

A417 Missing Link  
TR010056

4.1 Statement of Reasons (Rev 2)

Planning Act 2008

APFP Regulation 5(2)(h)  
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Procedure) Regulations 2009

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(Applications: Prescribed Forms  
and Procedure) Regulations 2009**

**A417 Missing Link**

Development Consent Order 202[x]

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**4.1 Statement of Reasons**

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# 1 Introduction

## 1.1 Summary

- 1.1.1 This Statement of Reasons (this Statement) relates to the A417 Missing Link (the scheme) and has been submitted by Highways England (the Applicant) to the Planning Inspectorate (PINS) acting on behalf of the Secretary of State for Transport (SoS).
- 1.1.2 The document provides information in support of an application for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (the Act) (as amended) to enable the implementation of the scheme. A detailed description of the scheme can be found in Environmental Statement (ES) Chapter 2 The Project (Document Reference 6.2, APP-033).
- 1.1.3 This Statement has been prepared in accordance with the requirements of regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) and the Planning Act 2008: 'Guidance related to procedures for compulsory acquisition of land' (DCLG, September 2013) (the CA Guidance).
- 1.1.4 The purpose of this Statement is to demonstrate that the powers of compulsory acquisition and temporary possession sought in the DCO are necessary, proportionate, justified, and that legislative and policy tests are met. Detail is provided concerning the extent and nature of the powers sought and how this is set out in the application documents.
- 1.1.5 The document has been updated and is correct as of Deadline 8 (6 May 2022) and is considered the final Statement of Reasons following changes that have emerged throughout the Examination of the scheme.

## 1.2 Scheme's qualification as a Nationally Significant Infrastructure Project

- 1.2.1 The scheme is a Nationally Significant Infrastructure Project (NSIP) under sections 14(1)(h) and 22(1)(a) of the Act.
- 1.2.2 Section 14(1)(h) of the Act defines an NSIP as highway-related development subject to falling within the criteria set out in section 22 of the Act.
- 1.2.3 Under section 22(1) of the Act, an NSIP for highway-related development must fall within one of three specified categories; construction, improvement or alteration of a highway.
- 1.2.4 The scheme is a new offline section of dual carriageway and therefore constitutes the "construction" of a highway within the meaning of section 22(1)(a) and meets the requirements of this definition under section 22(2) and 22(4) as follows:
- The highway will (when constructed) be wholly in England (section 22(2)(a));
  - Highways England (as the strategic highways company), will be the highway authority for the highway (section 22(2)(b)); and
  - The speed limit on the section of the A417 in the DCO boundary exceeds 50 mph and the area of development within the DCO boundary is 198.2 hectares, which is greater than 12.5 hectares (sections 22(2)(c) and 22(4)(b)).
- 1.2.5 As the scheme is an NSIP, development consent must be obtained from the SoS to authorise it, and an application for a DCO must be made to PINS who administer the DCO process on behalf of the SoS, under section 37 of the Act.

### 1.3 Purpose/need for Statement of Reasons

- 1.3.1 In its DCO application for the scheme, the Applicant seeks powers to enable the compulsory acquisition of land, acquisition or the creation of rights, and temporary possession. These are required to enable the scheme to proceed and also for maintenance to be undertaken. A detailed description of the powers sought is set out by reference to the DCO application documents in Chapter 3 of this Statement.
- 1.3.2 This Statement has been prepared in accordance with the requirements of regulation 5(2)(h) of the APFP Regulations, and the CA Guidance. This Statement is required because the DCO, if made, would authorise the compulsory acquisition of land, or of interests or rights in land, as well as confer on the Applicant the additional powers which are further described in Chapter 3.
- 1.3.3 This Statement should be read alongside other documents that relate to the compulsory acquisition powers sought as part of this application, including:
- Introduction to the Application (Document Reference 1.1a (Rev 7))
  - Land Plans (Document Reference 2.2 (Rev 3))
  - Special Category Land Plans (Document Reference 2.3 Rev 1), AS-037)
  - Works Plans (Document Reference 2.4 (Rev 2), REP4-007)
  - Draft DCO (Document Reference 3.1 (Rev 4))
  - Explanatory Memorandum (Document Reference 3.2 (Rev 2))
  - Funding Statement (Document Reference 4.2, APP-025)
  - Book of Reference (Document Reference 4.3 (Rev 2))
  - Case for the Scheme (Document Reference 7.1, APP-417)
  - Consents and Agreements Position Statement (Document Reference 7.2 (Rev 2))
- 1.3.4 This Statement serves to justify the taking of compulsory acquisition powers over land and rights, and the taking of temporary possession over land. A full justification against the relevant tests is set out in Chapter 5.

## 2 The scheme

### 2.1 Scheme overview

2.1.1 The A417/A419 is a strategic route between Gloucester and Swindon that provides an important link between the Midlands/North and South of England. The route is an alternative to the M5/M4 route via Bristol. The section of the A417 near Birdlip, known as the 'Missing Link', forms the only section of single carriageway along the route and is located in the Cotswolds Area of Outstanding Natural Beauty (AONB).

### 2.2 Road Investment Strategy 2

2.2.1 In 2014, the Department for Transport (DfT) announced its five-year investment programme for making improvements to the strategic road network (SRN) across England. This scheme is one of more than 100 schemes identified as part of the first Road Investment Strategy (RIS1) 2015-2020<sup>[i]</sup>. Funding for delivery of the scheme has been confirmed within the second Road Investment Strategy (RIS2)<sup>[ii]</sup>, which covers the period between 2020 and 2025 and was published on 11 March 2020.

2.2.2 RIS2 sets a long-term strategic vision for the road network. With that vision in mind, it then: specifies the performance standards Highways England must meet; lists planned enhancement schemes expected to be built; and states the funding that will be made available during the second Road Period (RP2), covering the financial years 2020/21 to 2024/25. In total, RIS2 commits the Government to spend £27.4 billion during RP2.

2.2.3 The scheme is identified in RIS2 in Part 3: Investment Plan, in the South and West section. It is referred to on pages 103 and 104 as a scheme committed in the RP2 funding period, citing the importance of the route to the local economy. RP2 provides funding for road schemes to start on site by 1 April 2025.

2.2.4 This scheme to upgrade this section of the A417 to dual carriageway, in a way that is sensitive to the surrounding AONB, would help unlock Gloucestershire's potential for growth, support regional plans for more homes and jobs, and improve life in local communities.

### 2.3 Scheme vision and objectives

2.3.1 The scheme vision is for a landscape-led highways improvement scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the Cotswolds AONB; reconnecting landscape and ecology; bringing about landscape, wildlife and heritage benefits, including enhanced visitors' enjoyment of the area; improving local communities' quality of life; and contributing to the health of the economy and local businesses.

2.3.2 In order to deliver this vision, the following scheme objectives have been set:

- **Safe, resilient and efficient network:** to create a high-quality resilient route that helps to resolve traffic problems and achieves reliable journey times

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<sup>[i]</sup> Department for Transport (March 2015), Road investment strategy: 2015 to 2020, accessed 29 January 2020, <https://www.gov.uk/government/publications/road-investment-strategy-for-the-2015-to-2020-road-period>

<sup>[ii]</sup> Department for Transport (March 2020), Road investment strategy: 2020 to 2025, accessed 11 March 2020, <https://www.gov.uk/government/publications/road-investment-strategy-2-ris2-2020-to-2025>

between the Thames Valley and West Midlands as well as providing appropriate connections to the local road network.

- **Improving the natural environment and heritage:** to maximise opportunities for landscape, historic and natural environment enhancement within the Cotswolds AONB and to reduce negative impacts of the proposed scheme on the surrounding environment.
- **Community & access:** to enhance the quality of life for local residents and visitors by reducing traffic intrusion and pollution, discouraging rat-running through villages and substantially improving public access for the enjoyment of the countryside.
- **Supporting economic growth:** to facilitate economic growth, benefit local businesses and improve prosperity by the provision of a free-flowing road giving people more reliable local and strategic journeys.

## 2.4 Scheme description

- 2.4.1 The scheme would provide 3.4 miles (5.5km) of new, rural all-purpose dual carriageway for the A417. The new dual carriageway would connect the existing A417 Brockworth bypass with the existing dual carriageway A417 south of Cowley. The new dual carriageway would be completed in-line with current trunk road design standards. The section to the west of the existing Air Balloon roundabout would follow the existing A417 corridor, but to the south and east of the Air Balloon roundabout, the corridor would be offline, away from the existing road corridor.
- 2.4.2 The scheme would include a new crossing near Emma's Grove for walkers, cyclists and horse riders including disabled users, which would accommodate the Cotswold Way National Trail. A new junction would be incorporated at Shab Hill, providing a link from the A417 to the A436 (towards the A40 and Oxford), and to the B4070 (for Birdlip and other local destinations).
- 2.4.3 A new 37m wide multi-purpose crossing would provide essential mitigation for bats and enhancement opportunity of ecology and landscape integration. The public would also further benefit as the crossing would accommodate the Gloucestershire Way and provide an improved visitor experience.
- 2.4.4 A new junction would be included near Cowley, replacing the existing Cowley roundabout, making use of Barrow Wake underbridge to provide access to local destinations. The use of Barrow Wake underbridge would allow for all directions of travel to be made.
- 2.4.5 The existing A417 between the existing Air Balloon roundabout and Cowley roundabout would be de-trunked for its entire length. Some lengths of the existing road would be converted into a route for walkers, cyclists and horse riders including disabled users. Other sections would be retained as lower-class public roads, maintaining local access for residents. Some of the route would be used to provide replacement Common Land.
- 2.4.6 A more detailed description of the scheme is provided in ES Chapter 2 The Project (Document Reference 6.2, APP-033).

## 2.5 Description of the land required and subject to compulsory acquisition powers

- 2.5.1 The location of the land required and subject to compulsory acquisition powers is shown on the Location Plan (Document Reference 2.1, APP-005).

- 2.5.2 The full extent of the land subject to powers of compulsory acquisition and required in order to enable the Applicant to construct, operate and maintain the scheme is shown on the Land Plans (Document Reference 2.2 (Rev 3)); the Works Plans (Document Reference 2.4 (Rev 2), REP4-007); and it is further described in the Book of Reference (Document Reference 4.3 (Rev 2)).
- 2.5.3 The land subject to powers of compulsory acquisition is set out in detail in Appendix A, together with a description of what each plot of land is required for.
- 2.5.4 The total area of land to be acquired permanently by the scheme is 1,585,923 square metres.
- 2.5.5 The total area of land to be used temporarily and rights to be acquired permanently by the scheme is 149,554 square metres.
- 2.5.6 The total area of land to be used temporarily by the scheme is 237,597 square metres.
- 2.5.7 The above figures are correct as of Deadline 8 (6 May 2022) and take account of design change proposals at Flyup 417 Bike Park which were introduced at Deadline 4 (4 February 2022).

## 2.6 The authorised works

2.6.1 A full description of the works and associated development, referred to in the draft DCO as the 'authorised works' is set out in Schedule 1 of the draft DCO (Document Reference 3.1 (Rev 4)) and shown on the Works Plans (Document Reference 2.4 (Rev 2), REP4-007). In summary the land required by the scheme will accommodate the following works:

- Work No. 1 – Construction of a new A417 dual carriageway road approximately 5.5 kilometres in length to include:
  - Construction of drainage attenuation basins to attenuate run off from the carriageway
  - Construction of compounds, haul and storage areas
  - Construction of a land drainage channels to manage surface water
  - Construction of 2 public laybys on the eastbound carriageway of the new A417 and 2 public laybys on the westbound carriageway of the new A417
  - Construction of drainage culverts and attenuation basins
  - Construction of an open channel with associated drainage facilities, access and landscaping
  - Realignment of the existing Dog Lane
  - Construction of a new connecting bridleway track between Dog Lane and the new Cold Slad Lane
  - Construction of wildlife crossings
  - Construction of a new local connecting road between the existing U41140 and the new A436 roundabout
  - Construction of a new underpass and a new private means of access at Grove Farm
  - Demolition of Woodside House
  - Demolition of Pinewood
  - Demolition of The Air Balloon Public House
  - Demolition of Crickley Hill Tractors
  - Construction of a new access track for a new private means of access at Alexander and Angel Ltd and Flyup 417 Bike Park

- Construction of a new access track for a new private means of access at Flyup 417 Bike Park
- Work No. 2 – Construction of a bridge for walking, cycling and horse riding over the main carriageway of the new A417
- Work No. 3 – Works to de-trunk the existing A417 from the A436 Roundabout to Cowley Roundabout to include:
  - Partial demolition of the existing A417 carriageway and creation of the proposed Air Balloon Way, with 3m of road surface retained and the replacement of the demolished section of carriageway with a 2m surface for non-motorised users and proposals for landscape planting
  - The creation of an access to Crickley Ridge and Emma's Grove which utilises part of the de-trunked A417
  - Creation of an unclassified road, access to car park between the unclassified road leading to Birdlip and the de-trunked A417
  - Creation of a new car park for disabled users in the vicinity of the junction between the existing A417 and Stockwell Lane to serve the proposed Air Balloon Way
  - Narrowing of the carriageway between Cowley roundabout and Stockwell junction
  - Creation of a new car park in the vicinity of the Golden Heart public house, providing parking for those wishing to access the Air Balloon Way
  - Widening of existing track connecting Barrow Wake car park to existing A417 and provision of a restricted byway
  - Provision of replacement Common Land
- Work No. 4 – Re-alignment of the existing A436 and a new connecting local road from the A436 roundabout to Shab Hill junction to include:
  - Construction of the A436 roundabout (Ullenwood roundabout)
  - Demolition of the Air Balloon roundabout
  - Realignment and widening of the existing C377 to Leckhampton Hill
  - Construction of a new connecting local road between the A436 roundabout and Shab Hill junction
  - Re-alignment of the existing A436 from the new A436 roundabout
  - Construction of drainage attenuation basins and associated facilities, access and landscaping
- Work No. 5 – Construction of a new 37 metre wide multi-purpose crossing which would provide essential mitigation for bats and enhancement opportunity of ecology and landscape integration. The public would also further benefit as the crossing would accommodate the Gloucestershire Way long distance path with provision also made for non-motorised users, connecting across the main carriageway of the new A417 and the realigned A436.
- Work No. 6 – Construction of a connecting local road between Shab Hill junction and B4070 at Birdlip to include:
  - Construction of a new roundabout at the junction of the unclassified road 47282 at Barrow Wake and the unclassified road 50852
  - The length of carriageway between the new roundabout at Barrow Wake to the junction of the B4070

- Construction of a new carriageway between the new Barrow Wake roundabout to the new Shab Hill junction
- Construction of wildlife crossing (mammal culvert)
- Construction of new carriageway south west of the new Shab Hill roundabout to its junction with Birdlip Radio Station Lane.
- Construction of a new carriageway south west of the new Shab Hill roundabout to its junction with Shab Hill Farm access
- Work No. 7 – Construction of a new grade separated junction at Shab Hill to include:
  - Construction of a new roundabout west of the main carriageway of the new A417
  - Construction of a new westbound on-slip from the main carriageway of the new A417, approximately 412 metres in length
  - Construction of a new westbound off-slip to the main carriageway of the new A417
  - Construction of a new link road and underbridge to connect the east and west roundabouts
  - Construction of a new eastbound off-slip from the main carriageway of the new A417
  - Construction of a new eastbound on-slip to the main carriageway of the new A417
  - Construction of a new roundabout east of the main carriageway of the new A417
  - Construction of a new unclassified road connecting the eastern roundabout at Shab Hill Junction to Birdlip Radio Station Lane
  - Construction of drainage attenuation basins with associated facilities, access and landscaping
- Work No. 8 – Construction of a new overbridge at Cowley Lane to include:
  - Construction of a realignment of the Unclassified Road U40859 (known as Cowley Lane) approximately 650 metres in length
  - Construction of a new overbridge at Cowley Lane to provide continued access for local traffic
  - Construction of stepped access between the overbridge and unclassified roads / public rights of way
- Work No. 9 – Construction of a new overbridge at Stockwell Farm to include:
  - Construction of a private means of access to Stockwell Farm
  - Construction of an overbridge to maintain access for the farm holding
  - Associated drainage features, landscaping and planting
- Work No. 10 – Construction of a new at grade junction at Cowley to include:
  - Construction of a new roundabout connecting westbound slips onto the local network
  - Construction of a realignment of the existing A417 connecting to the new roundabout
  - Construction of a realignment to the existing Climperwell Road
  - Construction of a westbound merge and diverge connecting roads from the main carriageway of the new A417
  - Closure and demolition of the existing Cowley roundabout



- Construction of an eastbound merge and diverge connecting roads from the main carriageway of the new A417
- Construction of a private means of access and restricted byway to join the stopped-up Cowley Wood Lane
- Construction of drainage attenuation basins, associated facilities, access and landscaping
- Ancillary works including:
  - Diversion of and extinguishment of utilities
  - Stopping up, diversion, reclassification and the provision of new public rights of way

## **2.7 Flexibility**

- 2.7.1 Due to the nature of the design process and timing of the consenting process, the Applicant requires a degree of flexibility as to where certain elements of the scheme can be constructed. This flexibility is defined through the limits of deviation which are provided for in the draft DCO and shown on the Works Plans (Document Reference 2.4 (Rev 2), REP4-007).
- 2.7.2 At this stage, all the land within the DCO Boundary is considered to be necessary to deliver the scheme. However, should it transpire that any part of the land is not required, for instance, as a result of the detailed design process, the Applicant would only seek to acquire that part of the land required.



## 3 Compulsory acquisition

### 3.1 Scope of compulsory acquisition powers sought

- 3.1.1 The purpose of the compulsory acquisition powers in the DCO is to enable the Applicant to construct, operate and maintain the scheme. The scope of the compulsory acquisition powers sought by the Applicant is set out in full in Part 5 of the draft DCO (Document Reference 3.1 (Rev 4)).
- 3.1.2 Section 122 of the Act provides that an order granting development consent may include provision authorising compulsory acquisition of land. To the extent that this is sought, the decision maker (the SoS) in respect of the application must be satisfied that certain conditions are met. The way in which the scheme meets these conditions is considered in Chapter 5 of this Statement.
- 3.1.3 In addition to the powers of compulsory acquisition, section 120 of the Act provides that the DCO may make provision relating to, or to matters ancillary to the development in respect of which a DCO is sought. The matters in respect of which provision may be made includes (but is not expressly limited to) matters listed in Schedule 5 of the Act, including:
- a. the acquisition of land, compulsorily, or by agreement (paragraph 1);
  - b. the creation, suspension or extinguishment of, or interference with, interests in rights over land, compulsorily, or by agreement (paragraph 2);
  - c. the abrogation or modification of agreements relating to land (paragraph 3); and
  - d. the payment of compensation (paragraph 36).

### 3.2 Main compulsory acquisition powers

- 3.2.1 The main powers authorising the compulsory acquisition of land, or interests in, or rights over land, are contained in Articles 24 (compulsory acquisition of land) and 27 (compulsory acquisition of rights and restrictive covenants) of the DCO. Table 1 within Appendix A of this Statement provides a description of the land which is subject to the powers of outright acquisition in terms of Article 24. The purpose for acquiring this land is to enable the Applicant to construct the permanent works on the land and other elements described in Appendix A.
- 3.2.2 Article 27 allows rights over land to be acquired instead of outright acquisition. This allows flexibility in approach and a potential reduction in the impact on the land interest. Compulsory acquisition of rights and the compulsory imposition of restrictive covenants is authorised by Article 27. Table 2 of Appendix A of this Statement provides a description of the land which is subject to the acquisition of rights or the imposition of restrictive covenants. These rights are necessary for the purposes of constructing the works and the maintenance of the works thereafter, ensuring that the operator of the finished scheme is able to fulfil their functions.
- 3.2.3 Other compulsory acquisition powers are sought in the DCO (identified below) and these similarly relate to land and will, or may, interfere with property rights and interests.
- 3.2.4 In addition, powers are sought in the DCO to enable the temporary possession and use of land and Table 3 of Appendix A of this Statement provides a description of such land.

- 3.2.5 In each case the owner of the land, or the interest or right in the land, may be entitled to compensation.

### **3.3 Other compulsory acquisition powers**

- 3.3.1 The other compulsory acquisition powers sought by the Applicant in the draft DCO include the following:

#### **Article 28: Public rights of way**

- 3.3.2 Article 28 allows for the extinguishment of public rights of way (PRoW) following the undertaker erecting a site notice at each end of the right of way to be extinguished no less than 28 days prior to the extinguishment of that right of way.

#### **Article 29: Private rights over land**

- 3.3.3 Article 29 allows for the extinguishment of all existing private rights over land from the earlier of the date of acquisition of the land or the date on which the Applicant enters the land.
- 3.3.4 The Article further provides that, where new rights are being compulsorily acquired or restrictive covenants are being imposed on land then any existing private rights or restrictive covenants which that land is subject to shall be extinguished to the extent that continuing those private rights or restrictive covenants would be inconsistent with the new right acquired or restrictive covenant imposed.
- 3.3.5 With regard to land that the Applicant may take temporary possession of under the DCO, Article 29 provides that all private rights over that land will be suspended and unenforceable for as long as the Applicant is in lawful possession of the land.
- 3.3.6 The power to extinguish existing rights is required to ensure that such rights do not interfere with the construction and operation of the scheme.
- 3.3.7 The Article provides that any person who suffers loss caused by the extinguishment or suspension of rights (pursuant to the exercise of the power in Article 29) is entitled to reasonable compensation.

