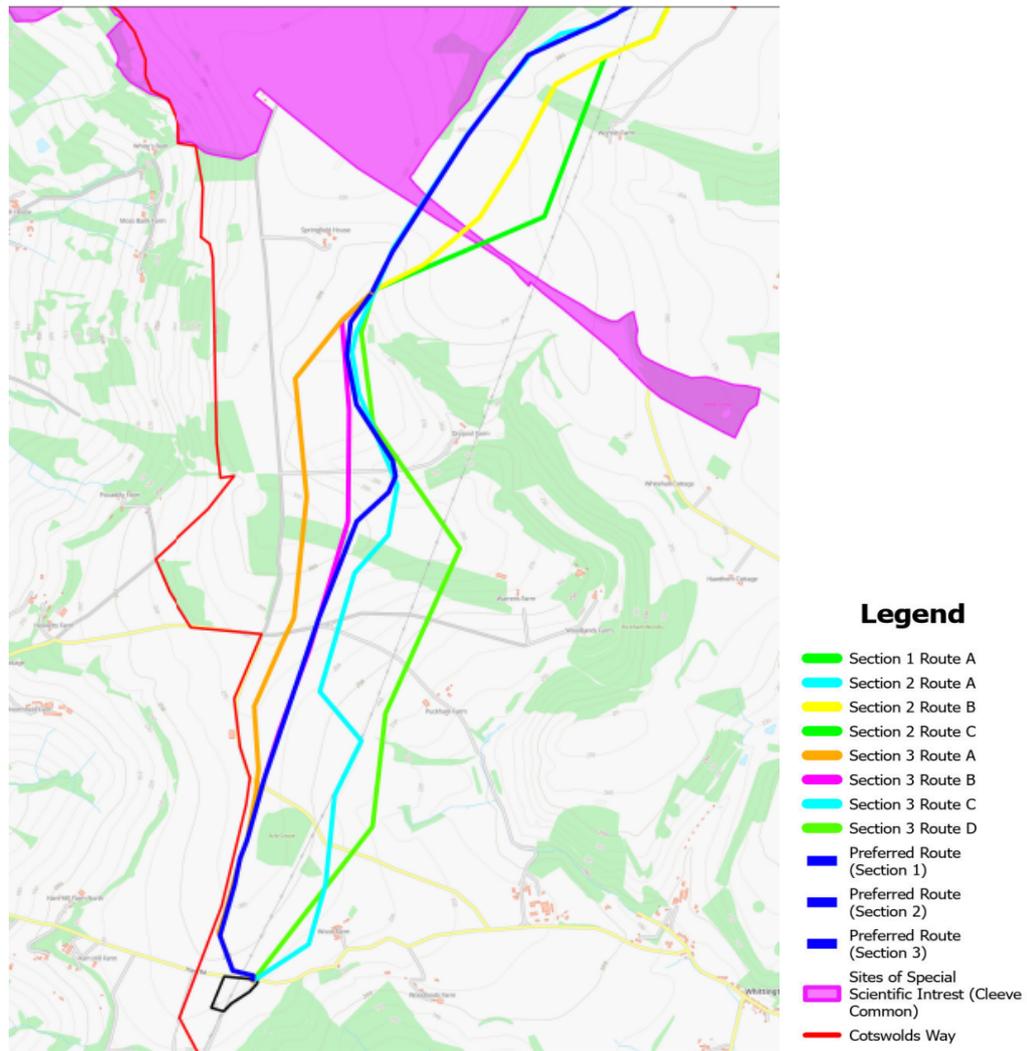


Figure 3: Cable Routes

10.2.12 Having carefully assessed the options against the above criteria, NGET concluded that the preferred cable route is a combination of the different routes shown in Figure 3, namely Route A for Section 1 and 2 and a combination of Route C for the first section and Route B for the remainder of Section 3.

10.2.13 NGET also considered the options for the siting of a shunt reactor unit (which as detailed in paragraph 2.4.5 above is required to control voltage in the transmission system), based around a shortlist of 6 options at 3 different existing NGET substations:

- (a) Melksham Option – This option would require an extension of the substation site to the west (part of the neighbouring golf course) and then an extension to the main and reserve bus bars to create a new shunt reactor bay in the newly extended part of the site. The underground cables are nearby and working space is available in the land identified.
- (b) Minety Option 1 – This option would involve an area of land to the south-east of the Minety substation, which is traditionally used as a laydown area for works at the site, being used to accommodate a shunt reactor bay.

- (c) Minety Option 2 – This would involve the creation of a new shunt reactor bay to the north-east of the substation site and would require an extension to the north of the existing site fence. The option may involve a section of cable through woodland (part of which would need to be cleared) to connect between the new bay and the substation bus bars. This option was identified as requiring a connection to a mesh corner of the substation site.
- (d) Bramley Option 1 – An option within the existing fence line of the Bramley substation was identified. This would involve the extension of the main and reserve bus bars using a gas insulated solution to keep the footprint compact enough to remain within the existing fence line.
- (e) Bramley Option 2 – An extension to the west of Bramley substation was also considered. This would involve extending the site fence line out over part of the adjacent ancient woodland that encircles the site. Then extending the main and reserve bus bars to create a new shunt reactor bay in the newly extended part of the site.
- (f) Bramley Option 3 - An extension to the east of Bramley substation was also considered. This would involve extending the site fence line out over part of the adjacent ancient woodland that encircles the site. Then extending the main and reserve bus bars to create a new shunt reactor bay in the newly extended part of the site.