#### **Article 32: Acquisition of subsoil or airspace only**

- 3.3.8 Article 32 provides that where the Applicant has, in respect of any land, powers of compulsory acquisition under Article 32 then it may, for the same purposes for which it is authorised to acquire the whole of the land, choose instead to acquire only the subsoil underneath, or airspace over the land. This power is included for flexibility as it would allow the Applicant to minimise its costs and/or impact to land interests by acquiring subsoil or airspace only where it is possible to do so and still deliver the scheme, leaving land interests in possession of the valuable part of the land.

#### **Article 33: Rights under or over streets**

- 3.3.9 Article 33 is not in a strict sense a power of compulsory acquisition. However, it is included here for completeness because it would authorise the Applicant to:
- a. enter on and appropriate so much of the subsoil underneath or airspace over any street within the limits of the DCO as may be required to provide the scheme; and

- b. use that subsoil or airspace for the purposes of carrying out the scheme or any purpose ancillary to it.

3.3.10 Save in the case of subways or underground buildings, or to cellars or similar structures forming part of a building fronting the street, the Applicant may exercise its powers under this Article without having to acquire any part of the street or any easement or right in the street.

### **Article 39: Special Category Land**

3.3.11 Article 39 would authorise the Applicant to acquire Special Category Land on the condition that suitable replacement land is acquired and vested with the relevant owners of the Special Category land that is being acquired.

## **3.4 Temporary possession powers**

3.4.1 The Applicant further seeks, in the DCO, powers to take temporary possession of land to carry out and thereafter maintain the scheme. Temporary possession powers are not compulsory acquisition powers. Table 3 in Appendix A of this Statement provides a description of the land which may be occupied temporarily. The powers of temporary possession in the DCO are as follows:

### **Article 34: Temporary use of land for carrying out the authorised development**

- 3.4.2 Article 34 would enable the Applicant to take temporary possession of:
- a. the land specified in column 1 and 3 of Schedule 7 to the DCO; or
  - b. any other land, so long as the Applicant has not executed a general vesting declaration to vest the land in question in itself or entered the land in question following a notice of entry.
- 3.4.3 In addition to taking possession of the land the Article 34 would authorise the Applicant to:
- a. remove buildings and vegetation from the land;
  - b. construct temporary works (including accesses) and buildings on the land; and
  - c. construct any permanent works specified in column 3 of Schedule 7 to the DCO, and any other mitigation works.
- 3.4.4 The power to take temporary possession would be subject to time limits under Article 25(2). The Applicant cannot remain in possession unless the owner of the land agrees:
- a. as regards to any land specified in columns (1) and (2) of Schedule 7 to the DCO, for more than a year after completing that part of the scheme specified in relation to that land in column 3 of Part 4 of Schedule 4; and
  - b. as regards to any other land within the DCO boundary, for more than a year after completing the work for which temporary possession was taken (unless before the end of that period the Applicant has made a vesting declaration or served notice of entry in relation to that land).
- 3.4.5 Article 34(4) provides that before giving up possession of any land the Applicant would be obliged to remove all temporary works and restore the land to the condition it was in on the date on which possession of the land was first taken or such other condition as may be agreed with the owners of the land.

### **Article 35: Temporary possession of land for maintaining the authorised development**

- 3.4.6 Article 35 would enable the Applicant to take temporary possession of any land within the Order limits, if reasonably required for the purpose of maintaining the scheme, at any time during the maintenance period, the period of five years from the date on which that part of the authorised development is first opened for use.
- 3.4.7 Article 35 would allow the Applicant to construct temporary works and buildings on the land, so far as reasonably necessary for the purpose of maintenance. The Applicant would not be able to take temporary possession of a house, or a garden belonging to a house, or any other occupied building under this Article.
- 3.4.8 The Applicant may only remain in possession of land under this Article for so long as may be reasonably necessary to carry out the maintenance of the part of the scheme for which possession was taken. Before giving up possession of land temporarily possessed under this Article, the Applicant would be required to remove all temporary works and restore the land to the condition it was in on the date on which possession of the land was first or such other condition as may be reasonably agreed with the owners of the land.
- 3.4.9 The powers to use land temporarily for carrying out the scheme ensures that appropriate work sites, working space and means of access are available for use during the construction and maintenance period and provides space for mitigation and other permanent works. This temporary power minimises the impact on land interests by ensuring that the Applicant does not have to acquire land it only requires temporarily.
- 3.4.10 The powers to use land temporarily for maintaining the scheme ensures that the land is available for maintenance works during a five-year period from when that part of the scheme is first opened for use. This is in the public interest as it ensures that it is possible to maintain the scheme and the public benefits it will deliver. Temporary powers are sought for this purpose as permanent powers would entail an excessive impact on land interests.

## **3.5 Other rights and powers**

- 3.5.1 In addition to powers of compulsory acquisition, if made the DCO would also confer other rights and powers on the Applicant that may interfere with property rights and private interests. The additional powers are explained in more detail in the Explanatory Memorandum (Document Reference 3.2 (Rev 2)) are:
- Article 11: Street works;
  - Article 15: Temporary stopping up and restriction of use of streets;
  - Article 16: Permanent stopping up and restriction of use of streets and private means of access;
  - Article 21: Discharge of water;
  - Article 22: Protective works to buildings;
  - Article 23: Authority to survey and investigate the land;
  - Article 25: Compulsory acquisition of land – incorporation of the mineral code;
  - Article 36: Statutory undertakers;
  - Article 37: Apparatus and rights of statutory undertakers in stopped up streets; and
  - Article 40: Felling or lopping of trees and removal of hedgerows.

3.5.2 In each case (for both the principal powers and other powers) the parties having interest in the land, or the interest or right in the land, may be entitled to compensation. Any dispute in respect of the compensation payable is to be determined by the Lands Chamber of the Upper Tribunal.

## 4 Land interests

### 4.1 How diligent inquiry has been used to identify and consult land interests

- 4.1.1 Diligent inquiry, under section 44 of the Act, was undertaken by the Applicant's land referencing supplier in identifying and listing affected landowners, those with interests in land, and those with a potential claim. Such persons are listed in the Book of Reference (Document Reference 4.3 (Rev 2)) and have been consulted about the DCO application in accordance with section 42 of the Act as described in the Consultation Report (Document Reference 5.1, APP-027).
- 4.1.2 The categories of persons that are required to be identified for the purposes of consultation and notification under sections 42 and 56 of the Act are prescribed in sections 44 and 57 as Categories 1, 2 and 3. Under the Act, diligent inquiry must be undertaken to identify persons who, by virtue of the nature of the interest they have in land, and the location of that land in relation to the land to which the application relates, come within Categories 1, 2 and 3.

### 4.2 Category 1 and 2 persons

- 4.2.1 Category 1 comprises owners, lessees, tenants (whatever the tenancy period) and occupiers of the land.
- 4.2.2 Category 2 comprises persons who are interested in the land or have the power to sell and convey, or to release, the land.
- 4.2.3 A Shapefile of the search area, being the proposed land requirements, was submitted to the Land Registry so that a search could be completed of the index map in 2015. Ongoing Land Registry searches have been used to ensure that any changes in Title were identified. A further refresh of the land registry information was undertaken in August 2019, June 2020, April 2021 and again in November 2021. The official copies of the Registered Titles and Plans were examined to identify all land interests. At completion of this initial desk-based exercise it was then possible to identify the extent of unregistered land interests.
- 4.2.4 In order to establish ownership of unregistered land that falls within the DCO boundary, public sources of information were used, such as site visits, the posting of site notices, the Planning Portal, Companies House website, the relevant Highways Authority records held by Statutory Undertakers, Electoral Registers and online resources. A land charges search was also carried out. Appendix C provides further details of the methods and photographic evidence of site notices as posted.
- 4.2.5 There is a presumption in law that a frontager to a highway owns the sub-soil to the half width of the highway unless it is known that it is in some other ownership. Therefore, where a length of road is to be stopped up within the route of the new highway or a highway to be improved, it has been necessary to acquire the site of the superseded highway from the adjoining frontagers. In such cases, adjoining plots have been extended to incorporate half widths of the roads to be stopped up. However, if the road to be stopped up is a modern one, or has been widened or improved at some stage, it is possible that all or part of the land is in the ownership of the SoS as a result of previous compulsory purchase. In all cases reasonably detailed enquiries have been made to establish ownership. This has been applied to relevant side roads along the scheme.



### 4.3 Category 3 persons

- 4.3.1 Category 3, as prescribed by sections 44 and 57 of the Act, comprises persons who the Applicant thinks would or might be entitled to make a "relevant claim" for compensation, if the order sought by the application were to be made and fully implemented. A "relevant claim" is defined in section 44(6) of the Act as meaning a claim under section 10 of the Compulsory Purchase Act 1965, or under Part 1 of the Land Compensation Act 1973, or under section 152(3) of the Act.
- 4.3.2 Identification of Category 3 Parties, under section 44(5) of the Act, was undertaken during the early stages of the scheme's development, in preparation for the DCO application, and will remain under review. However, it should be noted that identification by the Applicant is not a pre-requisite for a claim to be made and nor is it acceptance that there is a valid claim to be made.

#### **Persons who may fall under section 10 of the Compulsory Purchase Act 1965 and / or section 152(3) of the Act**

- 4.3.3 In assessing Category 3 parties falling under section 10 of the Compulsory Purchase Act or section 152(3) of the Act, a desk-based assessment and work with the Valuation Office Agency was carried out to identify properties that may have a claim. Land and property that ran adjacent to the DCO Boundary was examined for the possibility that the value of said land or interests may be devalued by physical interference with some legal right, due to the construction of the Project. In addition, site visits were used in order to assess properties that the team may not have been aware of from their desk-based assessment.
- 4.3.4 Furthermore, proposed new residential developments, identifiable from the Local Plan or from Local Authority information about developments with the benefit of Planning Permission were taken into account. There are no allocated sites or extant planning permissions that would be directly affected by the scheme within 500m of the DCO boundary. This is detailed further in ES Chapter 12 Population and Human Health (Document Reference 6.2, APP-043).

#### **Persons which fall under Part I of the Land Compensation Act 1973**

- 4.3.5 In assessing potential Part I claimants, physical factors and impacts were considered:
- Properties closest to the construction activities;
  - Category 1 persons identified as a receptor as a consequence of their dwelling house being located outside the DCO Boundary but close to the construction works; and
  - Impact of temporary works such as construction compounds or borrow pits.
- 4.3.6 The Applicant's land referencing team was provided with guidance from environmental specialists. This guidance was based on the topography of the land and the likely significant effects arising from the scheme. For example, the noise assessments had regard to information available at that time regarding:
- Background noise levels; and
  - Distances to receptors.
- 4.3.7 Based on the above information professional judgement was used to ascertain whether a person may have a relevant claim for compensation under section 57(4) of the Act, based on a worst-case assessment. Following guidance from environmental specialists and the District Valuer, a precautionary approach was

adopted to include all those who may experience a perceptible increase in noise of 3 decibel or greater from the existing background noise level to the predicted noise level were identified as Category 3 persons in the Book of Reference. Further details in relation to the noise assessments and other environmental assessments undertaken can be found in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042).

## **4.4 Contact referencing**

- 4.4.1 Following the initial non-contact methods above, identified parties were issued with a letter and questionnaire requesting return of information about land in which they may have an interest. This was then followed up by telephone and letter with the offer of a face-to-face meeting. The questionnaires were accompanied by plans showing land interest plot boundaries. The questionnaire and specific plot plans sought confirmation of the detailed boundaries and interests.
- 4.4.2 The questionnaires, cover letter and landowner plot plans were issued to persons with an interest in the land on 17 July 2019. A second set of questionnaires with plans were issued 11 September 2019, third set on the 6 November 2019, fourth set on the 4 January 2020 and a fifth set on the 7 July 2020. Copies of the questionnaire template, cover letter sent with the questionnaire and an example landownership plot plan are set out in Appendix C of this Statement.

## **4.5 Negotiation to acquire by agreement**

- 4.5.1 As well as consulting all persons with an interest in the land about the scheme proposals in accordance with section 42 of the Act, the Applicant is aware of the requirement (paragraph 25 of the CA Guidance) to seek to acquire land by negotiation wherever practicable. The power to acquire land compulsorily should only be sought if attempts to acquire by agreement fail.
- 4.5.2 At the same time, the Applicant notes that the CA Guidance also recognises that where proposals would entail the compulsory acquisition of many separate plots of land, it may not always be practicable to acquire each plot of land by negotiated agreement. As the CA Guidance states, "Where this is the case, it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset."
- 4.5.3 The Applicant has engaged with all landowners and occupiers with a view to acquiring their land interest by agreement by writing to them to inform them of the Applicant's willingness to negotiate to acquire their land by agreement, and to invite dialogue on this point. As a result, the Applicant is in the process of engaging with landowners with regard to the acquisition of land by agreement; and negotiations to achieve this will be ongoing throughout the DCO process. The status of such negotiations is set out in Appendix B to this Statement which has been updated and is correct as of Deadline 8 (6 May 2022)..
- 4.5.4 Whilst negotiations are ongoing, the Applicant is mindful that it is under a duty to acquire land at best value and that it is required to deliver the scheme within a specified timescale. It has concluded that it may not be possible to acquire by agreement all land interests necessary to deliver the scheme within this timescale. In addition, there is one parcel of land in unknown ownership which cannot be acquired by agreement. The National Trust is unable to sell the freehold of any land it holds inalienably and therefore compulsory acquisition powers will be required to secure the acquisition of such land. The Applicant has



therefore concluded that the Scheme is unlikely to be capable of being delivered without compulsory acquisition powers. Further details regarding National Trust land are provided in section 7.6.

## 4.6 Utility diversions

4.6.1 A number of existing utility services are located in the surrounding area that would be affected by the scheme. The relevant major utility diversions are summarised below and have been defined as specific works within the authorised development, listed in Schedule 1 of the draft DCO. These works are also shown on the Works Plans (Document Reference 2.4 (Rev 2), REP4-007).

- a. Work No. 11 – the diversion of 223 metres of power cables at the location shown on sheet 1 of the works plans.
- b. Work No. 12 – the diversion of the diversion of 753 metres of telecoms equipment at the location shown on sheets 1 and 2 of the works plans.
- c. Work No. 13 – the diversion of 624 metres of water pipeline at the location shown on sheets 1 and 2 of the works plans.
- d. Work No. 14 – the diversion of 38 metres of power cables at the location shown on sheet 1 of the works plans.
- e. Work No. 15 – the diversion of 310 metres of power cables at the location shown on sheets 2 and 3 of the works plans.
- f. Work No. 16 – the diversion of 632 metres of power cables at the location shown on sheets 1 and 2 of the works plans.
- g. Work No. 17 – the diversion of 583 metres of telecoms equipment at the location shown on sheets 1 and 2 of the works plans.
- h. Work No. 18 – the diversion of 69 metres of telecoms equipment at the location shown on sheet 2 of the works plans.
- i. Work No. 19 – the diversion of 242 metres of power cables at the location shown on sheet 2 of the works plans.
- j. Work No. 20 – the diversion of 258 metres of power cables at the location shown on sheet 2 of the works plans.
- k. Work No. 21 – the diversion of 47 metres of power cables at the location shown on sheet 2 of the works plans.
- l. Work No. 22 – the diversion of 35 metres of power cables at the location shown on sheet 2 of the works plans.
- m. Work No. 23 – the diversion of 2670 metres of telecoms equipment at the location shown on sheets 2, 3 and 4 of the works plans.
- n. Work No. 24 – the diversion of 102 metres of water pipeline at the location shown on sheet 2 of the works plans.
- o. Work No. 25 – the diversion of 1169 metres of telecoms equipment at the location shown on sheets 2 and 4 of the works plans.
- p. Work No. 26 – the diversion of 95 metres of telecoms equipment at the location shown on sheet 2 of the works plans.
- q. Work No. 27 – the diversion of 292 metres of telecoms equipment at the location shown on sheets 2 and 4 of the works plans.
- r. Work No. 28 – the diversion of 393 metres of power cables at the location shown on sheets 3 and 4 of the works plans.
- s. Work No. 29 – the diversion of 258 metres of telecoms equipment at the location shown on sheet 4 of the works plans.
- t. Work No. 30 – the diversion of 67 metres of water pipeline at the location shown on sheet 3 of the works plans.

- u. Work No. 31 – the diversion of 142 metres of telecoms equipment at the location shown on sheet 4 of the works plans.
- v. Work No. 32 – the diversion of 383 metres of power cables at the location shown on sheet 5 of the works plans.
- w. Work No. 33 – the diversion of 670 metres of telecoms equipment at the location shown on sheet 5 of the works plans.
- x. Work No. 34 – the diversion of 925 metres of telecoms equipment at the location shown on sheet 6 of the works plans.
- y. Work No. 35 – the diversion of 862 metres of water pipeline at the location shown on sheet 6 of the works plans.
- z. Work No. 36 – the diversion of 311 metres of telecoms equipment at the location shown on sheet 6 of the works plans.

## 5 The case for compulsory acquisition

### 5.1 Introduction

5.1.1 This chapter explains why the Applicant considers that the conditions in section 122 of the Act and which are reflected in the tests set out in the CA Guidance, are satisfied.

### 5.2 The statutory conditions and CA Guidance

5.2.1 Section 122 of the Act states that:

*"An order granting development consent may include provision authorising the compulsory acquisition of land only if the SoS is satisfied that the conditions in subsections (2) and (3) are met."*

5.2.2 The conditions in subsections (2) are that:

- The land is required for the development to which the development consent relates;
- The land is required to facilitate or is incidental to that development; or
- The land is replacement land which is to be given in exchange for the order land under section 131 or section 132 of the Act.

5.2.3 The conditions in subsection (3) is that there is a compelling case in the public interest for the land to be acquired compulsorily.

5.2.4 The CA Guidance (paragraph 11) sets out the considerations which the SoS will take into account in deciding whether the condition in subsection (2) has been met. It states:

- a. In respect of whether the land is required for the development, the Applicant should be able to demonstrate to the satisfaction of the SoS that the land in question is needed for the development. The SoS will need to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development.
- b. In respect of whether the land is required to facilitate or is incidental to the proposed development, the SoS will need to be satisfied that the development could only be carried out to a satisfactory standard if the land in question were to be compulsorily acquired and that the land to be taken is no more than is reasonably necessary for that purpose and that it is proportionate.
- c. In respect of whether the land is replacement land, the SoS will need to be satisfied that the compulsory acquisition is needed for replacement land, that no more land is being taken than is reasonably necessary for that purpose and that it is proportionate.

5.2.5 In respect of the condition in subsection (3), the CA Guidance states at paragraphs 12 and 13 that "the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired".

5.2.6 Paragraphs 8 to 10 of the CA Guidance are also relevant, setting out a number of general considerations to be taken into account by the Applicant in seeking compulsory acquisition powers:

- a. That all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored;
- b. That the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate;
- c. That the Applicant has a clear idea of how they intend to use the land which is to be acquired;
- d. That there is a reasonable prospect of the necessary funds for acquisition becoming available; and
- e. Those purposes for which the compulsory acquisition powers are included in the application are legitimate and sufficiently justify interfering with the human rights of those with an interest in the affected land.

5.2.7 Finally, paragraph 25 of the CA Guidance states that Applicants should seek to acquire land by negotiation wherever practicable.

### **5.3 Need for the land and purposes for which compulsory acquisition powers are sought**

- 5.3.1 Paragraph 2.2 of the National Policy Statement for National Networks (NPSNN) states that there is a "critical need" to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. It goes on to state that improvements may also be required to address the impact of the national networks on quality of life and environmental factors.
- 5.3.2 The way in which the strategic objectives of the scheme are aligned with the NPSNN is set out in detail in the Case for the Scheme (Document Reference 7.1, APP-417). The Case for the Scheme also provides a detailed account of how the scheme complies with the policy requirements of the NPSNN. This clearly demonstrates that there would be substantial public benefits arising from the implementation of the scheme.
- 5.3.3 The Applicant is satisfied that the conditions set section 122(2) 7of the Act are being met with the land which is proposed to be subject to compulsory acquisition powers either needed for the scheme, needed to facilitate the scheme, or is incidental to the scheme.
- 5.3.4 Appendix A of this Statement includes a description of what land will be used for with reference to individual plots as shown on the Land Plans (Document Reference 2.2 (Rev 3)).
- 5.3.5 Where the scheme requires the acquisition of Special Category Land, the need for replacement land under sections 131 and 132 of the Act is described in Chapter 7 and further considered in Appendix D of this Statement.
- 5.3.6 The Applicant considers that the land included in the DCO is the minimum land-take required to construct, operate, maintain and mitigate the scheme and is therefore necessary to achieve the objectives of the scheme. The Applicant has sought to achieve a balance between minimising land take wherever possible and securing sufficient land to ensure delivery of the scheme, noting the sensitive environment through which the scheme passes, the requirement to deliver high environmental standards in accordance with the NPSNN, and noting that the detailed design of the scheme has yet to be developed. In this context, the limits

of the land have been defined as tightly as possible and design iterations have reviewed design in order to avoid unnecessary land take wherever possible. In the event that less land is required following the detailed design stage, the Applicant would only seek to acquire the land that is required and, in all events, will seek to minimise the effects on landowners.

- 5.3.7 The compulsory acquisition powers are also required to override any existing rights and interests in the land as well as grant the right to take temporary possession of land for construction and maintenance purposes. Again, without these rights over the land, the scheme cannot be delivered.
- 5.3.8 The Applicant is accordingly satisfied that the land to be taken is reasonable and proportionate.

## 5.4 Compelling case in the public interest

- 5.4.1 This Statement sets out the reasons for the inclusion of compulsory acquisition powers in the DCO. It explains it is necessary to include compulsory powers in the DCO so that the Applicant can acquire the land required for the construction of the scheme that it not already in its possession. It also explains why powers of compulsory acquisition are necessary to enable the Applicant to use land temporarily, and acquire or extinguish rights over land in order to construct the scheme in a way that is both proportionate and in the public interest by reducing environmental impacts, minimising costs to the Applicant (and hence the public purse) and mitigating the impact on land interests. This compelling case is evidenced further in the wider documentation that accompanies the application.
- 5.4.2 The Applicant is satisfied that the condition set out in section 122(3) of the 2008 Act is met.
- 5.4.3 The need for and justification for the scheme is set out in the Case for the Scheme (Document Reference 7.1, APP-417). This document demonstrates that there is a compelling case in the public interest for the scheme to be delivered. In summary, the compelling case in the public interest is categorised by the objective of the scheme to which they relate.

### *Safe, resilient and efficient network:*

- The scheme is forecast to result in a large reduction in the number of Killed or Seriously Injured (KSI) casualties, with 66 fewer fatalities and 201 fewer seriously injured forecast.
- A reduced gradient on Crickley Hill in line with modern highways standards (Design Manual for Roads and Bridges) and the introduction of a 'crawler' lane up Crickley Hill for slower-moving vehicles to prevent unsafe overtaking.
- The introduction of a grade-separated junction at Shab Hill to facilitate the continued flow of through-traffic and safe entry and exit from the A417.
- Junctions designed to meet forecast capacity to reduce congestion.
- Provision of segregated crossings for PRoW that cross the scheme, including the Cotswold Way National Trail and the Gloucestershire Way footpath which enable safe crossings of the A417, address existing severance, and improve accessibility.
- Creation of the 'Air Balloon Way' between Cowley junction at the Golden Heart Inn and Barrow Wake to provide a motor traffic free route through the Cotswolds AONB for walkers, cyclists and horse riders.

- Reduction in rat running through local communities and the use of local roads by inappropriate traffic.

*Improving the natural environment and heritage:*

- Integrating landscape and habitat creation: 6.8 miles of new Cotswold drystone walls; 5.61 miles of new hedgerows; 25.57ha of new native woodland; 4.34ha of new scrub, e.g. small bushes and trees; 7.6ha of new species-rich neutral grassland; and 75.41ha of new/ restored limestone grassland.
- Repurposing the existing A417 with a recreational route (the Air Balloon Way) and reducing the width of the former carriageway to provide a wide strip of land which would be planted with woodland and sown to establish rich calcareous grassland with biodiversity and landscape benefits.
- Through the multi-purpose Gloucestershire Way crossing, provide planting and hedgerows to help bats and other animals such as badgers and barn owls to cross safely.
- Habitat 'stepping-stones' are proposed to improve ecological connections between the Crickley Hill and Barrow Wake SSSI and Ullen Wood via the Gloucestershire Way crossing.
- Provision of an architectural 'landmark' bridge at the Cotswold Way crossing.
- The extension of Ullen Wood (ancient woodland) by planting a large area of native deciduous woodland.
- The scheme layout and design would enhance the tranquillity and dark skies of the AONB (special qualities) as the road carriageway would be sunk into the landscape reducing noise pollution, light spill and skyglow as a result. This would also remove the visual disturbance of moving vehicles across this part of the AONB.
- Increased tranquillity would be experienced at Crickley Hill as result of the reduced gradient of the road meaning vehicles would be able to cross the escarpment with less effort and less engine noise.
- Improved air quality and reduced pollution caused by congestion.
- Exposure of important geological features.

*Community and access:*

- A motor traffic-free crossing of the Cotswold Way National Trail via the new Cotswold Way crossing. This would enable users of the Cotswold Way National Trail to safely cross the A417 (meaning users of this National Trail would no longer have to cross the A417 at-grade as they currently do). The crossing would be of a high-quality architectural style and include a resting area. It would reconnect the Cotswold Way National Trail, and provide better links to Emma's Grove, the Gloucestershire Way and the proposed new Air Balloon Way.
- A motor traffic-free crossing of the Gloucestershire Way via the Gloucestershire Way crossing, enabling walkers, cyclists, and horse riders, including disabled users to safely cross the A417. This would improve access to places of historical interest, such as at Emma's Grove and Barrow Wake and link key landscape features in the area, including Ullen Wood, Emma's Grove and the new Air Balloon Way.
- A Grove Farm underpass to provide a safe north-south crossing of the A417 where there is existing severance that acts as a barrier to non-motorised users.

- Improvements to Barrow Wake car park with landscaping, resurfacing and introducing greater natural surveillance by the re-routing of the B4070, which has the potential to discourage anti-social behaviour, which is an existing problem at that location.
- Provision of a new parking areas as part of the repurposed A417 for users of the Air Balloon Way and help redistribute parking in the area to help reduce existing recreational pressures on environmentally sensitive locations such as at Barrow Wake and Crickley Hill Country Park. Located near the Golden Heart Inn and Stockwell Lane, the new car parks would include disabled and horse box spaces to provide improved access for all users.
- Reduced noise impacts. Overall a greater number of households will experience a decrease in traffic noise compared to the number of households that will experience an increase.
- Reduced rat-running through the villages of Birdlip and Cowley due to a more free-flowing carriageway and the design of junctions to prevent/deter such routing.

*Supporting economic growth:*

- Total monetised transport user benefits of £255.8 million are primarily a result of journey time savings forecast.
- The scheme is forecast to provide significant wider economic benefits of £140.3 million.
- Forecast business user journey time reliability benefits of £39.9 million, representing an improved ability to plan business journeys and for transport providers to schedule business operations.
- Forecast commuting and other user journey time reliability benefits of £30.6 million, representing an improved ability for employees to arrive at work on time and to keep to appointment times.
- Significant accident benefits valued at £64.9 million.
- Delivery of priority infrastructure required to enable delivery of the Joint Core Strategy plans for strategic economic growth and housing development in Gloucestershire.

5.4.4 The way in which the scheme conforms with the NPSNN is set out in detail in Chapter 6 of the Case for the Scheme (Document Reference 7.1, APP-417). This includes an assessment of the scheme against the relevant 'assessment principles' set out in the NPSNN. It then assesses the scheme against the relevant 'generic impacts' set out in the NPSNN and identified how these have been addressed in the DCO application.

5.4.5 Four topics within the generic impacts are considered to be of particular importance when making the case for the scheme and considering the case in the public interest for compulsory acquisition of land. This reflects the nature of the proposals and the sensitive location within environmental designated areas, including the Cotswolds AONB and the Crickley Hill and Barrow Wake SSSI. As such, Chapters 7 – 10 of the Case for the Scheme (Document Reference 7.1, APP-417) include a detailed assessment of the scheme against these impacts as below:

- Chapter 7: Development proposed within nationally designated areas
- Chapter 8: Biodiversity and ecological conservation
- Chapter 9: Special Category Land
- Chapter 10: Historic Environment



- 5.4.6 In addition, a full assessment of how the scheme conforms with the NPSNN is set out in the National Policy Statement for National Networks (NPSNN) Accordance Table at Appendix A of the Case for the Scheme (Document Reference 7.1, APP-417).

## 5.5 Consideration of alternatives

- 5.5.1 As explained in Chapter 3 of the Consultation Report (Document Reference 5.1, APP-027); ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034) and Chapter 2, Section 2.2 of the Case for the Scheme (Document Reference 7.1, APP-417), the Applicant has explored alternatives options for the scheme.
- 5.5.2 In designing the scheme and determining the land subject to compulsory acquisition and temporary possession powers, the Applicant has considered alternatives and modifications to the scheme to minimise the potential land-take. These alternatives and modifications were consulted on and the preferred route has been chosen based on a thorough consideration of relevant issues. This process is described in detail in ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034) and Chapter 2 of the Case for the Scheme (Document Reference 7.1, APP-417).
- 5.5.3 Following public consultation, the Applicant selected the most appropriate option and announced the preferred route. At the time of the announcement, the Applicant published the Scheme Assessment Report (Document Reference 7.4, APP-420) and the Route Options Consultation Report (March 2019) (Document Reference 7.5, APP-421) and these provide further information on how the decision was reached. This decision took account of various factors, including, amongst others, views of consultees, including persons with a land interest. Other factors included environmental impacts, meeting the objectives of the scheme, affordability, value for money, safety, construction and operational considerations.
- 5.5.4 In reaching a decision on the preferred route, the Applicant appraised an initial 30 options and alternatives against a number of key criteria including, engineering, value for money and affordability, economic factors, environmental factors and social factors. This included the consideration on both tunnel and surface options.
- 5.5.5 Following the appraisal, tunnel options were shown to give poor value for money and the surface options considered outperformed tunnel options. The two highest scoring surface options were therefore taken forward to option selection stage. The detailed reasoning behind the selection of the preferred option is set out in the Scheme Assessment Report (Document Reference 7.4, APP-420). In summary, the preferred option received greater support through public consultation and would provide a safer and higher quality road for all road users and road workers.
- 5.5.6 Since the announcement of the preferred route, design development and the consideration of alternatives has continued with various alternative designs considered for the A436, and subsequent design development post-statutory consultation in 2019. Many of the design developments incorporated into the scheme have sought to limit the effect on land. These changes are described further in ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034).
- 5.5.7 In considering the scheme against the key requirements of the NPSNN, it is concluded that the selection of the scheme from reasonable alternatives, and the



proposed mitigation measures as detailed within the ES (Document Reference 6.2, APP-031 to APP-049) will minimise adverse impacts.

## **5.6 Reasonable prospect of funding**

- 5.6.1 The Applicant is content that there is reasonable prospect of the necessary funds for acquisition being available for the reasons set out in the Funding Statement (Document Reference 4.2, APP-025).

## **5.7 Acquisition by agreement**

- 5.7.1 The Applicant recognises that the power to acquire land compulsorily should only be sought if attempts to acquire by agreement fail. However, the Applicant notes that the CA Guidance recognises that, in some cases, it may not always be practicable to acquire each plot of land by agreement. Where this is the case, the CA Guidance confirms that it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset. It also recognises that in some cases it may be preferable, or necessary, to acquire land compulsorily rather than by agreement.
- 5.7.2 Through Chapter 5 and Appendix B of this Statement, the Applicant has outlined discussions that have taken place with landowners and occupiers to acquire the land necessary for the scheme by agreement. It is satisfied that compulsory acquisition and temporary possession powers are required to ensure that the scheme can be delivered in a reasonable timescale and in the event that it does not prove possible to acquire all of the land by agreement.

## **5.8 Conclusions**

- 5.8.1 The Applicant is satisfied that the conditions in section 122 of the 2008 Act are met and that the tests in the CA Guidance are satisfied.
- 5.8.2 All of the land subject to compulsory acquisition and temporary possession powers is necessary to construct, operate, maintain and mitigate the scheme; and necessary to achieve the objectives of the scheme. The extent of the land sought is reasonable and proportionate.
- 5.8.3 There is a compelling case in the public interest to include the compulsory acquisition powers sought by the Applicant in the DCO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required. In the absence of compulsory powers, the Applicant considers that it would not be possible to proceed with the scheme, and benefits of the scheme would not be realised.

## 6 Human Rights Act and evidence of compliance

### 6.1 Human Rights Act

- 6.1.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (the “Convention”). It includes provisions in the form of Articles which aim to protect the rights of the individual.
- 6.1.2 Paragraph 10 of the CA Guidance sets out how Applicants should take into account Human Rights:
- “The Secretary of State must ultimately be persuaded that the purposes for which an order authorises the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected. In particular, regard must be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of acquisition of a dwelling, Article 8 of the Convention.”*
- 6.1.3 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights. The relevant articles can be summarised as follows:
- Article 1 of The First Protocol ‘Protection of Property’– protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest.
  - Article 6 of the Convention Rights and Freedoms ‘Right to a fair trial’ – entitles those affected by compulsory powers to a fair and public hearing.
  - Article 8 of the Convention of Rights and Freedoms ‘Right to respect for private and family life’ – protects the right of the individual to respect for his private and family life, his home and his correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- 6.1.4 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the Convention.
- 6.1.5 The DCO, if made, may infringe the human rights of persons with an interest in land. This infringement is authorised by law provided that:
- There is a compelling case in the public interest for the compulsory acquisition powers included within the DCO, and that proper procedures are followed.
  - Any interference with a human right is proportionate and otherwise justified.
- 6.1.6 Of the land being acquired by the scheme, the following plots are considered in detail because the acquisition affects either residential or commercial properties.
- 6.1.7 There are six occurrences of the scheme acquiring land or rights directly from residential property. Two residential properties (Woodside House and Pinewood) are to be demolished as part of the scheme. This demolition is required in order to construct the widened mainline of the existing A417 and also to construct the underpass at Grove Farm.
- 6.1.8 In addition, rights and land are being acquired from four residential properties known as Crickley Ridge, Fernbank, Half Acre and Holly Brea.
- 6.1.9 There are four occurrences of the scheme acquiring land or rights directly from business property. Two business premises (the Air Balloon Public House and

Crickley Hill Tractors) are proposed to be demolished as part of the scheme. This demolition is required in order to construct the widened mainline of the existing A417 as well as associated drainage infrastructure and attenuation basins.

- 6.1.10 In addition, there are two businesses (Rushwood Kennels and Flyup 417 Bike Park) affected by the scheme (on which residential properties are also located). No demolition of the residential property associated with these businesses is proposed.
- 6.1.11 A schedule of negotiations and communications with each landowner is provided in Appendix B of this document with a summary provided below. This has been updated and is correct as of Deadline 8 (6 May 2022) and is considered to present the final position on negotiations as part of the Examination process.

## 6.2 Residential property

### Woodside House, plot number 2/12

- 6.2.1 The residential dwelling known as Woodside House is proposed for demolition. The land is required for the construction and operation of the main carriageway of the A417. All interests and rights are to be acquired in approximately 4,497 square metres of land forming part of a private garden and a private access road leading to land currently occupied by Grove Farm, with non-coniferous trees and Badgeworth Footpath (89), immediately north-east of Grove Farm and south of Crickley Hill.
- 6.2.2 The acquisition and interference with rights in this location is to allow the construction of the widened section of the existing A417, associated planting and drainage. It has not been possible to design the scheme to avoid the need to demolish the residential property. The land is essential to the construction of the scheme.
- 6.2.3 Highways England consulted on two possible route options (Option 12 and Option 30) which were selected following extensive investigation of possible route options. Both Option 12 and Option 30 required the demolition of Woodside House. The options assessment process is set out in ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034).
- 6.2.4 The Applicant has now acquired the freehold of this property after a blight claim was submitted and accepted.

### Pinewood, plot number 2/10f

- 6.2.5 The land to be acquired consists of the house, an area of woodland, garden and driveway within the curtilage of the residential property known as Pinewood.
- 6.2.6 The demolition of Pinewood and acquisition of land and interference with rights in this location is required for the construction of the new Grove Farm underpass from Cold Slad Lane under the A417. This route of access is required for Grove Lodge, vehicle access to Grove Farm, maintenance access to telecoms masts and maintenance access for the attenuation basin to be located there.
- 6.2.7 The landowners have submitted a blight claim for Pinewood which has been accepted by the Applicant. Contracts have been exchanged with completion of the transaction set for winter 2022, allowing for the business and occupiers to relocate.

**Holly Brea, plot number 1/3d**

- 6.2.8 An area of field adjacent to the residential dwelling known as Holly Brea is required for the scheme. This area of land lies to the north of the eastbound layby at the base of Crickley Hill immediately prior to the start of the incline of the hill. This area is required on a permanent basis for essential mitigation planting.
- 6.2.9 The westerly attenuation basin is connected to the existing A417 drainage infrastructure via an overflow pipe that requires a permanent right to be acquired. The route of this overflow pipe has been established in consultation with the landowner to reduce the land required for the scheme and to reduce the impact on their land ownership.
- 6.2.10 The land and rights sought by the Applicant will not affect the ability of the landowner or any occupier to continue to use and occupy the property in the same way that they do now. There will therefore be no impact on their Convention rights.

**Crickley Ridge, plot number 2/15**

- 6.2.11 Agricultural land adjoining the residential property known as Crickley Ridge is required for the construction and operation of the widened section of the existing A417.
- 6.2.12 An area of approximately 11,701 square metres is to be acquired permanently, with permanent rights being acquired on an area of 4,866 square metres on land forming part of equestrian use with hedgerow-lined boundary and scattered non-coniferous trees, west of Emma's Grove and south-east of Crickley Hill. In addition to the acquisition of land required for the scheme, the demolition of a stable building and former chicken sheds is also required.
- 6.2.13 The acquisition and interference with rights in this location is required for the widened section of the existing A417, the cutting for the new carriageway and associated drainage. To reduce the land take and avoid the need to demolish the residential property, scheme infrastructure has been aligned as close as possible to the A417 mainline.
- 6.2.14 The landowner has submitted a blight claim which has been accepted by the Applicant. The process is ongoing with the owners currently searching for a property to relocate to.

**Fernbank, plot number 1/31b**

- 6.2.15 The land to be acquired consists of a sub soil right to allow the construction and maintenance of longitudinal sub-surface drainage pipes.
- 6.2.16 The impact of the scheme has been minimised by removing the residential dwelling from the land required for the scheme. In addition, a 10 metre offset has been provided to further reduce the proximity of works to the house. An area of permanent land take is to be acquired for the construction of a new bridleway link to Dog Lane from Cold Slad lane and creation of a new fence line for the property.
- 6.2.17 The rights sought by the Applicant will not affect the ability of the landowner or any occupier to continue to use and occupy the property in the same way that they do now. There will therefore be no impact on their Convention rights.
- 6.2.18 The landowner has been consulted; the property is currently occupied by a private tenant who has been written to though has not responded.

**Half Acre, plot number 2/3, 1/34a**

- 6.2.19 The land to be acquired consists of a sub soil right for the construction and maintenance of longitudinal sub-surface drainage pipes.
- 6.2.20 The impact of the scheme has been minimised by removing the residential dwelling from the land required for the scheme. In addition, a 10 metre offset has been provided to further reduce the proximity of works to the house. The rights sought by the Applicant will not affect the ability of the landowner or any occupier to continue to use and occupy the property in the same way that they do now. There will therefore be no impact on their Convention rights.
- 6.2.21 The landowner has been consulted and negotiations are ongoing.

**Shab Hill Farm 2/32, 4/7k, 4/7e, 4/7d**

- 6.2.22 The residential property and garden are unaffected by the scheme. The land to be acquired consists of agricultural land to provide essential ecological mitigation in the area to the south of Shab Hill junction.
- 6.2.23 The land and rights sought by the Applicant will not affect the ability of the landowner or any occupier to continue to use and occupy the property in the same way that they do now. There will therefore be no impact on their Convention rights.
- 6.2.24 Discretionary purchase of this property has been accepted by the Applicant. Negotiations with the landowner are ongoing.

**Cuckoopen Barn Farm 2/33, 2/36**

- 6.2.25 This residential property and garden are unaffected by the scheme. The land to be acquired consists of an area of arable field, section of driveway and area of woodland.
- 6.2.26 The land and rights sought by the Applicant will not affect the ability of the landowner or any occupier to continue to use and occupy the property in the same way that they do now. There will therefore be no impact on their Convention rights.
- 6.2.27 Discretionary purchase has been accepted on the land to be permanently acquired. Negotiations are ongoing for the land unaffected by the scheme.

**6.3 Commercial property****Air Balloon Public House, plot number 2/19, 2/19a, 2/19b**

- 6.3.1 The Air Balloon Public House is run as a restaurant with a bar, function rooms and on-site staff accommodation. The land to be acquired includes all the buildings, structures, vegetation and car parking and a field for overflow car parking. All structures are to be demolished.
- 6.3.2 The acquisition of land and interference with rights in this location is required for the new dual carriageway, the Cotswold Way crossing, associated earthworks and drainage.
- 6.3.3 It is not possible to avoid demolition of the property because it is essential for the construction of the scheme. Highways England consulted on two possible route options (Option 12 and Option 30) which were selected following extensive investigation of possible route options. Both Option 12 and Option 30 required the

demolition of Air Balloon Public House. The options assessment process is set out in ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034).

- 6.3.4 Discussions with the freeholder are ongoing, though subject to lifting of the pandemic restrictions the business will continue to trade for as long as possible.

**Crickley Hill Tractors, plot number 2/10, 2/10b**

- 6.3.5 Crickley Hill Tractors is a business premise consisting of three steel portal frame buildings and a concrete hard standing. All structures will be demolished.

- 6.3.6 The acquisition and interference with rights in this location is required for the construction of a drainage attenuation basin with associated drainage facilities, access and landscaping.

- 6.3.7 The landowner has submitted a blight claim for the business which has been accepted by the Applicant. Contracts have been exchanged with completion of the transaction set for winter 2022, allowing for the business to relocate.

**Flyup Bike Park, plot number 1/19c, 1/19d, 1/19e, 1/19m, 1/19n, 1/19p, 1/19q, 1/19s, 1/19t, 1/19u, 1/19v**

- 6.3.8 The owners of the business live on-site, however, the residential property and garden are unaffected by the scheme.