10.2.14 NGET assessed the above options against the following criteria: technical issues, cost, environmental, health and safety management and future proofing considerations. Following its assessment, NGET concluded that Melksham was the preferred option.

10.3 Removal of Existing Electricity Lines & Pylons

10.3.1 There are limited alternatives available in terms of the removal of the existing overhead line.

10.3.2 The Order provides for a very limited but necessary degree of flexibility in terms of access routeing, scaffold positions and associated temporary dismantling infrastructure. However, the precise micro-siting will be carried out to minimise the impact on land interests, the environment, the local transport network and in order to accord with NGET's statutory duty to be economic, efficient and co-ordinated.

11. HUMAN RIGHTS & EQUALITY ACT 2010 CONSIDERATIONS

11.1 Human Rights Implications

11.1.1 The European Convention rights potentially applicable to the making of the Order are Articles 6 and 8 and Article 1 of the First Protocol (as contained in Schedule 1 to the Human Rights Act 1998).

11.1.2 Relevant parts of Article 1 of the First Protocol of the Convention provide:

"Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law".

- 11.1.3 Relevant parts of Article 8 of the Convention provide:
- "1. Everyone has the right to respect for his private and family life, his home and his correspondence.*
- 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of ... the economic well-being of the country ..."*
- 11.1.4 The Order has been made pursuant to Section 10 and Schedule 3 of the 1989 Act which authorises NGET to acquire land and new rights compulsorily subject to following the procedures laid down in the 1981 Act.
- 11.1.5 NGET is taking a proportionate approach to compulsory acquisition. Rather than acquiring the freehold title to all land comprised within the Order limits, NGET is seeking to acquire a combination of freehold title (including for the two CSECs), and permanent rights (such as the right to install and operate the buried cable, and the right to remove the existing overhead line).
- 11.1.6 NGET is seeking to acquire only those parcels of land and/or new rights which are absolutely necessary to facilitate delivery of the Cotswolds VIP Project.
- 11.1.7 NGET considers that there is a compelling case in the public interest that the new rights and land referred to in the Order be acquired in order to achieve the purposes described in this Statement.
- 11.1.8 If the Secretary of State agrees with NGET that there is a compelling case in the public interest, he or she may confirm the Order.
- 11.1.9 If the Order is confirmed, compensation may be claimed by persons whose interests in land have been acquired or whose possession of land has been disturbed proportionate to any losses that they incur as a result of the acquisition.
- 11.1.10 In the circumstances, if the Order is confirmed, it is considered that the compulsory acquisition of the land and new rights referred to in the Order will not conflict with Article 1 of the First Protocol or Article 8 of the European Convention as any interference with the rights will be in accordance with the law, justified and proportionate.
- 11.1.11 Relevant parts of Article 6 provide that:
- "1. In the determination of his civil rights and obligations ... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."*
- 11.1.12 So far as the Order is concerned, any owner, lessee or occupier of land included in the Order will be notified and may have the opportunity to make representations to the Secretary of State and to be heard at a public inquiry before a decision is made as to whether or not the Order should be confirmed, and would in any event have legal rights under the 1981 Act to challenge any order made on the relevant statutory grounds.
- 11.1.13 NGET is satisfied that there are no planning or financial impediments to the implementation of the Cotswolds VIP Project and that the Cotswolds VIP Project is therefore likely to proceed if the Order is confirmed.

11.1.14 For the reasons set out above, there is considered to be a compelling case in the public interest to proceed with the Order to facilitate the removal of the existing subsection ZF.2(B) of overhead line and pylons.

11.2 Equality Act 2010

11.2.1 Section 149 of the Equality Act 2010 requires due regard to be given to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2.2 The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

11.2.3 Although NGET is not directly subject to the public sector equality duty under section 149 of the Equality Act 2010 ("**PSED**"), information is provided in relation to the Project's interaction with it to assist the Secretary of State with their discharge of that duty.

11.2.4 In the event that NGET is required to confirm the CPO itself, the PSED will be applied as though NGET were subject to it.

11.2.5 The Project has been designed to run in proximity to the existing ZF 400kV overhead line, avoiding residential areas. As such the Project will keep the disruption to those living along the route to a minimum; this will not cause differential impacts to those individuals or groups of individuals who share a relevant protected characteristic.

11.2.6 NGET is undertaking negotiations with landowners impacted by the Order and has made particular efforts to avoid the need to use compulsory purchase powers by negotiating by private treaty.

11.2.7 NGET has carried out community engagement. NGET circulated its first community mailing explaining the Project in July 2022. NGET will continue to engage with the community as the Project progresses, to keep people up to date on its work. Nothing arose from the engagement to date that caused NGET to become concerned that the Project would have a disproportionate effect on any individuals or groups of individuals with protected characteristics. Regular engagement has also been taking place with key stakeholders since February 2022. Engagement with landowners affected first took place in September 2021.