- 6.3.9 The acquisition and interference with rights in this location is required to construct and maintain access to essential mitigation planting and a sub-soil right to construct and maintain longitudinal sub-surface drainage pipes. Land is required for the provision of working space and temporary access for works associated with the new A417 and the Norman's Brook watercourse diversion and landscaping.

- 6.3.10 The acquisition of rights is required to construct and maintain a private means of access (for Fly Up 417 Bike Park); and a new overhead power cable and drainage infrastructure.

- 6.3.11 The impact of the scheme has been minimised by steepening the earthworks for the A417 to reduce permanent land take and ensure that the current area of car parking can be returned in full to the business following the construction period.

- 6.3.12 The scheme also proposes a new means of access which would ensure that business and residential access remains in place and separate to construction accesses, reducing disruption to the business during the construction phase. The landowner continues to discuss the details of an area for mitigation car parking to the west of the site which is proposed for use during the construction period. Following construction of the scheme, car parking would return to its current location and an altered 'business access' is proposed between the A417 and the residential property for use post construction.

**Rushwood Kennels, plot number 4/17, 4/17a, 2/35, 2/35a**

- 6.3.13 The owners of Rushwood Kennels live on-site, however no demolition of the residential property is proposed. An area of land is required from the field to the west of the kennels complex.

- 6.3.14 The acquisition and interference with rights in this location is required for the new A417, the new A436 link road, and for the construction of a new private means of access.

- 6.3.15 The impact of the scheme has been minimised, reducing the land required by moving both the carriageway of the A436 and new unclassified road as far west as possible. The earthworks have been steepened to reduce land take and planting/bunding discussed with the landowner to screen the visual and noise impacts of the scheme.
- 6.3.16 The Applicant has now acquired the freehold of this property after a discretionary purchase was submitted and accepted.

## **6.4 Compliance with the convention**

- 6.4.1 It is recognised that the scheme may have an impact on individuals; however, this is outweighed by the significant public benefits that will arise from the scheme as explained in this Statement and set out in greater detail in the Case for the Scheme (Document Reference 7.1, APP-417).
- 6.4.2 The Applicant is of the view that the DCO strikes a fair balance between the public interest in seeing the scheme proceed (which is unlikely to happen in the absence of the compulsory acquisition powers being included in the DCO) and the private rights which would be affected by the compulsory acquisition.
- 6.4.3 In relation to both Article 1 and 8, the compelling public interest case for the compulsory acquisition powers included within the DCO has been demonstrated in Chapter 4 of this Statement and in the Case for the Scheme (Document Reference 7.1, APP-417). The land over which compulsory acquisition powers are sought is the minimum necessary to ensure the delivery of the scheme. The scheme has been designed to minimise detrimental impacts, whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified.
- 6.4.4 In relation to Article 6 it is the case that proper procedures have been followed for both the consultation on the scheme and for the determination of the compulsory acquisition powers included within the scheme. Throughout the development of the scheme persons with an interest in the land have had full opportunity to comment on the proposals, both in a statutory and non-statutory capacity, and the Applicant has endeavoured to engage with landowners. The Applicant has been responsive to landowner feedback in both the initial design of the scheme and in iterative design changes throughout the development of the scheme. Examples of design changes are provided within the Consultation Report (Document Reference 5.1, APP-027).
- 6.4.5 Following submission of the application, individuals affected by the scheme can submit representations about the DCO and/or challenge the DCO by judicial review if there are any grounds for doing so.

## **6.5 Fair compensation**

- 6.5.1 Any person affected by the exercise of compulsory acquisition powers or by the exercise of temporary possession, may be entitled to compensation. This entitlement to compensation is provided for by the existing compensation code and Article 27 and Schedule 6 to the draft DCO (Document Reference 3.1 (Rev 4)).
- 6.5.2 Any dispute in respect of the compensation payable can be referred for determination to the Upper Tribunal (Lands Chamber).



- 6.5.3 Paragraph 9 of the CA Guidance states that there must be a reasonable prospect of the requisite funds for the scheme being available. Certainty of funding for the scheme, including a guarantee that all compensation claims will be funded is detailed in the Funding Statement (Document Reference 4.2, APP-025).

## **6.6 Consideration of duties under the Equality Act 2010**

- 6.6.1 The Applicant has complied with its duties under section 149 of the Equality Act 2010 and has had due regard to the need to: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act 2010; (ii) advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; and (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.6.2 The Applicant has conducted an Equality Impact Assessment (Document Reference 7.8 (Rev 1), REP3-006) which explains how it has had regard to its public sector equality duty in the context of the application for development consent for the scheme.

## **6.7 Conclusion**

- 6.7.1 For the reasons set out above, the Applicant considers that any infringement of the Convention rights of those whose interests in the land might be affected by the exercise of powers of compulsory acquisition would be proportionate and legitimate, would be in the public interest and would be in accordance with national law. The Applicant therefore considers that it would be appropriate and proportionate for the SoS to make the DCO including the grant of compulsory acquisition powers.



## 7 Special considerations

### 7.1 Crown Land

7.1.1 None of the land is Crown Land for the purposes of section 135 of the Act.

### 7.2 Special Category Land

7.2.1 The scheme includes the following types of special category land:

- a. land which is Open Space (as defined in section 19 of the Acquisition of Land Act 1981, as applied by section 131(12) of the Act);
- b. land which is Common Land (as defined in section 19 of the Acquisition of Land Act 1981); and
- c. land which is owned and held inalienably by the National Trust.

7.2.2 The Applicant's approach to the inclusion of these special types of land in the Order is set out in the following sections.

### 7.3 Special Category Land – Open Space

7.3.1 The scheme involves undertaking works on a Country Park, Open Access Land and registered Common Land. This land is located in the areas surrounding Crickley Hill Country Park and Barrow Wake. This is detailed Part 5 of the Book of Reference (Document Reference 4.3 (Rev 2)) and is shown on the Special Category Land Plans (Document Reference 2.3 (Rev 1), AS-037). For clarity, each of type of land is summarised below.

#### **Open Space**

7.3.2 Open Space is defined as “*any land laid out as a public garden, or used for the purposes of public recreation....<sup>1</sup>*”. This definition includes the land located within the Country Park and that which is designated as Open Access Land by virtue of the Countryside and Rights of Way (CROW) Act 2000.

#### Country Park

7.3.3 The land required for the scheme which is designated as a Country Park is in the ownership of Gloucestershire Wildlife Trust (GWT) and located adjacent to the proposed highway along Leckhampton Hill, in the vicinity of the entrance to Crickley Hill Country Park. As the Country Park is land used for the purposes of public recreation, it falls within the definition of Open Space.

7.3.4 The land that is Country Park is within plots 2/13f, 2/13g and 2/13j.

7.3.5 The plots comprise 355 square metres of land to be acquired permanently, 154 square metres of land to be used temporarily with rights to be acquired permanently for access/maintenance or other purposes, and 926 square metres of land to be used temporarily.

#### Open Access Land

7.3.6 The land required for the scheme that is Open Access Land is in a variety of ownerships. The areas to the north of the scheme are either in private ownership or owned by Highways England or the National Trust. To the south of the scheme

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<sup>1</sup> Section 19 Acquisition of Land Act 1981

and in the area around Barrow Wake, ownership is primarily that of GWT, with smaller areas owned by Highways England, or Gloucestershire County Council. Open Access Land falls into the definition of Open Space as it is land which is used for the purposes of public recreation on foot only.

- 7.3.7 The land which is Open Access Land is within plots 1/1au, 1/1aw, 1/1ay, 1/126b, 2/14, 2/14a, 2/14b, 2/16, 2/1g, 2/1k, 2/1m, 2/1t, 2/9a, 3/13, 3/13a, and 3/1h.
- 7.3.8 The plots comprise 11,114 square metres of land to be acquired permanently, 21,139 square metres of land to be used temporarily with rights to be acquired permanently for access/maintenance or other purposes, and 5,965 square metres of land to be used temporarily.

## 7.4 Special Category Land – Common Land

- 7.4.1 Common Land is defined as “*any land subject to be enclosed under the Inclosure Acts 1845 to 1882...*”<sup>2</sup>. The Common Land affected by the scheme is an area of land known as Barrow Wake near Birdlip and is registered as Common Land parcel CL274.
- 7.4.2 While Common Land is also Open Access Land under the CROW Act 2000 (unless there is evidence that the public have a right of access on foot for recreation by some other means) it benefits from wider protection because of its status as Common Land. In addition, there is no right over Common Land for use by bicycle or on horseback unless that right has been specifically provided by the landowner, which the Applicant understands is not the case here.
- 7.4.3 The Common Land affected by the scheme is within plots 2/13, 2/13a, 3/1n, 3/9b, 3/11b, 3/12, 3/12a, 3/12b, 3/12c, 3/12d, 3/12e and 3/12f.
- 7.4.4 These plots comprise 3,970 square metres of land to be acquired permanently to facilitate construction of the scheme in the area surrounding Barrow Wake and to the west of Crickley Ridge.
- 7.4.5 In addition to the land required permanently, temporary possession is also sought over a further 1,771 square metres of Common Land. This land is solely to be used as a working area for the construction of a dry-stone wall / highways boundary feature on land adjacent to the Common Land. No works are proposed on this part of the Common Land.

## 7.5 Legal tests for Open Space and Common Land

- 7.5.1 Sections 131 and 132 of the Act make provision for Special Parliamentary Procedure (SPP) to apply where an Order authorises the compulsory acquisition of land, or rights over land, forming part of a common, open space or fuel or field garden allotment. Specifically:
- section 131 applies when the Order authorises the compulsory acquisition of special category land; and
  - section 132 applies where the Order authorises the compulsory acquisition of a right over special category land.
- 7.5.2 The DCO will engage both section 131 and section 132 and the DCO would therefore be subject to SPP unless the SoS is satisfied that one of the following circumstances applies.

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<sup>2</sup> Acquisition of Land Act 1981, Section 19 - <https://www.legislation.gov.uk/ukpga/1981/67/section/19>

### 7.5.3 In respect of section 131:

- Replacement land will be given in exchange for the land to be compulsory acquired with the same rights, trusts and incidents (Subsection 4); or
- For open space land only, replacement land in exchange is not available or would only be available at a prohibitive cost, but it is strongly in the public interest for a scheme to proceed sooner than SPP would allow (Subsection 4A); or
- For open space land only, the land is only being compulsory acquired for a temporary purpose (Subsection 4B); or
- The land to be acquired does not exceed 200 square metres or is required for the widening or drainage of an existing highway and the giving of land in exchange is unnecessary (Subsection 5).

### 7.5.4 In respect of section 132:

- The land to be burdened with the order right will be no less advantageous than it was before to the owner, any person entitled to rights of common and the public (Subsection 3).
- Replacement land will be given in exchange for the land to be compulsory acquired with the same rights, trusts and incidents (Subsection 4); or
- For open space land only, replacement land in exchange is not available or would only be available at a prohibitive cost, but it is strongly in the public interest for a scheme to proceed sooner than SPP would allow (Subsection 4A); or
- For open space land only, the land is only being compulsory acquired for a temporary purpose (Subsection 4B); or
- The land to be acquired does not exceed 200 square metres or is required for the widening or drainage of an existing highway and the giving of land in exchange is unnecessary (Subsection 5).

## **Special Category Land – Open Space**

7.5.5 Delivery of the scheme would require both permanent land acquisition and temporary acquisition of land which is either Open Access Land or Country Park (Open Space).

### Open Space – Permanent Acquisition

7.5.6 The Open Space land which is to be acquired permanently relates to plots 1/1au, 1/1aw, 1/1ay, 2/14, 2/14a, 2/14b, 2/1k, 2/1m, 2/1t, 3/13 and 3/1h. This land is required in order to facilitate the following proposed works:

- d. Works to widen Leckhampton Hill and associated drainage works.
- e. Widening of the existing A417 to include a new bridleway connection between Cold Slad Lane and Dog Lane, along with associated drainage works.
- f. Works to widen Cold Slad Lane and for associated drainage works along this route.
- g. Works associated with the construction of the mainline (widening of the A417), earthworks, Grove Farm underpass and Cold Slad Lane / associated drainage works.
- h. Earthworks and embankments to the south of the A417 in the vicinity of Crickley Ridge to enable widening of the mainline. This is currently vegetated land south of the A417 between the current road and Crickley Ridge.

- i. Widening of the B4070 and Birdlip Road to allow for Barrow Wake roundabout and associated earthworks / access to Barrow Wake and drainage works.

- 7.5.7 In considering the requirement for replacement land, each of the plots required for the scheme are considered in detail against the relevant tests within the Act through Appendix D, Special Category Land Assessment of this Statement.
- 7.5.8 Open Access Land falls within the definition of Open Space as it is land that is used for the purposes of public recreation on foot only. The land required for the scheme is therefore Open Access Land by virtue of its nature as open countryside and provides informal access for the public. The land is not known to be regularly used on this basis and whilst the scheme therefore seeks to remove minor areas of Open Access Land, proposals as a whole, seek to improve WCH access and connectivity across the A417 and within the surrounding areas.
- 7.5.9 The assessment concludes that it is considered acceptable that the scheme proposes the loss of some Open Access Land without replacement as the interests of the public are not adversely affected, and in many cases, their interests in terms of accessibility will be improved. The exception in section 131(5) of the Act therefore applies to all Open Access Land required for the scheme with reasoning provided in Appendix D.

#### Open Space – Temporary Acquisition with Rights to be acquired Permanently

- 7.5.10 The Open Space Land to be used temporarily with rights to be acquired permanently includes plots 1,26b, 2/1g and 2/9a. Construction works on these plots will be undertaken under temporary possession with permanent rights sought for ongoing maintenance of these works and the scheme. The land is required for sub-surface drainage and ground stabilisation works, and land in the vicinity of Crickley Hill Country Park where a new bridleway connection is proposed. The rights are required to maintain the scheme once it has been constructed.
- 7.5.11 The nature of the Open Access Land would not be affected by the rights given the sub-surface nature of the majority of proposals and the improved accessibility via the bridleway. The ability for the public to access the land following construction would therefore be no different to the current situation. Accordingly, the land when burdened with the right, will be no less advantageous than it was before to the persons in whom it is vested or the public, and the exception in section 132(3) applies and replacement land is not necessary.
- 7.5.12 These works are also considered to fall under section 131(5) given the land required is partly for the drainage of the existing highway.

#### Open Space – Temporary Acquisition

- 7.5.13 The land required temporarily includes all the plots over which permanent rights are sought (see above) as well as plots 2/16 and 3/13a. These plots are required to facilitate access works at Crickley Hill Country Park, improve a PRow connection at Barrow Wake and for surfacing works, drainage and landscaping within Barrow Wake car park.
- 7.5.14 The land required temporarily meets the test in section 131(4B) of the Act.

### Summary

- 7.5.15 As shown on the Special Category Land Plans (Document Reference 2.3 (Rev 1), AS-037) and described above, it is considered that all of the Open Space land (Open Access Land and Country Park) required permanently is required in relation to widening or drainage works of an existing highway, with the interests of the public not adversely effected. The provision of replacement land is therefore unnecessary either because the land cannot currently be accessed by the public for recreation or because the land will be able to be accessed by the public in the same, or a similar way to the current situation following construction of the scheme. Therefore, the test in section 131(5) is met.
- 7.5.16 In respect of land required temporarily the land meets the test in section 131(4B).
- 7.5.17 In respect of the land where permanent rights are required the test in section 132(3) is met.
- 7.5.18 Accordingly, the Order should not be subject to SPP.

### **Special Category Land – Common Land**

- 7.5.19 The compulsory acquisition of 3,970 square metres of Common Land is required to enable delivery of the scheme in the area surrounding Barrow Wake. Specifically, the land is required to facilitate the construction of the A417 mainline and works associated with the B4070 and Birdlip Road.
- 7.5.20 The Applicant considers that the test in section 131(4) of the Act will be met as an area of replacement land will be provided in exchange for the Common Land being compulsorily acquired.
- 7.5.21 The requirements for replacement land are defined in section 131(12) as land which is:
- Not less in area than the order land (the area proposed to be acquired);
  - No less advantageous to the persons entitled to the rights of common or other rights; and
  - No less advantageous to the public.
- 7.5.22 In addition, paragraph 8 of Annex A of the CA Guidance states: *“the Secretary of State will have regard to such matters as relative size and proximity of the replacement land when compared with the land it is proposed to compulsorily acquire”*.
- 7.5.23 The SoS must therefore be satisfied that the scheme has identified replacement land and that this land meets the definitions in section 131(12) and the CA Guidance. The replacement land identified as part of the scheme is therefore discussed further below within each of the requirements in section 131(12). Appendix D of this Statement includes details of the assessment of replacement land which was undertaken by the Applicant and informs the position presented below.
- 7.5.24 As shown on the Special Category Land Plans (Document Reference 2.3 (Rev 1), AS-037), the scheme identifies the following plots as replacement land:
- plots 2/1q, 2/1n, 2/1r, 3/1s and 3/1p. which form part of the proposals to de-trunk the existing A417
- 7.5.25 This land is considered to offer the following benefits:
- The land is contiguous with the existing Common Land;

- The land would be fully accessible because it is contiguous with the existing Common Land and also through proposals to create a new 5m wide public walking, cycling and horse-riding link along the re-purposed A417 which would be separate but run adjacent to the proposed replacement land;
- As part of the scheme, the land will be formed so that it is of the same character as the existing Common Land, which could potentially lead to the replacement land being established in the future as SSSI quality / designation as per the existing Common Land;
- The land is currently in the ownership of Highways England and therefore it would not require further, unnecessary acquisition of land;
- The replacement land would in part return to its former Common Land status, which was previously de-registered to facilitate the construction of the existing A417; and
- The area of replacement land would be circa 10,540 square metres. This is greater in area (6,570 square metres greater) than the existing Common Land which is proposed to be removed / de-registered.

7.5.26 However, to achieve these benefits the provision of the replacement land would only be possible after the construction stage of the scheme and associated subsequent works to re-purpose/de-trunk the existing A417 have been completed.

7.5.27 Although it is common practice when acquiring Common Land to provide replacement land simultaneously, the Act does not require this. The Act requires that replacement land **has been, or will be**, provided (section 131(4)(a)).

7.5.28 In considering the timing of the provision of the replacement land, it should be noted that the Common Land impacted by the scheme does not have any registered rights of common and therefore not providing replacement land simultaneously would not disadvantage any person entitled to the rights of common.

7.5.29 Furthermore, it is proposed that the time between the acquisition of the existing Common Land and the replacement Common Land is controlled by Article 39 in the draft DCO which delays the acquisition of the existing land as late in the project programme as possible to reduce the time between acquisition and replacement land provision.

7.5.30 The requirements for replacement land are considered further below.

#### **Not less in area than the order land**

7.5.31 The area of replacement Common Land on the de-trunked A417 would be circa 10,540 square metres and therefore much greater in area (6,570 square metres greater) than the Common Land to be acquired.

7.5.32 In identifying the area of replacement Common Land, the Applicant has sought to provide on a one for one basis for all Common Land effected by the scheme. This includes both areas of permanent acquisition (3,970 square metres) and temporary possession (1,771 square metres) and totals 5,741 square metres. In addition, the Applicant is proposing an additional area which seeks to return to Common Land, land which was previously de-registered as part of the current A417, thereby providing additional land, over and above that required by the relevant tests.

**No less advantageous to the persons entitled to the rights of common or other rights**

- 7.5.33 The Common Land impacted by the scheme does not have any registered rights of common and therefore both the areas proposed as replacement land would be no less advantageous for such persons.

**No less advantageous to the public**

- 7.5.34 The Common Land to be acquired by the scheme can be split into two discrete sections:
- Land to the south and surrounding Barrow Wake Car Park; and
  - Land adjacent to Woodside House, south of the A417.
- 7.5.35 The existing Common Land required to the south of Barrow Wake, as shown on the Special Category Land Plans (Document Reference 2.3 (Rev 1), AS-037), is land which sits adjacent to the existing highway and is required in order to make the proposed upgrades in relation to the B4070 and the Birdlip Road. This includes a new roundabout to the west of the existing underpass to the A417.
- 7.5.36 Although Common Land, the majority of the land required for the scheme is a wooded area adjacent to the access road to Barrow Wake Car Park and between its access road and the existing A417. In visiting the area, the land in question could be mistaken as highway verge and it is not known to be regularly accessed / used by the public for recreation pursuant to the CROW Act 2000.
- 7.5.37 The area adjacent to Woodside House, as shown on the Special Category Land Plans (Document Reference 2.3, (Rev 1), AS-037), is land required for the construction of the mainline, associated earthworks and drainage. This land is characterised by its heavily wooded nature and steep gradient, forming part of the escarpment and it is not known to be regularly accessed / used by the public, largely due to its challenging topography.
- 7.5.38 The proposed replacement land would be contiguous to the existing Common Land and would be fully accessible from that existing common, and from the proposed PRoW (the Air Balloon Way) which would run on the eastern side of the replacement land and be fully segregated.
- 7.5.39 The land is in the ownership of Highways England and therefore no additional land acquisition would be required with the land forming part of wider de-trunking proposals to be delivered as part of the scheme.
- 7.5.40 Through this process of de-trunking, it would allow land that was previously deregistered as Common Land (when the existing A417 was created) being returned to Common Land.
- 7.5.41 The de-trunking and landscaping process also offer wider opportunities to re-provide land which creates habitats that are appropriate to the current use of the Common Land and the surrounding SSSI, potentially improving the SSSI in the future.
- 7.5.42 Given the potential benefits outlined above, the replacement land is considered to be no less advantageous to the public.

**Temporary Possession of Common Land**

- 7.5.43 In addition to the permanent acquisition, the scheme also proposes the temporary possession of 1,771 square metres of Common Land to be used solely as a



working width to facilitate the construction of boundary features on adjacent land which is not Common Land. No works are proposed on this area of Common Land and there will be no compulsory acquisition of this part of the Common Land.

### Summary

- 7.5.44 It is considered that the replacement Common Land complies with the definition contained in section 131(12), as it is greater in area than the land acquired and would be more advantageous to the persons entitled to rights of common, or to the public, notwithstanding the fact that it could not be provided until after the scheme has been constructed.
- 7.5.45 It is considered that the SoS can be satisfied that the provisions of the section 131(4) of the Act have been met and that the Order should not be subject to SPP.

## 7.6 Special Category Land – land owned by the National Trust

- 7.6.1 As described in Part 5 of the Book of Reference (Document Reference 4.3 (Rev 2)) and shown on the Special Category Land Plans (Document Reference 2.3 (Rev 1), AS-037), should the DCO be made, it would authorise the compulsory acquisition of land held inalienably by the National Trust.
- 7.6.2 The plots owned by the National Trust and affected by the scheme include:
- Plots 2/14, 2/14a and 2/14b – which combine to form a strip of land to the north of the A417 and to the west of Air Balloon cottages. This land is required to facilitate works to Cold Slad Lane, associated earthworks and drainage works and the establishment of a new private means of access for Air Balloon Cottages.
  - Plot 2/14c – A lozenge of land located to the south east of Air Balloon Cottages and required for works to Cold Slad Lane and the proposed Ullenwood roundabout, and the creation of a layby to be provided for Air Balloon Cottages.
- 7.6.3 The reasons for acquisition are further set out in Appendix A of this Statement.
- 7.6.4 Both areas of land required for the scheme are subject to two separate deeds of dedication which dedicates the land as highway. Copies of these deeds of dedication are included at Appendix E of this Statement.
- 7.6.5 The Applicant has been engaged in discussions with the National Trust since 2016 and has shared information in relation to the areas to be acquired, working with the National Trust to refine areas where possible. As part of this engagement the Applicant has recognised the National Trust's claim of better title on Plot 2/14 which was previously thought to be in the ownership of Highways England. This is reflected within the various application plans and documents including Appendix B of this Statement, the Land Plans (Document Reference 2.2 (Rev 3)) and the Book of Reference (Document Reference 4.3 (Rev 2)).
- 7.6.6 On the basis that no land is required outside of the two plots which also form part of the deeds of dedication, the National Trust has agreed in principle to the acquisition of this land for the scheme and Highways England do not therefore anticipate an objection which would trigger SPP. Should National Trust make a representation objecting to the compulsory acquisition of its inalienable land through the DCO which is not withdrawn before completion of the examination, the DCO would be subject to SPP (section 130 of the Act).

7.6.7 As set out in Appendix B, negotiations in relation to the acquisition of this land are ongoing. A Statement of Common Ground is also being prepared in consultation with the National Trust (see Statement of Commonality, Document Reference 7.3 (Rev 3), REP5-005). The Applicant will provide an update during the examination at the earliest opportunity to aid the Examining Authority's consideration of this issue.

## 7.7 Statutory undertaker land

- 7.7.1 The DCO, if made, will authorise the compulsory acquisition of statutory undertakers rights on land comprising of plots as described in the Book of Reference (Document Reference 4.3 (Rev 2)) and shown on the Land Plans (Document Reference 2.2 (Rev 3)). The land rights are held by statutory undertakers for the purposes of carrying out their statutory undertaking.
- 7.7.2 Section 127(3) of the Act provides that a DCO may only authorise the compulsory acquisition of statutory undertakers' land where a representation has been made by the statutory undertaker objecting to the acquisition if the SoS is satisfied that:
- a. The land can be purchased and not replaced without serious detriment to the carrying on of the undertaking; or
  - b. If purchased, the land can be replaced by other land belonging to, or available for acquisition by, the undertaker without serious detriment to the carrying on of the undertaking.
- 7.7.3 Section 127(6) of the Act provides that a DCO may only authorise the compulsory acquisition of rights over statutory undertakers' land where a representation has been made by the statutory undertaker objecting to the acquisition and the SoS is satisfied that:
- a. The rights can be acquired without serious detriment to the carrying on of the undertaking; or
  - b. Any consequential detriment to the carrying on of the undertaking can be made good by the undertaker by the use of other land belonging to or available for acquisition by the undertaker.
- 7.7.4 Section 138 of the Act provides that a DCO may include provision for the extinguishment of a relevant right, or the removal of the relevant apparatus only if the SoS is satisfied that the extinguishment or removal is necessary for the purposes of carrying out the development to which the order relates.
- 7.7.5 Adequate protection for statutory undertakers' assets will be included within the protective provisions in Schedule 8 to the draft DCO and/or in asset protection agreements between the Applicant and the undertaker. Accordingly, the Applicant considers that the statutory undertakers will not suffer serious detriment to the carrying out of their undertaking as a result of the compulsory acquisition of the land or as a result of the acquisition of rights over land. The tests set out in sections 127(3) and 127(6) of the Act are therefore satisfied. In addition, proposals for the removal of apparatus are wholly necessary for the carrying out of the scheme and therefore the requirements of section 138 of the Act is are also met.
- 7.7.6 A search of all affected statutory undertakers was undertaken following the Preferred Route Announcement for the scheme (Option 30) in March 2019 and repeated following the development of the Preliminary Design and the decision on the A436 Alternative Option 2 in May 2019.

7.7.7 The review of responses has identified four statutory undertakers with equipment that may be affected by the scheme proposals:

- British Telecommunications Plc (Openreach)
- Gigaclear Ltd
- Severn Trent Water Limited
- Western Power Distribution

7.7.8 Further engagement has continued with each of the above statutory undertakers with the objective agreeing detailed cost estimates for the utility diversions required for the scheme.

7.7.9 There are four statutory undertakers with assets and rights in the vicinity, but which are not affected by the proposals:

- Wales and West Utilities
- Civil Aviation Authority
- Arqiva Aerial Sites Limited
- Cornerstone Telecommunications Limited

7.7.10 The relevant land plots are set out in Table 7-1 below.

**Table 7-1 Statutory Undertaker Land Plots**

Statutory undertaker	Land Plots – With undertaker rights
British Telecommunications Plc	1/1, 1/10, 1/10a, 1/11a, 1/12, 1/13a, 1/14, 1/17, 1/18, 1/1ae, 1/1ag, 1/1aj, 1/1ak, 1/1ap, 1/1aq, 1/1b, 1/1c, 1/1f, 1/1h, 1/1j, 1/1k, 1/1p, 1/1z, 1/2, 1/20, 1/21, 1/31, 1/31a, 1/31b, 1/34a, 1/4, 1/5, 1/5a, 1/6, 1/9, 1/1ad, 1/1af, 1/1an, 1/1m, 1/1q, 1/1r, 1/1s, 1/1v, 1/1w, 1/1x, 1/1y, 1/20a, 1/20b, 1/1ah, 1/1au, 1/1av, 1/1t, 1/25a, 1/25b, 1/1aw, 1/1ax, 1/1bb, 1/23c, 1/30, 1/35, 1/36, 1/27, 1/27a, 1/27b, 1/27c, 2/1, 2/16, 2/1ad, 2/1f, 2/1h, 2/29d, 2/3, 2/36, 2/36a, 2/4, 2/6, 2/9, 2/9a, 2/1b, 2/1d, 2/1g, 2/1k, 2/2, 2/29, 2/29b, 2/5, 2/1w, 2/1ab, 2/1j, 2/1y, 2/30a, 2/30b 2/10, 2/10d, 2/10e, 2/10a, 2/10b, 2/10c, 2/10f, 2/11, 2/12, 2/13a, 2/13b, 2/13c, 2/13d, 2/13e, 2/13f, 2/13g, 2/13h, 2/13j, 2/14a, 2/14b, 2/14c, 2/1aa, 2/1ae, 2/1ag, 2/1ak, 2/1r, 2/1u, 2/22, 2/23, 2/19, 2/29a, 2/29c, 2/31, 2/30, 2/30c, 2/35, 2/35a, 3/1, 3/11, 3/11a, 3/11b, 3/13, 3/13a, 3/14, 3/1a, 3/1c, 3/1f, 3/1k, 3/1q, 3/1r, 3/2, 3/6, 3/8, 3/8a, 3/9, 3/9a, 3/9b 3/10 3/12a, 3/12b, 3/12c, 3/12d, 3/12f, 3/14b, 3/15, 3/15d, 3/15e, 3/1h, 3/1j, 3/1m, 3/1n, 3/1p, ¾, 3/15a, 3/15b, 3/15c, 4/2, 4/2a, 4/2d, 4/2e, 4/2f, 4/2h, 4/2j, 4/2k, 4/5, 4/5a, 4/5b, 4/6, 4/6a, 4/3, 4/3f, 4/6b, 4/3c, 4/3d, 4/8 4/7, 4/7a, 4/7b, 4/7c, 4/7d, 4/7e, 4/7f, 4/7g, 4/7h, 4/7j, 4/7k, 4/7m, 4/9, 4/9b, 4/9a, 4/9c, 4/9d, 4/9e 4/10, 4/10a 4/11, 4/2b, 4/2c, 4/2g, 4/2m, 4/2n, 4/2p, 4/2q, 4/2r, 4/3b, 4/11a, 4/13a, 4/12, 4/12a, 4/16, 4/3e, 4/17, 4/17a, 4/17b, 4/17c, 5/1a, 5/1b, 5/1c, 5/6, 5/1f, 5/1g, 5/1h, 5/3aa, 5/3ab, 5/3ae, 5/3af, 5/3aj, 5/3c, 5/3h, 5/3k, 5/3n, 5/3s, 5/3u, 5/3v, 5/3x, 5/3y, 5/3z, 5/3ac, 5/3ad, 5/3ag, 5/3ah, 5/3b, 5/3g, 5/3j, 5/3p, 5/3t, 5/3w, 5/4, 5/4a, 5/4b, 5/4c, 5/4d, 5/4e, 5/4f, 5/5, 5/5a, 5/5b, 5/5d, 5/5e, 5/5f, 5/5g, 6/1, 6/1d, 6/6, 6/1a, 6/1c, 6/1j, 6/1q, 6/1e, 6/1f, 6/1g, 6/1n, 6/2, 6/8, 6/8a, 6/8b, 6/8c, 6/8d, 6/8f, 6/8g, 6/5, 6/5a, 6/5b, 6/5c, 6/5d, 6/5e, 6/5f, 6/5g, 6/5h, 6/5j, 6/5k, 6/10, 6/10a, 6/10b, 6/10c, 6/11, 6/12, 6/1h, 6/1k, 6/1m, 6/1p,
Gigaclear Ltd	2/17, 2/33, 2/34, 2/29a, 2/29c, 2/31, 2/30, 2/30c, 3/15a, 3/15b, 3/15c, 4/3, 4/3f, 4/6b, 4/3a, 4/4a, 4/3c, 4/3d, 4/8 4/9a, 4/9c, 4/9d, 4/9e, 4/11, 4/2b, 4/2c, 4/2g, 4/2m, 4/2n, 4/2p, 4/2q, 4/2r, 4/3b, 4/12b, 4/4, 5/1f, 5/1g, 5/3aa, 5/3ab, 5/3ae, 5/3af, 5/3aj, 5/3c, 5/3h, 5/3k, 5/3n, 5/3s, 5/3u, 5/3v, 5/3x, 5/3y, 5/3z, 5/3ac, 5/3ad, 5/3ag, 5/3ah, 5/3b, 5/3g, 5/3j, 5/3p, 5/3t, 5/3w, 5/4, 5/4a, 5/4b, 5/4c, 5/4d, 5/4e, 5/4f, 5/5, 5/5a, 5/5b, 5/5d, 5/5e, 5/5f, 5/5g, 6/1a, 6/1c, 6/1j, 6/1q, 6/5, 6/5a, 6/5b, 6/5c, 6/5d, 6/5e, 6/5f, 6/5g, 6/5h, 6/5j, 6/5k, 6/8e, 6/9, 6/10, 6/10a, 6/10b, 6/10c, 6/11, 6/12, 6/1h, 6/1k, 6/1m, 6/1p

Statutory undertaker	Land Plots – With undertaker rights
Severn Trent Water Limited	1/1ah, 1/1au, 1/1av, 1/1t, 1/25a, 1/25b, 1/1am, 1/1ar, 1/1at, 1/1ba, 1/23, 1/23a, 1/23b, 1/1aw, 1/1ax, 1/1bb, 1/23c, 1/30, 1/35, 1/36, 1/24, 1/24a, 2/1b, 2/1d, 2/1g, 2/1k, 2/2, 2/29, 2/29b, 2/5, 2/1ab, 2/1j, 2/1y, 2/30a, 2/30b, 2/12, 2/13, 2/1e, 2/7, 2/8, 2/8a, 2/14a, 2/14b, 2/15, 2/15a, 2/15b, 2/29a, 2/29c, 2/31, 2/35, 2/35a, 4/3, 4/3f, 4/6b, 4/3a, 4/4a, 4/3c, 4/3d, 4/8, 4/7, 4/7a, 4/7b, 4/7c, 4/7d, 4/7e, 4/7f, 4/7g, 4/7h, 4/7j, 4/7k, 4/7m, 4/9, 4/9b, 4/11a, 4/13a, 4/12, 4/12a, 4/16, 4/3e, 4/17, 4/17a, 4/17b, 4/17c, 5/1f, 5/1g, 5/1h, 5/3aa, 5/3ab, 5/3ae, 5/3af, 5/3aj, 5/3c, 5/3h, 5/3k, 5/3n, 5/3s, 5/3u, 5/3v, 5/3x, 5/3y, 5/3z, 6/1, 6/1d, 6/6, 6/1a, 6/1c, 6/1j, 6/1q, 6/1b, 6/4, 6/5, 6/5a, 6/5b, 6/5c, 6/5d, 6/5e, 6/5f, 6/5g, 6/5h, 6/5j, 6/5k
Western Power Distribution	1/1ab, 1/1ac, 1/1n, 1/1u, 1/5b, 1/5c, 1/1ad, 1/1af, 1/1an, 1/1m, 1/1q, 1/1r, 1/1s, 1/1v, 1/1w, 1/1x, 1/1y, 1/20a, 1/20b, 1/1ah, 1/1au, 1/1av, 1/1t, 1/25a, 1/25b, 1/19, 1/19a, 1/19b, 1/19c, 1/19d, 1/19e, 1/19f, 1/19g, 1/19h, 1/19j, 1/19k, 1/19m, 1/19n, 1/19o, 1/19p, 1/19q, 1/19r, 1/19s, 1/19t, 1/19u, 1/19v, 1/26, 1/26a, 1/26b, 1/26c, 1/27, 1/27a, 1/27b, 1/27c, 2/1ab, 2/1j, 2/1y, 2/30a, 2/30b, 2/10, 2/10d, 2/10e, 2/10a, 2/10b, 2/10c, 2/14c, 2/1aa, 2/1ae, 2/1ag, 2/1ak, 2/1r, 2/1u, 2/22, 2/23, 2/15, 2/15a, 2/15b, 2/16a, 2/16b, 2/16c, 2/18, 2/1ac, 2/1af, 2/1ah, 2/1aj, 2/1am, 2/1n, 2/1p, 2/1q, 2/1s, 2/1z, 2/21, 2/21a, 2/21b, 2/21c, 2/21d, 2/21e, 2/21f, 2/21j, 2/21k, 2/21m, 2/21n, 2/21p, 2/21q, 2/28, 2/28a, 2/28b, 2/28c, 2/30, 2/30c, 3/14b, 3/15, 3/15d, 3/15e, 3/1h, 3/1j, 3/1m, 3/1n, 3/1p, 3/4, 3/14c, 3/1d, 3/1e, 3/1s, 3/1t, 3/3, 3/15a, 3/15b, 3/15c, 4/2, 4/2a, 4/2d, 4/2e, 4/2f, 4/2h, 4/2j, 4/2k, 4/5, 4/5a, 4/5b, 4/6, 4/6a, 4/3a, 4/4a, 4/3c, 4/3d, 4/8, 4/7, 4/7a, 4/7b, 4/7c, 4/7d, 4/7e, 4/7f, 4/7g, 4/7h, 4/7j, 4/7k, 4/7m, 4/9, 4/9b, 4/9a, 4/9c, 4/9d, 4/9e, 4/11, 4/2b, 4/2c, 4/2g, 4/2m, 4/2n, 4/2p, 4/2q, 4/2r, 4/3b, 5/1, 5/3, 5/3a, 5/3d, 5/3f, 5/3r, 5/3aa, 5/3ab, 5/3ae, 5/3af, 5/3aj, 5/3c, 5/3h, 5/3k, 5/3n, 5/3s, 5/3u, 5/3v, 5/3x, 5/3y, 5/3z, 5/3ac, 5/3ad, 5/3ag, 5/3ah, 5/3b, 5/3g, 5/3j, 5/3p, 5/3t, 5/3w, 6/5, 6/5a, 6/5b, 6/5c, 6/5d, 6/5e, 6/5f, 6/5g, 6/5h, 6/5j, 6/5k, 6/10, 6/10a, 6/10b, 6/10c.

### British Telecommunications Plc

- 7.7.11 The Applicant has, during preparation of the DCO application, consulted with British Telecommunications Plc (Openreach) to assess the impact on their apparatus. The permanent rights being acquired by the Applicant are sought to allow the undertaker to continue to provide the statutory undertaking and the interest is held for that purpose.
- 7.7.12 Meetings were held with British Telecommunications Plc (Openreach) on 15 October 2019 and 28 January 2020 to discuss:
- A417 scheme and the apparatus that appears to be affected by the scheme;
  - Discussions British Telecommunications Plc (Openreach) have had with the scheme to date; and
  - Understand the requirements of British Telecommunications Plc (Openreach) for a Detailed Estimate for Works (British Telecommunications Plc (Openreach) is considered a statutory undertaker for the scheme in order to comply with the New Roads and Street Works Act 1990).
- 7.7.13 Following changes to the scheme, including the alteration of the gradient of Crickley Hill, details of the revised vertical alignment were sent to British Telecommunications Plc (Openreach) in May 2020 and they were formally consulted as part of the supplementary statutory consultation in October 2020. The scope of diversion works has now been agreed with a detailed cost estimate received from British Telecommunications Plc in December 2020.
- 7.7.14 All land required for the diversion works has been included within the scheme boundary and costs allowed for.

**Gigaclear Ltd**

- 7.7.15 The Applicant has, during preparation of the DCO application, consulted with Gigaclear about the proposed compulsory acquisition of rights detailed in the table above and to assess impact on their apparatus. The permanent rights being acquired by the Applicant are sought to allow the undertaker to continue to provide the statutory undertaking and the interest is held for that purpose.
- 7.7.16 A meeting was held with Gigaclear Ltd on 26 June 2019 to discuss:
- A417 scheme and the apparatus that appears to be affected by the scheme;
  - Discussions Gigaclear Ltd have had with the scheme to date; and
  - Understand the requirements of Gigaclear Ltd for a Detailed Estimate for Works (Gigaclear is considered a statutory undertaker for the scheme in order to comply with the New Roads and Street Works Act 1990).
- 7.7.17 Gigaclear Ltd were formally consulted as part of the supplementary statutory consultation in October 2020. The Applicant has progressed discussions and has received a detailed cost estimate for the diversion works. It was assessed that the alteration of gradient of Crickley Hill would have no impact on the Gigaclear Ltd diversions previously identified.
- 7.7.18 All land required for the diversion works has been included within the scheme boundary and costs allowed for.

**Severn Trent Water Limited**

- 7.7.19 The Applicant has, during preparation of the DCO application, consulted with Severn Trent Water Limited about the proposed compulsory acquisition of rights detailed in the table above and to assess impact on their apparatus. The permanent rights being acquired by the Applicant are sought to allow the undertaker to continue to provide the statutory undertaking and the interest is held for that purpose. Rights are also being sought to allow the abandonment of apparatus that will be severed by the scheme.
- 7.7.20 A meeting was held with Severn Trent Water Limited on 13 August 2019 to discuss:
- The scheme and the apparatus that appears to be affected by the scheme;
  - Discussions Severn Trent Water Limited have had with the scheme to date; and
  - Understand the requirements of Severn Trent Water Limited for a Detailed Estimate for Works (Severn Trent Water Limited is considered a statutory undertaker for the scheme in order to comply with the New Roads and Street Works Act 1990).
- 7.7.21 Following the alteration of the gradient of Crickley Hill, details of the revised vertical alignment were sent to Severn Trent Water Limited in May 2020. Severn Trent Water were formally consulted as part of the supplementary statutory consultation in October 2020.
- 7.7.22 The diversion details have been amended to provide a deeper depth in the verge of the main carriageway. A detailed cost estimate was received in November 2020.
- 7.7.23 All land required for the diversion works has been included within the scheme boundary and costs allowed for.