11.2.8 In light of the above, NGET considers that the Order is appropriate in the context of the public sector equality duty set out in Section 149 of the Equality Act 2010.

12. CONCLUSION

12.1 This Statement sets out in Paragraphs 1 and 2 the nature of the Cotswolds VIP Project.

12.2 It summarises in Paragraph 3 the justification for the Cotswolds VIP Project and, in particular, at Paragraph 3.3 the public benefits that the Cotswolds VIP Project will secure to improve the landscape and visual setting of part of the Cotswolds National Landscape, and the involvement of national and local stakeholders in bringing this project forward.

This establishes the compelling case in the public interest for the use of compulsory acquisition powers by NGET.

- 12.3 In NGET's view, this compelling case in the public interest justifies the proportionate interference with, and the overriding of, the private interests of those in the Order Land as considered in Paragraph 11 given that NGET are seeking a proportionate approach to compulsory acquisition as described below.
- 12.4 In the majority of cases, the interests sought to be acquired are permanent subterranean rights within land which are not anticipated to be used by the respective landowners, and rights to access and dismantle the existing overhead electricity line, the latter of which will only be utilised on a temporary basis in order to remove the existing overhead line.
- 12.5 Accordingly, whilst these rights interfere with the ownership rights of the existing landowners, they do not deprive owners of their land and post-construction there will be little or no impact on the majority of the Order Land.
- 12.6 There is some limited freehold ownership being sought at the two CSEC sites in the north and south and at Melksham.
- 12.7 As detailed in Paragraph 6, NGET has been in negotiations with parties affected by the Project and has been negotiating for the freehold ownership of the acquisition sites since May 2024.
- 12.8 Notwithstanding the good progress made to date, NGET has planned a compulsory acquisition timetable as a contingency measure to provide certainty that all necessary land rights can be acquired within a reasonable timescale to enable the Cotswolds VIP Project to proceed, and also to address any unknown land rights and interests.
- 12.9 NGET has explained in Paragraphs 3.4 and 9.2 the funding basis for the Cotswolds VIP Project, addressing how sufficient funds will be available to both acquire all necessary land and rights, and also to enable the Project to proceed for the wider public benefit of the area.
- 12.10 In Paragraphs 7 and 8 it has been explained why there are no planning or other impediments to the Cotswolds VIP Project proceeding.
- 12.11 Whilst a number of other consents and certificates are required, these are either subject to outstanding applications which will be concluded shortly or will be determined in conjunction with the Order. Alternatively they are of the type which it is usual for contractors to obtain from the relevant local authority at a later stage in the construction programme.
- 12.12 Accordingly, and given that NGET is in active negotiations with all relevant parties including the Forestry Commission and other statutory undertakers, NGET does not anticipate any impediments to the Cotswolds VIP Project proceeding.
- 12.13 In light of all of the above considerations and in accordance with the statutory and all applicable policy tests, NGET has made the Order and will submit the Order to the Secretary of State for confirmation.

Dated: 8 April 2025

DLA Piper UK LLP, Solicitors for National Grid Electricity Transmission PLC

LIST OF DOCUMENTS:

In the event of a public inquiry being held in respect of the Order, NGET would intend to refer to or put in evidence the following documents:

1. The National Grid Electricity Transmission Plc (Cotswolds Visual Impact Provision Project) Compulsory Purchase Order 2025.
2. Map showing the proposed route and position of the Cotswolds VIP Project.
3. National Grid: Visual Impact Provision: Landscape and Visual Impact Assessment of Existing Electricity Transmission Infrastructure in Nationally Protected Landscapes in England and Wales (LVIP Technical Report).
4. Ofgem: Strategy for the next transmission price control – RIIO-T1 Outputs and incentives.
5. National Grid: Consumer Willingness to Pay research June 2012.
6. National Grid: Annex A6.04 – Willingness to pay report December 2019.
7. National Grid Electricity Transmission Electricity transmission licence: Special Conditions.
8. National Grid: Visual Impact Provision: 'How we intend to reduce the visual impact of existing electricity transmission lines in National Parks and Areas of Outstanding Natural Beauty' .
9. National Grid: Visual Impact Provision: Landscape and Visual Impact Methodology (LVIM).
10. LUC: National Grid Cotswolds VIP Project: Landscape and Visual Appraisal (LVA).
11. Accent: National Grid: Visual Impact Project Acceptability (Acceptability Testing Report 2018).
12. Eftec: National Grid: Visual Impact Provision Acceptability Testing – North Wessex Downs: Technical Report (Acceptability Testing Report 2022).
13. Dalcour Maclaren: Cotswolds VIP: Information Plans (Drawing numbers: 21006866_PLN_INFO_27.1 and 21006866_PLN_INFO_26.2)
14. National Grid: Guidance on Land Rights for New Electricity Transmission Assets (England and Wales) (GLR).
15. Such other documents as NGET considers necessary to respond to any objections.

Copies of these documents have been made available on the Cotswolds VIP Project website <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/cotswolds-project>.