## Western Power Distribution

- 7.7.24 The Applicant has, during preparation of the DCO application, consulted with Western Power Distribution about the proposed compulsory acquisition of rights detailed in the table above and to assess impact on their apparatus. The permanent rights being acquired by the Applicant are sought to allow the undertaker to continue to provide the statutory undertaking and the interest is held for that purpose.
- 7.7.25 A meeting was held with Western Power Distribution on 24 June 2019 to discuss:
- A417 scheme and the apparatus that appears to be affected by the scheme;
  - Discussions Western Power Distribution have had with the A417 scheme to date; and
  - Understand the requirements of Western Power Distribution for a Detailed Estimate for Works (Western Power Distribution is considered a statutory undertaker for the A417 scheme in order to comply with the New Roads and Street Works Act 1990).
- 7.7.26 Following the alteration of the gradient of Crickley Hill, details of the revised scheme were provided to Western Power Distribution in May 2020. Following a meeting on 29 May 2020 and formal consultation as part of the supplementary statutory consultation in October 2020, the scope of diversion works was agreed and a detailed cost estimate received in November 2020.
- 7.7.27 All land required for the diversion works has been included within the scheme boundary and costs allowed for.

## Summary

- 7.7.28 The DCO includes provision to authorise the necessary interference by the Applicant with the apparatus of statutory undertakers, in connection with the delivery of the scheme.
- 7.7.29 The relevant major utilities as summarised above, have been defined as specific Works within the authorised development as listed within Schedule 1 of the Draft DCO (Document Reference 3.1 (Rev 4)).

## 7.8 Other consents

- 7.8.1 The Consents and Agreements Position Statement (Document Reference 7.2 (Rev 2)) sets out the required other consents and licences being sought outside of the DCO application.
- 7.8.2 The Applicant is seeking to agree with each affected body the principles against which applications for the consents, licences, permits etc. should be considered.
- 7.8.3 This will also be captured in the Statements of Common Ground being prepared with each relevant body (see Statement of Commonality, Document Reference 7.3 (Rev 3), REP5-005).
- 7.8.4 The Applicant is satisfied that all necessary consents to enable the scheme to proceed have been identified and that there is no reason why such consents should not be secured or granted.
- 7.8.5 The Applicant is not aware of any impediments to the delivery of the scheme. Whilst there are a number of other consents being sought, there are no obvious impediments to securing those consents. The Consents and Agreements Position Statement (Document Reference 7.2 (Rev 2)) sets out the requirements for other consents and the current position. A final version of the Consents and

Agreements Position Statement will be provided at Deadline 8 (6 May 2022)  
(Document Reference 7.2 (Rev 2)).



## 8 Summary and conclusions

- 8.1.1 This Statement sets out why compulsory acquisition powers have been sought and explains why they are necessary, proportionate, and justified. Without the grant of compulsory acquisition powers, it will not be possible to construct the scheme or realise the public benefits arising from it.
- 8.1.2 With regards to the legislative tests set out in the Act, it has been demonstrated that the land subject to compulsory acquisition is required for the scheme and is the minimum necessary that would allow the Applicant to construct, operate and maintain the scheme. It has been shown that there are significant public benefits arising from the scheme which will outweigh any effects on individuals, therefore there is a compelling public interest case for the scheme as summarised in section 5.4 of this Statement.
- 8.1.3 The scheme also complies with the policy requirements set out in the CA Guidance in respect of such matters as the consideration of alternatives and human rights. In all cases affected persons have been engaged with consulted and where possible accommodated so that impacts are reduced or removed.
- 8.1.4 It is considered that the replacement Common Land complies with the definition contained in section 131(12) as it is greater in area than the land acquired and would be more advantageous to the persons entitled to rights of common, or to the public, notwithstanding the fact that it could not be provided until after the scheme has been constructed.
- 8.1.5 It is considered that the SoS can be satisfied that the provisions of the section 131(4) of the Act have been met and that the Order should not be subject to SPP.
- 8.1.6 The Applicant has been engaged in discussions with the National Trust since 2016 and has shared information in relation to the areas to be acquired, working with the National Trust to refine areas where possible. On the basis that no land is required outside of the two plots which also form part of the deeds of dedication, the National Trust has agreed in principle to the acquisition of this land for the scheme and Highways England do not therefore anticipate an objection which would trigger SPP.
- 8.1.7 The DCO includes provision to authorise the necessary interference by the Applicant with the apparatus of statutory undertakers, in connection with the delivery of the scheme. The Applicant considers that the tests set out in section 127 of the Act in relation to statutory undertakes have met. The potential detriment to the undertaking of each statutory undertaker has been considered as part of the scheme design, and therefore that no impediment would result from the scheme. The relevant utilities have been defined as specific Works within the authorised development as listed within Schedule 1 of the Draft DCO (Document Reference 3.1 (Rev 4)).
- 8.1.8 The land subject to powers of compulsory acquisition is set out in detail in Appendix A, together with a description of what each plot of land is required for. This has been updated and is correct as of Deadline 8 (6 May 2022).
- 8.1.9 Progress in negotiations with affected landowners for the purposes of compulsory acquisition powers is set out in Appendix B. This has been updated and is correct as of Deadline 8 (6 May 2022) and is considered to present the final position on negotiations as part of the Examination of the scheme.

8.1.10 Funding and compensation matters are not considered in this Statement as they are detailed in the separate Funding Statement (Document Reference 4.2, APP-025).

## Appendices

- Appendix A** Details of the purpose for which compulsory acquisition and temporary possession powers are sought
- Appendix B** Schedule of all objections to the granting of compulsory acquisition powers and progress of negotiations with land interests subject to compulsory acquisition powers
- Appendix C** Unidentified Plots and LIQ information
- Appendix D** Special Category Land Assessment
- Appendix E** Deeds of Dedication for National Trust land

# **Appendix A Details of the purpose for which compulsory acquisition and temporary possession powers are sought**

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# 1 Statement of Reasons Appendix A

The tables within this Appendix set out the specific purposes for which each plot of land required. The tables should be read in conjunction with the Land Plans (Document Reference 2.2 (Rev 3)), the Works Plans (Document Reference 2.4 (Rev 2), REP4-007) and the Draft DCO (Document Reference 3.1 (Rev 4)). The tables have been updated and are correct as of Deadline 8 (06 May 2022).

**Table 1 Acquisition of Land - by Plot Number**

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1	1x	Required for the construction of new private means of access for Alexander & Angell Limited and Flyup 417 Bike Park
1	1/1a	1x 1-10	Required for the construction of new private means of access for Alexander & Angell Limited and Flyup 417 Bike Park New right to construct, use, protect, inspect and maintain a public right of way
1	1/1j	1 1 1 1a	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of drainage attenuation basin no. 2 with associated drainage facilities, access and landscaping.
1	1/1r	1 1	Required for the construction of a new drainage ditch Required for essential mitigation planting
1	1/1t	1 1 1 1e 11	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of a new drainage culvert Existing Western Power Distribution assets to be dismantled
1	1/1u	1 1 1 1e 11 1-10	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of a new drainage culvert Existing Western Power Distribution assets to be dismantled Required to stop up an existing public right of way
1	1/1v	1 1 1e 11	Required for the new A417 Required for essential mitigation planting Required for the construction of a new drainage culvert Existing Western Power Distribution assets to be dismantled
1	1/1x	1e	Required for the construction of a new drainage culvert
1	1/1aa	1	Required for the new A417

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1ab	1e	Required for the construction of a new drainage culvert
1	1/1ag	1 1 1 1e 12 12 11 1-10 1	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of a new drainage culvert Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing Western Power Distribution assets to be dismantled Required to stop up an existing public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/1an	1h 1 1 1 12 1-10 1	Required for the provision of Cold Slad bridleway Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/1ap	1g, 1h 1 1 12 1-10 1	Required for the realignment of Dog Lane and the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/1aq	1g, 1h 1 12 1	Required for the realignment of Dog Lane and the provision of Cold Slad bridleway Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for the construction of longitudinal sub-surface drainage pipes
1	1/1ar	1g, 1h 1 1 13 13 1	Required for the realignment of Dog Lane and the construction of Cold Slad bridleway Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent assets to be abandoned Required for Severn Trent diversion Required for the construction of longitudinal sub-surface drainage pipes
1	1/1as	1 1 1f 13	Required for the new A417 Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for Severn Trent diversion



Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1at	1 1 1 13 13 12	Required for the new A417 Required for essential mitigation planting Required for the construction of a new drainage ditch Existing Severn Trent assets to be abandoned Required for Severn Trent diversion Required for British Telecommunications diversion
1	1/1au	1 1 1	Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
1	1/1av	1 1 1h 1h 1i 13 13 16 12 12 1-10 1	Required for the new A417 Required for essential mitigation planting Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for the construction of Crickley Hill bat underpass Existing Severn Trent assets to be abandoned Required for Severn Trent diversion Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/1aw	1h 1h 16 1	Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Western Power Distribution diversion Required for the construction of longitudinal sub-surface drainage pipes
1	1/1ax	1h 1h 1 1 1f 1i 13 13 16 12 12 1-10 1-10	Required for the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for the new A417 Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for the construction of Crickley Hill bat underpass Existing Severn Trent assets to be abandoned Required for Severn Trent diversion Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1ay	1h 1h 1	Required for the provision of Cold Slad bridleway Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
1	1/1az	1h 1h 1h 16 1	Required for the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for essential mitigation planting Existing WPD assets to be dismantled Required for the construction of longitudinal sub-surface drainage pipes
1	1/1ba	1 13 13	Required for the new A417 Existing Severn Trent abandoned Required for Severn Trent diversion
1	1/1bb	1h 1h 1 1 1f 13 13 12 12 16 1-10	Required for the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for the new A417 Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Existing Severn Trent assets abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing Western Power Distribution assets to be dismantled New right to construct, use, protect, inspect and maintain a public right of way
1	1/3	1-10 1x	New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of new private means of access for Alexander and Angel Ltd and Flyup 417 Bike Park
1	1/3d	1	Required for essential mitigation planting
1	1/15	1x 1b  1c 1c 1a 1 1-10 1-10	Required for the construction of new private means of access for Alexander and Angel Ltd and Flyup 417 Bike Park Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 2 with associated drainage facilities, access and landscaping. Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
1	1/15a	1a 1 1	Required for the construction of new basin access Required for the new A417 Required for essential mitigation planting

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1b 1c 1c 1a 1-10	Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 2 with associated drainage facilities, access and landscaping. Required to stop up an existing public right of way
1	1/16	1c	Required for the construction of a new drainage culvert
1	1/19c	1	Required for essential mitigation planting
1	1/19m	1 1 1 1e 1f 1i 16 16 1-10 1	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of a new drainage culvert Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for the construction of Crickley Hill bat underpass Existing Western Power Distribution assets to be dismantled Required for Western Power Distribution diversion Required to stop up an existing public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/19p	1	Required for essential mitigation planting
1	1/19q	1	Required for essential mitigation planting
1	1/19t	1	Required for essential mitigation planting
1	1/23a	1g, 1h 1h 1h 13 1	Required for the realignment of Dog Lane and the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent assets to be abandoned Required for the construction of longitudinal sub-surface drainage pipes
1	1/23b	1g, 1h 1h 1h 16 16 1	Required for the realignment of Dog Lane and the provision of Cold Slad bridleway Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent assets to be abandoned Required for Severn Trent diversion Required for the construction of longitudinal sub-surface drainage pipes
1	1/25	1h 1h 1	Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/26	1h 1h 1	Required for the construction of a new drainage equipment Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
1	1/27	1-10	Required for essential mitigation planting
1	1/27b	1 1 1 1f 1j 16 16 1-10 1-10 1	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Existing WPD overhead and underground assets to be dismantled Required for Western Power Distribution diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
1	1/27c	1-10	Required for essential mitigation planting
1	1/29	1	Required for the new A417
1	1/31b	1h 1h 1	Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
2	2/1b	1 1 1j	Required for the new A417 Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping
2	2/1c	1k 1k 1k 1-10 1	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
2	2/1d	1h 1l 1 1 1i 1 1j 1m 13	Required for the realignment of Cold Slad Lane Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for essential mitigation planting Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for the construction of Grove Farm underpass Existing Severn Trent to be abandoned

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		13 16 12 12 1-10 1-10	Required for Severn Trent diversion Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/1e	1k 1k 1k 1	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
2	2/1f	1 1j 1i 1 12 16 1-10	Required for the new A417 Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for Western Power Distribution diversion Required to stop up an existing public right of way
2	2/1h	1 12 1-10	Required for the new A417 Existing British Telecommunications to be dismantled Required to stop up an existing public right of way
2	2/1j	1k 1l 1 1 1 1m 17 13 1-10 1	Required for the realignment of Cold Slad Lane Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of Grove Farm underpass Required for British Telecommunications diversion Required for Severn Trent diversion New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes
2	2/1k	1k 1k 1k 1l 17 17 13 1-10 1	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the new private means of access to Grove Farm and basin and mast Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing Severn Trent to be diverted New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of longitudinal sub-surface drainage pipes

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/1m	1k 1 1	Required for the realignment of Cold Slad Lane Required for the new A417 Required for essential mitigation planting
2	2/1n	1-10 3g	Required for essential mitigation planting Required for replacement Common Land
2	2/1p	3a 1-10 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
2	2/1q	3g	Required for replacement Common Land
2	2/1r	1-10 3g	Required for essential mitigation planting Required for replacement Common Land
2	2/1s	3a 3a 3f 1-10 1-10	Required for the construction of new private means of access for Crickley Ridge Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for the new Restricted Byway connection for Barrow Wake car park Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
2	2/1t	1k 1 1 2 1-10	Required for the realignment of Cold Slad Lane Required for the new A417 Required for essential mitigation planting Required for the construction of the Cotswold Way crossing New right to construct, use, protect, inspect and maintain a public right of way
2	2/1u	3a 3a 3a 3f 1-10	Required for the construction of new private means of access for Crickley Ridge Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting Required for the new Restricted Byway connection for Barrow Wake car park Required for the construction of a new drainage ditch New right to construct, use, protect, inspect and maintain a public right of way
2	2/1v	1-10	Required for essential mitigation planting
2	2/1w	3a 13	Required for the construction of new private means of access for Crickley Ridge Existing Severn Trent to be abandoned
2	2/1x	3a 1-10	Required for the construction of a new drainage ditch Required for essential mitigation planting
2	2/1y	1k 1-10 2 19	Required for the realignment of Cold Slad Lane Required for essential mitigation planting Required for the construction of the Cotswold Way crossing Required for Western Power Distribution diversion

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		13 1-10	Existing Severn Trent to be abandoned New right to construct, use, protect, inspect and maintain a public right of way
2	2/1z	3a 3a 1 1 1-10 19 1-10	Required for the construction of new private means of access for Crickley Ridge Required for the new Restricted Byway connection for Barrow Wake car park Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/1aa	1 3a 1 1-10 19 1-10 1-10	Required for the new A417 Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Western Power Distribution diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ab	1k 1 1p 1-10 2 19 18 13 1-10 1-10	Required for the realignment of Cold Slad Lane Required for the new A417 Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for the construction of the Cotswold Way crossing Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Existing Severn Trent to be abandoned Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ac	1-10	Required for essential mitigation planting
2	2/1ad	1 1 1-10 19 1-10 1-10	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Western Power Distribution diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ae	1k 1k 1-10 19 19	Required for the realignment of Cold Slad Lane Required for the construction of new private means of access Required for essential mitigation planting Existing WPD to be dismantled Required for Western Power Distribution diversion



Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10	New right to construct, use, protect, inspect and maintain a public right of way
2	2/1af	1 1 1p 1-10 19 1-10 1-10	Required for the new A417 Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ag	1k 1k 1-10 19 18 1-10	Required for the realignment of Cold Slad Lane Required for the construction of new private means of access Required for essential mitigation planting Required for Western Power Distribution diversion Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ah	1p 1-10 19	Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion
2	2/1aj	1k 1p 1-10 19 1-10	Required for the realignment of Cold Slad Lane Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/1ak	4a 1p 1-10 19 18, 23 18, 23 1-10	Required for the new Ullenwood junction Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/1am	4 1p 1-10 19 23 1-10	Required for the new Ullenwood junction Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/8a	1k 1k	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10 1	Required for essential mitigation planting Required for the construction of longitudinal sub-surface drainage pipes
2	2/10	1 1j 1-10 16 16 1-10	Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing WPD to be dismantled Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/10b	1l 1 1 1 1j 1f 1-10 16 16 17 1-10	Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for the realignment of an existing watercourse with associated drainage facilities, access and landscaping Required for essential mitigation planting Existing WPD to be dismantled Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled New right to construct, use, protect, inspect and maintain a public right of way
2	2/10e	1l 1 1 1 1j 1-10 16 17 17 1-10 1-10	Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/10f	1l 1 1 1 1j 1-10 1m 17 17	Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for the construction of Grove Farm underpass Existing British Telecommunications to be dismantled Required for British Telecommunications diversion

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		16 1-10 1-10	Required for Western Power Distribution diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/11	1j 1l 1-10	Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for the new private means of access to Grove Farm and basin and mast New right to construct, use, protect, inspect and maintain a public right of way
2	2/12	1k 1l 1 1j 1-10 1m 13 12 12 16 1-10	Required for the realignment of Cold Slad Lane Required for the new private means of access to Grove Farm and basin and mast Required for the new A417 Required for the construction of drainage attenuation basin no. 3c with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for the construction of Grove Farm underpass Existing Severn Trent to be abandoned Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/13	1 13	Required for the new A417 Existing Severn Trent to be abandoned
2	2/13a	1 1 1-10 1-10	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
2	2/13c	1k 1-10 1-10	Required for the construction of new private means of access for Ullenwood Bharat Cricket Club Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
2	2/13j	4c 4c 4c 1-10 23	Required for realignment of Leckhampton Hill Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be diverted
2	2/14	1k 1k 13	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent to be diverted
2	2/14a	1k 1k 1-10	Required for the realignment of Cold Slad Lane Required for the construction of a new drainage ditch Required for essential mitigation planting

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/14b	1k 1k 1k 1-10	Required for the realignment of Cold Slad Lane Required for the construction of new private means of access for Air Balloon Cottages Required for the construction of a new drainage ditch Required for essential mitigation planting
2	2/14c	1k 1-10 19 18 1-10	Required for the realignment of Cold Slad Lane Required for essential mitigation planting Required for Western Power Distribution diversion Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/15	1 1 1-10 13 1-10 1-10	Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent asset to be abandoned New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
2	2/16b	4a 1k 1-10 23 1-10	Required for the new Ullenwood junction Required for the construction of new private means of access for Ullenwood Bharat Cricket Club Required for essential mitigation planting Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/16c	4 4c 4 4f 1-10 23 19, 20, 21, 22 19, 20, 21, 22	Required for the new Ullenwood junction Required for the construction of new private means of access for Crickley Hill Country Park Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 5 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for British Telecommunications diversion Existing WPD to be dismantled Required for Western Power Distribution diversion
2	2/17	3a	Required for the construction of new private means of access for Crickley Ridge
2	2/18	3a 1-10	Required for the construction of new private means of access for Crickley Ridge Required for essential mitigation planting
2	2/19	1 3a 1 1-10 2 19	Required for the new A417 Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of the Cotswold Way crossing Required for Western Power Distribution diversion

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		13 1-10	Required for Severn Trent diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/19a	1 1p 1-10 2 19 1-10	Required for the new A417 Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for the construction of the Cotswold Way crossing Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/19b	1 1p 1-10	Required for the new A417 Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting
2	2/21c	1-10	Required for essential mitigation planting
2	2/21f	1-10	Required for essential mitigation planting
2	2/21g	1 1p 1-10 19, 20	Required for the new A417 Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion
2	2/21h	1 1-10	Required for the new A417 Required for essential mitigation planting
2	2/21j	1-10 20	Required for essential mitigation planting Required for Western Power Distribution diversion
2	2/21k	1-10	Required for essential mitigation planting
2	2/21m	4d 4a 1 1q 1 1p 1-10 20 23 1-10	Required for the new A436 link road Required for the new Ullenwood junction Required for the new A417 Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 3a with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/21p	1-10	Required for essential mitigation planting
2	2/21q	4d	Required for the new A436 link road

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1 1q 1 1 1 5 23 1-10	Required for the new A417 Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of Gloucestershire Way crossing Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/22	4a 1-10 18 18 19	Required for the new Ullenwood junction Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Western Power Distribution diversion
2	2/23	4a 4c 4c 4c 1-10 23 19 1-10	Required for the new Ullenwood junction Required for the construction of new private means of access for Crickley Hill Country Park Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way
2	2/23a	4c 1-10	Required for the realignment of Leckhampton Hill Required for essential mitigation planting
2	2/24	4c 4c 4c 4c 1-10 3	Required for the realignment of Leckhampton Hill Required for the construction of new private means of access for Crickley Hill Country Park Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Required for British Telecommunications diversion
2	2/24a	4	Required for the new Ullenwood junction
2	2/24b	4c	Required for the realignment of Leckhampton Hill
2	2/25	4e 1-10 20	Required for the realignment of the A436 Required for essential mitigation planting Required for Western Power Distribution diversion

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/27	4c 1-10	Required for the realignment of Leckhampton Hill Required for essential mitigation planting
2	2/28	4 4f 4f 4f 22	Required for the new Ullenwood junction Required for the construction of new basin access Required for the construction of a new drainage culvert Required for the construction of drainage attenuation basin no. 5 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for Western Power Distribution diversion
2	2/29b	1 1 1 1-10 23 24 1-10 1-10	Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/29c	1 1 1 1-10 24 24 23 25	Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Existing Giga Clear to be dismantled
2	2/29d	1 23 24 1-10	Required for the new A417 Existing British Telecommunications to be dismantled Required for Severn Trent diversion Required to stop up an existing public right of way
2	2/30b	7 1 1 1 1-10 24 24 23 1-10 1-10	Required for the construction of a new grade separated junction at Shab Hill Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent asset to be abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/30c	4d 7 1 1 1 1-10 25 23 24	Required for the new A436 link road Required for the construction of a new grade separated junction at Shab Hill Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Giga Clear to be dismantled Existing British Telecommunications to be dismantled Required for Severn Trent diversion
2	2/31	1 24 24 25 23 1-10	Required for the new A417 Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing Giga Clear to be dismantled Existing British Telecommunications to be dismantled Required to stop up an existing public right of way
2	2/32	4d 7k 1 1 1q  1 1 1-10 5 23 24 1-10 1-10	Required for the new A436 link road Required for the construction of new field access for Shab Hill Farm Required for the new A417 Required for the new A417 landscape earthworks Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the construction of Gloucestershire Way crossing Required for British Telecommunications diversion Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/33	4d 1 7k 1-10 25 23 24 1-10 1-10	Required for the new A436 link road Required for the new A417 Required for the new Ullenwood Lane Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Gigaclear diversion Required for British Telecommunications diversion Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way



Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/34	4d 7k 1 7k 1-10 25 25 23 24 1-10 1-10	Required for the new A436 link road Required for the construction of new field access Required for the new A417 Required for the new Ullenwood Lane Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Gigaclear diversion Required for British Telecommunications diversion Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
2	2/35	4d 7k 1 1 1-10 25, 26 24 24 23 23 1-10 1-10	Required for the new A436 link road Required for the new Ullenwood Lane and associated private means of access for Rushwood Kennels Required for the new A417 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Gigaclear diversion Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
2	2/36	4d 7k 1 1 1 1-10 23 23 25 24 1-10 1-10	Required for the new A436 link road Required for the new Ullenwood Lane and associated private means of access for Cuckoopen Barn Farm Required for the new A417 Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Gigaclear diversion Required for Severn Trent diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
3	3/1	6b	Required for the realignment of the B4070 Required for amending speed limit on existing B4070
3	3/1a	6b	Required for the realignment of the B4070

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
3	3/1b	6b 6b 1-10 1-10	Required for the realignment of the B4070 Required for the new field access Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
3	3/1c	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/1d	1-10	Required for essential mitigation planting
3	3/1e	6b 6b 3a 1-10 1-10	Required for the realignment of the B4070 Required for the new field access Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
3	3/1f	3a 3a 1-10 1-10	Required for new Public Right of Way connection between the B4070 and Restricted Byway along detrunked existing A417 Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
3	3/1g	6b 6a 1-10 23	Required for the realignment of the B4070 Required for the new Barrow Wake roundabout Required for essential mitigation planting Required for British Telecommunications diversion
3	3/1h	6a 1-10	Required for the new Barrow Wake roundabout Required for essential mitigation planting
3	3/1k	1-10 3a	Required for essential mitigation planting Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417
3	3/1m	6c 6a 3a 1-10 23 23 1-10	Required for the realignment of the B4070 Required for the new Barrow Wake roundabout Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
3	3/1n	6c 1-10 23	Required for the realignment of the B4070 Required for essential mitigation planting Required for British Telecommunications diversion
3	3/1p	1-10 3g	Required for essential mitigation planting Required for replacement Common Land

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
3	3/1q	6c 1-10 23 23	Required for the realignment of the B4070 Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion
3	3/1r	6c 3a 1-10 23 23	Required for the realignment of the B4070 Required for new Public Right of Way connection between the B4070 and Restricted Byway along detrunked existing A417 Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion
3	3/1s	1-10 3g	Required for essential mitigation planting Required for replacement Common Land
3	3/1t	3a 1-10 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
3	3/2	6b	Required for amending speed limit on existing B4070
3	3/3	6b	Required for amending speed limit on existing B4070
3	3/4	6b	Required for amending speed limit on existing B4070
3	3/5	6b	Required for the realignment of the B4070 Required for amending speed limit on existing B4070
3	3/6	6b	Required for the realignment of the B4070
3	3/7	6b	Required for the realignment of the B4070
3	3/7b	6b	Required for the realignment of the B4070
3	3/8	6b	Required for the realignment of the B4070
3	3/8a	6b	Required for the realignment of the B4070
3	3/9	6b 1-10 6b	Required for the realignment of the B4070 Required for essential mitigation planting Required for the new field access
3	3/9a	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/9b	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
3	3/10	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/10a	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/11	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/11a	6b 6a 1-10 23 23	Required for the realignment of the B4070 Required for the new Barrow Wake roundabout Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion
3	3/11b	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/12	6b 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/12a	6b 1-10	Required for the realignment of the B4070
3	3/12c	6b 6a 1-10 23 23	Required for the realignment of the B4070 Required for the new Barrow Wake roundabout Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion
3	3/12d	6a	Required for the new Barrow Wake roundabout
3	3/12e	6a 1-10	Required for the new Barrow Wake roundabout Required for essential mitigation planting
3	3/13	6a 1-10 1-10	Required for the new Barrow Wake roundabout Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
3	3/14	6c 1-10 1-10 23 23	Required for the realignment of the B4070 Required for new Public Right of Way connection between the B4070 and Restricted Byway along detrunked existing A417 Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion
3	3/14a	6c 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
3	3/14b	6c	Required for the realignment of the B4070

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		6c 1-10 23 28 28	Required for the construction of new field access Required for essential mitigation planting Existing British Telecommunications to be dismantled Existing WPD to be dismantled Required to construct, use, protect, inspect and maintain new equipment for the benefit of Western Power Distribution
3	3/14c	6c 6c 1-10 28 28	Required for the realignment of the B4070 Required for the construction of new field access Required for essential mitigation planting Existing WPD to be dismantled Required to construct, use, protect, inspect and maintain new equipment for the benefit of Western Power Distribution
3	3/15	6c 6c 1-10 23 23 28 28	Required for the realignment of the B4070 Required for the construction of new field access Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing WPD to be dismantled Required for Western Power Distribution diversion
3	3/15a	6c 1-10 6c 6c 1-10 23 23 1-10	Required for the realignment of the B4070 Required for new Public Right of Way connection between the B4070 and Restricted Byway along detrunked existing A417 Required for the construction of new field access Required for the construction of a new drainage ditch Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
4	4/2b	6c 6c 1-10 23 1-10	Required for the realignment of the B4070 Required for the construction of a new drainage ditch Required for essential mitigation planting Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way
4	4/2e	6c 6d 1-10 28	Required for the realignment of the B4070 Required for the construction of a mammal culvert Required for essential mitigation planting Required for Western Power Distribution diversion
4	4/2p	7 7l 1-10 1	Required for the construction of a new grade separated junction at Shab Hill Required for the construction of new basin access Required for the new Byway Open to All Traffic Required for the new A417

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1 1 1 1r 7l 1-10 1-10 1-10	Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of a mammal culvert Required for the construction of drainage attenuation basin no. 7 and 8 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
4	4/3	6c 1-10	Required for the realignment of the B4070 Required for essential mitigation planting
4	4/3c	6c 6c 1-10 30 30 31 31 29 29 1-10 6e 6f	Required for the realignment of the B4070 Required for the construction of a new drainage culvert Required for essential mitigation planting Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing Giga Clear to be dismantled Required for Gigaclear diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of Birdlip Radio Station Lane Required for the realignment of the U50853 (Shab Hill Farm Access)
4	4/5	6c 6d 1-10 29 29 28 1-10	Required for the realignment of the B4070 Required for the construction of a mammal culvert Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing WPD to be dismantled New right to construct, use, protect, inspect and maintain a public right of way
4	4/6	6c 6d 1-10 28 29 25 1-10	Required for the realignment of the B4070 Required for the construction of a mammal culvert Required for essential mitigation planting Existing WPD to be dismantled Required for British Telecommunications diversion Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
4	4/6b	6c 1e 1-10	Required for the realignment of the B4070 Required for the construction of a new drainage culvert Required for essential mitigation planting

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		24 24 31 31 29 29 1-10 6e 6f	Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing Giga Clear to be dismantled Required for Gigaclear diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of Birdlip Radio Station Lane Required for the realignment of the U50853 (Shab Hill Farm Access)
4	4/7b	6c 1e 6c 6d 1-10 30 30 29 29 31 1-10 6e 6f	Required for the realignment of the B4070 Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of a mammal culvert Required for essential mitigation planting Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of Birdlip Radio Station Lane Required for the realignment of the U50853 (Shab Hill Farm Access)
4	4/7c	30 6f	Existing Severn Trent to be abandoned Required for the realignment of the U50853 (Shab Hill Farm Access)
4	4/7e	1-10	Required for essential environmental mitigation planting
4	4/7h	1-10	Required for essential environmental mitigation
4	4/7k	4d 7 7l 1-10 7k 1 1 1e 1 7j, 7l, 7e 1r	Required for the new A436 link road Required for the construction of a new grade separated junction at Shab Hill Required for the construction of new basin access Required for the new Byway Open to All Traffic Required for the new Ullenwood Lane Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 7 and 8 with associated drainage facilities, access and landscaping. Required for the construction of a mammal culvert

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10 7e 29 29 31 1-10 1-10	Required for essential mitigation planting Required for the construction of Shab Hill junction underbridge Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
4	4/9c	4d 6c 7 7d 1 1 1e 1 7d 1-10 31 31 29 29 28 30 6e 6f	Required for the new A436 link road Required for the realignment of the B4070 Required for the construction of a new grade separated junction at Shab Hill Required for the construction of new basin access Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 6 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Gigaclear diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing WPD to be dismantled Required for Severn Trent diversion Required for the construction of Birdlip Radio Station Lane Required for the realignment of the U50853 (Shab Hill Farm Access)
4	4/10	6f 6f	Required for the realignment of the U50853 (Shab Hill Farm Access) Required for the construction of a new drainage culvert
4	4/17	4d 4d 1-10 7k 27 25 1-10	Required for the new A436 link road Required for the construction of a new drainage ditch Required for essential mitigation planting Required for the new Ullenwood Lane Required for British Telecommunications diversion Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
4	4/17b	7l 1-10 1 7i, 7j 1-10	Required for the construction of new basin access Required for the new Byway Open to All Traffic Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 6 and 7 with associated drainage facilities, access and landscaping. Required for essential mitigation planting



Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10	New right to construct, use, protect, inspect and maintain a public right of way
5	5/1	3a 1-10 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way
5	5/1a	3a 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting
5	5/1b	3a 1-10 1-10 3e 3c 3d	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of Ermine Way car park Required for the construction of Air Balloon Way car park Required for narrowing of existing A417
5	5/1c	3a 1-10 1-10 3e 3c 3d	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of Ermine Way car park Required for the construction of Air Balloon Way car park Required for narrowing of existing A417
5	5/1d	3b 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting
5	5/1e	3d	Required for narrowing of existing A417
5	5/1f	3d 3e 1t 1-10	Required for all purposes associated with the detrunking and narrowing along the existing A417 Required for the construction of Ermine Way car park Required for the construction of drainage attenuation basin no. 10 with associated drainage facilities, access and landscaping. Required for essential mitigation planting
5	5/1g	3d 3e 1-10	Required for all purposes associated with the detrunking and narrowing along the existing A417 Required for the construction of Ermine Way car park Required for essential mitigation planting
5	5/1h	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
5	5/2	3a 1-10	Required for all purposes associated with the detrunking and provision of a new restricted byway along the existing A417 Required for essential mitigation planting
5	5/3	8a 8a 1-10	Required for the realignment of Cowley Lane Required for the construction of a new drainage ditch Required for essential mitigation planting
5	5/3p	1	Required for the new A417

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		8a 1 1e 1 1s 1-10 32 1-10	Required for the realignment of Cowley Lane Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 9 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing WPD to be dismantled Required for Western Power Distribution diversion Required to stop up an existing public right of way
5	5/3q	1-10	Required for essential mitigation planting
5	5/3r	1-10	Required for essential mitigation planting
5	5/3ae	1 8a 9a 1 1 1 1r 1t, 1s 1-10 8 9 33 33 32 32 1-10 1-10 8c 8d 1d	Required for the new A417 Required for the realignment of Cowley Lane Required for the construction of a new private means of access for Stockwell Farm Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of a mammal culvert Required for the construction of drainage attenuation basin no. 9 and 10 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required for the construction of Cowley overbridge Required for the construction of Stockwell overbridge Existing Giga Clear to be dismantled Required for Gigaclear diversion Existing WPD to be dismantled Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way Required construction of stepped access between the proposed diverted Public Right of Way and the Cowley overbridge Required construction of stepped access between the unclassified road and the Cowley overbridge Required construction of lay-bys
5	5/3ag	8a 1-10 33	Required for the realignment of Cowley Lane Required for essential mitigation planting Required for Gigaclear diversion
5	5/4	8a 8a 1-10	Required for the realignment of Cowley Lane Required for the construction of a new drainage ditch Required for essential mitigation planting

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		33 1-10	Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
5	5/4a	8a 1-10	Required to realign Cowley lane and make good existing lane New right to construct, use, protect, inspect and maintain a public right of way
5	5/4b	8a 1-10	Required to realign Cowley lane and make good existing lane New right to construct, use, protect, inspect and maintain a public right of way
5	5/4c	1 8a 1 1 1-10 33 32 1-10 1-10	Required for the new A417 Required for the realignment of Cowley Lane Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
5	5/4e	8a 1-10 33 33 1-10	Required for the realignment of Cowley Lane Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
5	5/5	8a 8a 8a 1-10 33 1-10	Required for the realignment of Cowley Lane Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for essential mitigation planting Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
5	5/5a	8a 1-10 33 33	Required to realign Cowley lane and make good existing lane New right to construct, use, protect, inspect and maintain a public right of way Existing Giga Clear to be dismantled Required for Gigaclear diversion
5	5/5b	8a 1-10 33 33	Required to realign Cowley lane and make good existing lane New right to construct, use, protect, inspect and maintain a public right of way Existing Giga Clear to be dismantled Required for Gigaclear diversion
5	5/5c	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
5	5/5d	1 8a	Required for the new A417 Required for the realignment of Cowley Lane

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1 1 1-10 33 32 1-10 1-10	Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Western Power Distribution diversion New right to construct, use, protect, inspect and maintain a public right of way Required to stop up an existing public right of way
5	5/5f	8a 1-10 33 33 1-10	Required for the realignment of Cowley Lane Required for essential mitigation planting Existing Giga Clear to be dismantled Required for Gigaclear diversion New right to construct, use, protect, inspect and maintain a public right of way
5	5/6	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/1	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/1a	10a 1-10 34 34 35 3d	Required for the construction of the new at grade Cowley junction Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/1b	10a 10a 1-10 35 35 3d	Required for the construction of the new at grade Cowley junction Required for the construction of a new drainage ditch Required for essential mitigation planting Existing Severn Trent to be abandoned Required for Severn Trent diversion Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/1c	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/1d	10a 10a 10c 10g	Required for the construction of the new at grade Cowley junction Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing Severn Trent to be abandoned Existing British Telecommunications to be dismantled
6	6/1e	10 10g 10g	Required for the construction of the new at grade Cowley junction Required for the construction of new basin access Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping.

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10 34 34 35	Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/1f	10 1-10 34 34 35	Required for the construction of the new at grade Cowley junction Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/1g	34 35 1-10	Existing British Telecommunications to be dismantled Required for Severn Trent diversion Required for essential mitigation planting
6	6/1h	10h 35 34	Required for the construction of the new at grade Cowley junction Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Existing Giga Clear assets to be protected during construction phase Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/1j	10a 1 1 1 10e, 10g 1-10 35 35 34 34 10i 3d	Required for the construction of the new at grade Cowley junction Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing Severn Trent to be abandoned Required for Severn Trent diversion Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Existing Giga Clear assets to be protected during construction phase Required for the narrowing of the carriageway between Cowley junction roundabout and Stockwell Farm junction
6	6/1k	10 10i 34 34 35	Required for the construction of the new at grade Cowley junction Existing Giga Clear assets to be protected during construction phase Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/1m	10a 10j 1-10 1	Required for the construction of the new at grade Cowley junction Required for the new Private Means of access for Fosse Farm and Harding's Barn Required for the new restricted byway Required for the construction of a new drainage culvert

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10 10i 34 35 1-10 1-10	Required for essential mitigation planting Existing Giga Clear assets to be protected during construction phase Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
6	6/1n	34 34 1-10	Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for essential mitigation planting
6	6/1q	34 34 1-10	Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for essential mitigation planting
6	6/2	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/3	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/4	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/5d	10 1 1 1 1 10e 1-10 34 35 1-1 1-10	Required for the construction of the new at grade Cowley junction Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of a new drainage culvert Required for the construction of a new drainage ditch Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for Severn Trent diversion Required to stop up an existing public right of way New right to construct, use, protect, inspect and maintain a public right of way
6	6/5f	1-10	Required for essential mitigation planting
6	6/5k	35 10j 1-10	Required for Severn Trent diversion Required for the new Private Means of access for Fosse Farm and Harding's Barn Required for the new restricted byway
6	6/6	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417
6	6/7	3d	Required for all purposes associated with the detrunking and narrowing along the existing A417

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
6	6/7b	10a 10a 1-10	Required for the construction of the new at grade Cowley junction Required for the construction of a new drainage ditch Required for essential mitigation planting
6	6/7c	1 1 11e 1-10 35	Required for the new A417 Required for the new A417 landscape earthworks Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Required to abandon an existing Severn Trent Water main
6	6/8a	1-10 34 35	Required for essential mitigation planting Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/8c	10a 10c 10h 1-10 34 34 35	Required for the construction of the new at grade Cowley junction Required for the construction of new basin access Required for the construction of drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping. Required for essential mitigation planting Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion
6	6/10	10j 1-10 1u  1-10 36 35 1-10	Required for the new Private Means of access for Fosse Farm and Harding's Barn Required for the new restricted byway Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste Required for essential mitigation planting Required for British Telecommunications diversion Required for Severn Trent diversion New right to construct, use, protect, inspect and maintain a public right of way
6	6/10c	10j 1-10 1-10 10i 1-10	Required for the new Private Means of access for Fosse Farm and Harding's Barn Required for the new restricted byway Required for essential mitigation planting Existing Giga Clear assets to be protected during construction phase New right to construct, use, protect, inspect and maintain a public right of way
6	6/11	10j 1-10 10i 36 36 35 1-10	Required for the new Private Means of access for Fosse Farm and Harding's Barn Required for the new restricted byway Existing Giga Clear assets to be protected during construction phase Existing British Telecommunications to be dismantled Required for British Telecommunications diversion Required for Severn Trent diversion Required to stop up an existing public right of way

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		1-10	New right to construct, use, protect, inspect and maintain a public right of way
6	6/12	10j	Required for the new Private Means of access for Fosse Farm and Harding's Barn
		1-10	Required for the new restricted byway
		1-10	Required for essential mitigation planting
		10i	Existing Giga Clear assets to be protected during construction phase
		36	Existing British Telecommunications to be dismantled
		36	Required for British Telecommunications diversion
		35	Required for Severn Trent diversion
		1-10	New right to construct, use, protect, inspect and maintain a public right of way



**Table 2 Land which is required for temporary possession and acquisition of permanent rights - by Plot Number**

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1s	11 1e	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/1w	11	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution
1	1/1y	11 1e	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/1z	1e	New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/1ac	1e	New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/1af	12 1 1h	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/1aj	12 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/1ak	12 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/1am	13 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/2	1e	New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/3a	1a	New right to construct, use, protect, inspect, maintain and alter drainage apparatus
1	1/3b	1a	New right to construct, use, protect, inspect, maintain and alter drainage apparatus
1	1/3c	1a	New right to construct, use, protect, inspect, maintain and alter drainage apparatus
1	1/5c	1e	New right to construct, use, protect, inspect, maintain and alter drainage apparatus
1	1/19d	1-10 1y	New right to construct, use, protect, inspect and maintain a public right of way Required for the provision of and to provide working space and temporary access for works associated with the provision of the Flyup 417 Bike Park private means of access

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/19e	11 1x	New right to construct, use, protect, inspect, maintain and alter electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter drainage apparatus and equipment for the benefit of National Highways
1	1/19n	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/19s	1	New right to construct, use, protect, inspect, maintain and alter drainage apparatus and equipment for the benefit of National Highways
1	1/19u	11	New right to construct, use, protect, inspect, maintain and alter electrical apparatus and equipment for the benefit of Western Power Distribution
1	1/19v	11	New right to construct, use, protect, inspect, maintain and alter electrical apparatus and equipment for the benefit of Western Power Distribution
1	1/20	1e	New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/20a	1h	New right to construct, use, protect, inspect, maintain and alter an existing drainage network
1	1/20b	1h	New right to construct, use, protect, inspect, maintain and alter an existing drainage network Required for the provision of and to provide working space and temporary access
1	1/21	12	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/21a	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/22	12	New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/23	13	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/23c	14	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
1	1/24	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/24a	14	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
1	1/25a	14	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
1	1/25b	15 17	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/26a	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/26b	16	New right to construct, use, protect, inspect, maintain and alter electrical apparatus and equipment for the benefit of Western Power Distribution A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/26c	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/27a	1-10	New right to construct, use, protect, inspect and maintain a public right of way
1	1/28	15 17	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of British Telecommunications
1	1/30	15 17 1	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/31	15 1	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/31a	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/32	15 17 1	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/33	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/34	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/34a	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/35	17 15 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
1	1/36	15	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
		17 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/1	17 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/1a	17 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/1g	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/2	17 15 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/3	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/4	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/5	1 17	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
2	2/6	17 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/7	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/8	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/9	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/9a	1	A sub-soil right to construct, use, protect, inspect and maintain longitudinal sub-surface drainage pipes
2	2/10a	16 17	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
2	2/10c	16	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/13b	1k	New right to construct, use, protect, inspect and maintain a new soakaway and equipment for the benefit of Gloucestershire County Council
2	2/13e	4c 1-10	New right to construct, use, protect, inspect and maintain a new boundary feature New right to construct, use, protect, inspect and maintain a public right of way
2	2/13g	4c 1-10	New right to construct, use, protect, inspect and maintain a new boundary feature New right to construct, use, protect, inspect and maintain a public right of way
2	2/15a	1	New right to construct, use, protect, inspect and maintain a new boundary feature
2	2/15b	13	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
2	2/16a	1k	New right to construct, use, protect, inspect and maintain a new soakaway and equipment for the benefit of Gloucestershire County Council
2	2/21	3a	New right to construct, use, protect, inspect and maintain a public right of way
2	2/21e	20	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
2	2/29	1-10 24	New right to construct, use, protect, inspect and maintain a public right of way New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
2	2/29a	24 25	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
2	2/30	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
3	3/15c	6c	New right to construct, use, protect, inspect and maintain a new boundary feature
3	3/15d	6c  28	New right to construct, use, protect, inspect and maintain a new boundary feature Required for the construction of new field access New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
4	4/2a	6c	New right to construct, use, protect, inspect and maintain a new boundary feature
4	4/2c	6c	New right to construct, use, protect, inspect and maintain a new boundary feature
4	4/2d	6d	New right to construct, use, protect, inspect and maintain new mammal culvert
4	4/2k	28	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
4	4/2r	1s	New right to construct, use, protect, inspect and maintain drainage attenuation basin no. 9 with associated drainage facilities, access and landscaping
4	4/3a	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
4	4/3b	29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		28	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
		31	New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of Gigaclear
		1-10	New right to construct, use, protect, inspect and maintain a public right of way
4	4/3d	29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		28	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution
		24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
		31	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
4	4/3e	31	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
		29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/3f	31	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
		29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/4	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/4a	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/5a	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/5b	29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		28	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
4	4/6a	29	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications
		28	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution
		31	New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of Gigaclear
		1-10	New right to construct, use, protect, inspect and maintain a public right of way

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
4	4/7a	6	New right to construct, use, protect, inspect and maintain a new boundary feature
4	4/7d	1-10	New right to construct, use, protect, inspect and maintain access to an existing structure for environmental mitigation
4	4/7f	1	New right to construct, use, protect, inspect and maintain a new power supply for A417 mainline technology equipment for the benefit of Western Power Distribution
4	4/7g	1-10	New right to construct, use, protect, inspect and maintain access to an existing structure for environmental mitigation
4	4/8	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/9	24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/9a	28 31 29	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/9b	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/9d	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/10a	1-10	New right to construct, use, protect, inspect and maintain access to an existing structure for environmental mitigation
4	4/11	31 29 24 28	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
4	4/11a	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
4	4/12	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/12a	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/12b	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/13	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/13a	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/14	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/15	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
4	4/16	31 29 24	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
5	5/3a	8	New right to construct, use, protect, inspect and maintain a new boundary feature
5	5/3d	32	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
5	5/3e	32	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution
5	5/3g	32	New right to construct, use, protect, inspect and maintain new electrical apparatus and equipment for the benefit of Western Power Distribution



Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
5	5/3h	8 1-10	New right to construct, use, protect, inspect and maintain a new boundary feature New right to construct, use, protect, inspect and maintain new maintenance track
5	5/3n	8	New right to construct, use, protect, inspect and maintain a new boundary feature
5	5/3v	1t	Required for the construction of drainage attenuation basin no. 10 with associated drainage facilities, access and landscaping.
5	5/3w	32 1s	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution Required for the construction of drainage attenuation basin no. 9 with associated drainage facilities, access and landscaping.
5	5/3x	32	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Western Power Distribution
5	5/3z	35 1-10	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water New right to construct, use, protect, inspect and maintain a public right of way
5	5/3aa	1-10 1t	New right to construct, use, protect, inspect and maintain a public right of way Required for the construction of drainage attenuation basin no. 10 with associated drainage facilities, access and landscaping
5	5/3ac	1s	Required for the construction of drainage attenuation basin no. 9 with associated drainage facilities, access and landscaping
5	5/3af	8	New right to construct, use, protect, inspect and maintain a new boundary feature
5	5/3ah	33	New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of Gigaclear
5	5/3aj	33	New right to construct, use, protect, inspect and maintain a new underground fibre optic cable and equipment for the benefit of Gigaclear
5	5/4f	33	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
5	5/5g	33	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Gigaclear
6	6/1r	1	New right to construct, use, protect, inspect and maintain a new boundary feature
6	6/5	1-10	New right to construct, use, protect, inspect and maintain a public right of way
6	6/5a	35 1-10	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water New right to construct, use, protect, inspect and maintain a public right of way
6	6/5c	1	New right to construct, use, protect, inspect and maintain a new boundary feature
6	6/5j	35	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
6	6/7a	35	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water
6	6/7d	35 1	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of Severn Trent Water New right to construct, use, protect, inspect and maintain a new boundary feature

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
6	6/7e	1	New right to construct, use, protect, inspect and maintain a new boundary feature
6	6/8	34 35	New right to construct, use, protect, inspect, maintain and alter statutory undertakers apparatus for the benefit of British Telecommunications New right to construct, use, protect, inspect and maintain a new underground pipeline and equipment for the benefit of Severn Trent Water
6	6/8e	10h	New right to construct, use, protect, inspect and maintain drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping
6	6/8g	10h	New right to construct, use, protect, inspect and maintain drainage attenuation basin no. 11 with associated drainage facilities, access and landscaping
6	6/9	1	New right to construct, use, protect, inspect and maintain a new power supply for A417 mainline technology equipment for the benefit of Western Power Distribution

**Table 3 Temporary Possession of Land - by Plot Number**

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/1b	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/1c	1e	Required to inspect and make good existing drainage culvert
1	1/1d	1e	Required to inspect and make good existing drainage culvert
1	1/1e	1e	Required to inspect and make good existing drainage culvert
1	1/1f	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/1g	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/1h	1e	Required to inspect and make good existing drainage culvert
1	1/1k	1e	Required to inspect and make good existing drainage culvert
1	1/1m	1e	Required to inspect and make good existing drainage culvert
1	1/1n	1	Required for the protection of existing vegetation
1	1/1p	1e	Required to inspect and make good existing drainage culvert
1	1/1q	1 1e	Required for the provision of and to provide working space and temporary access for works associated with the provision of essential planting Required to inspect and make good existing drainage culvert
1	1/1ad	1e	Required to inspect and make good existing drainage culvert
1	1/1ae	1 1e	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline Required to inspect and make good existing drainage culvert
1	1/1ah	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/4	1e	Required to inspect and make good existing drainage culvert
1	1/5	1e	Required to inspect and make good existing drainage culvert
1	1/5a	1e	Required to inspect and make good existing drainage culvert

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/5b	1e	Required to inspect and make good existing drainage culvert
1	1/6	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/7	1e	Required to inspect and make good existing drainage culvert
1	1/8	1e	Required to inspect and make good existing drainage culvert
1	1/9	1e	Required to inspect and make good existing drainage culvert
1	1/10	1e	Required to inspect and make good existing drainage culvert
1	1/10a	1e	Required to inspect and make good existing drainage culvert
1	1/11	1e	Required to inspect and make good existing drainage culvert
1	1/11a	1e	Required to inspect and make good existing drainage culvert
1	1/12	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/13	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/13a	1e	Required to inspect and make good existing drainage culvert
1	1/14	1e	Required to inspect and make good existing drainage culvert
1	1/17	1e	Required to inspect and make good existing drainage culvert
1	1/18	1e	Required to inspect and make good existing drainage culvert
1	1/19	11 1x	Temporary use to stop up Western Power Distribution apparatus and make good Required for the provision of and to provide working space and temporary access for works associated with the Flyup 417 Bike Park private means of access, A417 mainline and essential mitigation planting
1	1/19a	1x	Required for the provision of temporary car parking for Flyup 417 Bike Park Required for the provision of and to provide working space and temporary access for works associated with the Flyup 417 Bike Park private means of access and essential mitigation planting
1	1/19b	1x	Required for the provision of and to provide working space and temporary access for works associated with the Flyup 417 Bike Park private means of access and maintenance access for the benefit of Western Power Distribution and National Highways
1	1/19f	1y	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Flyup 417 Bike Park private means of access

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
1	1/19g	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
1	1/19h	1 1y	Required for the provision of and to provide working space and temporary access for works associated with the A417, Flyup 417 Bike Park private means of access and essential mitigation planting
1	1/19j	1y	Required to facilitate the stopping up of an existing public right of way
1	1/19k	1f	Required for the provision of and to provide working space and temporary access for the new A417, watercourse diversion and associated essential mitigation planting
1	1/19o	1 1x	Required for the provision of and to provide working space and temporary access for works associated with Flyup 417 Bike Park private means of access and essential mitigation planting
1	1/19r	1	Required for the provision of and to provide working space and temporary access for works associated with essential mitigation planting
2	2/10d	1l	Required for the provision of and to provide working space and temporary access for works associated with the provision of the private means of access and turning area for Grove Farm
2	2/13d	4c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realigned Leckhampton Hill and protection of existing vegetation
2	2/13f	4c	Required for the construction of new private means of access for Crickley Hill Country Park
2	2/13h	4c	Required for the construction of new private means of access for Crickley Hill Country Park
2	2/16	3f	Required for the widening of an existing track and provision of a new restricted byway
2	2/20	1k	Required for the construction of new private means of access for Air Balloon Cottages
2	2/21a	1-10	Required for the provision of and to provide working space and temporary access for vegetation management
2	2/21b	1-10	Required for the provision of and to provide working space and temporary access for vegetation management
2	2/21d	1-10	Required for the provision of and to provide working space and temporary access for vegetation management
2	2/21n	1q	Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste
2	2/24c	4c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realigned Leckhampton Hill
2	2/26	4e	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A436 tie-in at Ullenwood junction
2	2/27a	4c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realigned Leckhampton Hill
2	2/28a	4f	Required for the provision of and to provide working space and temporary access for works associated with the provision of the attenuation basins and to provide screening works during construction

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
2	2/28b	4f	Required for the provision of and to provide working space and temporary access for works associated with the provision of the attenuation basins and to provide screening works during construction
2	2/28c	4f	Required for the provision of and to provide working space and temporary access for works associated with the provision of the temporary outfall from associated attenuation basins during construction
2	2/28d	4f	Required for the provision of and to provide working space and temporary access for works associated with the provision of the temporary outfall from associated attenuation basins during construction
2	2/30a	5	Required for the provision of and to provide working space and temporary access for works associated with the provision of a new public right of way
2	2/35a	7k	Required for the provision of and to provide working space and temporary access for works associated with the provision of Ullenwood Lane and associated private means of access for Rushwood Kennels
2	2/36a	7k	Required for the provision of and to provide working space and temporary access for works associated with the provision of Ullenwood Lane and associated private means of access for Cuckoopen Barn Farm
3	3/1j	1-10	Required for Barrow Wake car park landscaping
3	3/7a	6b	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 Birdlip Road and associated boundary treatment
3	3/12b	6b	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 Birdlip Road and associated boundary treatment
3	3/12f	1-10	Required for the provision of and to provide working space and temporary access to construct a new boundary wall along Barrow Wake car park
3	3/13a	1-10	Required for the widening of an existing track and provision of a new restricted byway Required for Barrow Wake car park landscaping
3	3/15b	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
3	3/15e	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
4	4/2	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
4	4/2f	6c 6d	Required for the provision of and to provide working space and temporary access to construct new mammal crossing and B4070
4	4/2g	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
4	4/2h	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
4	4/2j	24 29	Required for the provision of and to provide working space and temporary access for works associated with the alteration of Severn Trent Water statutory undertakers apparatus Required for the provision of and to provide working space and temporary access for works associated with the alteration of British Telecommunications statutory undertakers apparatus

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
4	4/2m	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of a byway open to all traffic
4	4/2n	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline
4	4/2q	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
4	4/7	6c	Required for the provision of and to provide working space and temporary access for works associated with the provision of the B4070 and associated boundary treatment
4	4/7j	1	Required to facilitate the stopping up of an existing public right of way Required for the provision of and to provide working space and temporary access for works associated with the provision of a byway open to all traffic
4	4/7m	7	Required for the provision of and to provide working space and temporary access and protection of existing vegetation
4	4/9e	7 7b	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Shab Hill junction
4	4/17a	7 7k	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Shab Hill junction
4	4/17c	7	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Shab Hill junction and protection of existing vegetation
5	5/3b	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
5	5/3c	8 8a	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of Cowley Lane and associated boundary treatment
5	5/3f	8	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of existing track and public right of way
5	5/3j	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
5	5/3k	8	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of Cowley Lane and associated boundary treatment
5	5/3m	8	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of existing track
5	5/3s	8	Required to facilitate the stopping up of an existing public right of way
5	5/3t	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
5	5/3u	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
5	5/3y	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment

Land Plans Sheet Number	Plot Number	Work Number	Purpose for which the land is required
5	5/3ab	35	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Severn Trent Water works
5	5/3ad	8 8a	Required to facilitate the stopping up of an existing public right of way Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of Cowley Lane
5	5/4d	8 8a	Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of Cowley Lane
5	5/5e	8 8a	Existing Giga Clear to be dismantled Required for the provision of and to provide working space and temporary access for works associated with the provision of the realignment of Cowley Lane
6	6/1p	1	Required for the provision of construction access
6	6/5b	35	Required for the provision of and to provide working space and temporary access for works associated with the provision of the Severn Trent Water works
6	6/5e	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
6	6/5g	1-10	Required for the provision of and to provide working space and temporary access for works associated with the provision of the essential planting
6	6/5h	1	Required for the provision of and to provide working space and temporary access for works associated with the provision of the A417 mainline and associated boundary treatment
6	6/8b	10	Required for the provision of and to provide working space and temporary access for works associated with the provision of Cowley junction and associated boundary treatment
6	6/8d	10h	Required for the provision of and to provide working space and temporary access for works associated with the provision of attenuation basin and associated boundary treatment
6	6/8f	10h	Required for the provision of and to provide working space and temporary access for works associated with the provision of attenuation basin and associated boundary treatment
6	6/10a	10j	Required for the provision of and to provide working space and temporary access for works associated with the provision of a private means of access and restricted byway
6	6/10b	1u	Required for the provision of a site compound, including but not limited to site offices, welfare facilities, parking for workers' private vehicles and work vehicles, storage of plant, materials and top soil, and the treatment of site-generated waste



# **Appendix B Schedule of all objections made by representation to the granting of compulsory acquisition powers and progress of negotiations with those affected persons**

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# 1 Schedule of all objections made by representation to the granting of compulsory acquisition powers and progress of negotiations with those affected persons

The table below shows the progress of negotiations with affected persons. Please note that the table is correct at Deadline 8 (06 May 2022) and is considered to present the final position as part of the Examination of the scheme.

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
1	Alexander and Angell Limited	Part 1 (Category 1 – Owner)	Permanent	1/15	Y	<p><b>18<sup>th</sup> October 2019</b></p> <p>Meeting with Andrew Hope, Sophie Hope and Caroline Hope to discuss land take associated with the Scheme, in particular the field allocated as a construction compound location and the attenuation basin location. Andrew Hope raised concerns about a substantially greater surface water runoff onto their land due to the new alignment, with potential for oil spills and as such surface water treatment is required.]</p> <p><b>30<sup>th</sup> January 2020</b></p> <p>Meeting with Andrew Hope, Sophie Hope and Caroline Hope. Discussion included:</p> <ul style="list-style-type: none"> <li>• Construction Compound – noted that it is imperative that access is retained for the tenant’s agricultural use during construction.</li> <li>• Time Scales</li> <li>• Drainage Basin and General Drainage – reassurance provided that flooding won’t be displaced on to land</li> <li>• Access</li> <li>• Impact on the Farm</li> <li>• Agricultural Land Classification and Archaeological Surveys</li> <li>• Temporary Ownership with Rights</li> <li>• Realigned A417</li> <li>• Traffic Management during Construction</li> </ul> <p><b>9<sup>th</sup> April 2020</b></p> <p>Meeting (virtual) with Andrew Hope, Sophie Hope, Caroline Hope and Jonathon Perks. Discussion included:</p> <ul style="list-style-type: none"> <li>• Requirement for construction compound and need for ecological mitigation</li> <li>• Alexander and Angell preference is that an alternative area is used for ecological mitigation</li> <li>• Options for land acquisition – Alexander and Angell to decide on approach with land agent</li> </ul> <p><b>10<sup>th</sup> November 2020</b></p> <p>Meeting (virtual) with Andrew Hope, Sophie Hope, Caroline Hope and Jonathon Perks. Discussion included:</p>
			Permanent	1/15a	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Jonathan Perks (Land Agent) requested further information about land impact as the area of land to be taken permanently for the purposes of the scheme has increased.</li> </ul> <p><b>11<sup>th</sup> February 2021</b> Meeting (virtual) with Andrew Hope, Sophie Hope, Caroline Hope and Jonathon Perks. Discussion included:</p> <ul style="list-style-type: none"> <li>Landowner in disagreement about proposed ecological mitigation and permanent acquisition of the land</li> <li>Landowner considers that lesser quality land should be utilised for mitigation (Calcareous grassland)</li> <li>Section 253 agreement preferred subject to land management requirements</li> </ul> <p><b>19<sup>th</sup> March 2021</b> Meeting (virtual) with Andrew Hope, Sophie Hope, Caroline Hope and Jonathon Perks. Discussion included:</p> <ul style="list-style-type: none"> <li>Further information provided by Highways England in relation to use of the land for essential mitigation</li> <li>Landowner / agent continue to disagree about proposals and consider that lesser quality land should be used</li> <li>Highways England to provide written position and organise further discussion in relation to acquisition / S253 in order that the landowner can better consider options</li> </ul> <p>The landowner does not wish to enter into a S.253 agreement as it does not allow the land to be used in a sufficiently economically productive manner.</p>
2	Alison Besterman	Part 1 (Category 1 – Owner)Part	Permanent	3/14	Y	<p><b>30<sup>th</sup> July 2019</b> Meeting with Alison Besterman and Rob Boucher (Farm Manager). The following was discussed:</p> <ul style="list-style-type: none"> <li>Overbridges at Stockwell Farm</li> <li>Cowley Lane Alignment</li> <li>Main Alignment</li> <li>Noise concerns</li> <li>Drainage</li> <li>Public Rights of Way</li> <li>Lighting</li> </ul> <p><b>5<sup>th</sup> November 2019</b></p>
			Permanent	3/14a	Y	
			Permanent	3/14b	Y	
			Permanent	3/14c	Y	
			Permanent	3/15	Y	
			Permanent	3/15a	Y	
			Temporary	3/15b	N	
			Temporary with permanent rights	3/15c	Y	
			Temporary with permanent rights	3/15d	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			Temporary	3/15e	N	<p>Meeting with Daniel Powell (tenant of Mr Medlock at Hartley Farm) in relation to the top of Mr Medlock's field originally likely to be affected by new road into Birdlip. Land is unlikely to be needed anymore.</p> <p><b>8th November 2019</b></p> <p>Statutory consultation response from Alison Besterman. Mrs Besterman submitted an objection to the Scheme.</p> <p><b>27th January 2020</b></p> <p>Meeting with Alison Besterman and Tim Broomhead (Land Agent). Discussion included:</p> <ul style="list-style-type: none"> <li>• Need for land take</li> <li>• Details of ecological survey findings and proposed mitigation</li> <li>• Drainage proposals</li> <li>• Utilities</li> <li>• Upcoming survey work</li> <li>• Impact on farm operations</li> <li>• Land agent's fees</li> </ul> <p><b>24th August 2020</b></p> <p>Meeting with Alison Besterman and Tim Broomhead (Land Agent). The following was discussed:</p> <ul style="list-style-type: none"> <li>• Archaeology</li> <li>• Access</li> <li>• Compensation</li> <li>• Timescales</li> </ul> <p><b>5th November 2020</b></p> <p>Meeting (virtual) with Alison Besterman and Tim Broomhead (Land Agent). The following was discussed:</p> <ul style="list-style-type: none"> <li>• Design</li> <li>• Transport</li> <li>• Traffic</li> <li>• Tree loss</li> <li>• Overbridge design</li> </ul> <p><b>16th December 2020</b></p>
			Temporary	4/2	N	
			Permanent	4/2a	Y	
			Permanent	4/2b	Y	
			Temporary with permanent rights	4/2c	Y	
			Temporary with permanent rights	4/2d	Y	
			Permanent	4/2e	Y	
			Temporary	4/2f	N	
			Temporary	4/2g	N	
			Temporary	4/2h	N	
			Temporary	4/2j	N	
			Temporary with permanent rights	4/2k	Y	
			Temporary	4/2m	N	
			Temporary	4/2n	N	
			Permanent	4/2p	Y	
			Temporary	4/2q	N	
			Temporary with permanent rights	4/2r	Y	
			Permanent	4/5	Y	
			Temporary with permanent rights	4/5a	Y	
			Temporary with permanent rights	4/5b	Y	
			Permanent	5/3	Y	
			Temporary with permanent rights	5/3a	Y	
			Temporary	5/3b	N	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			Temporary	5/3c	N	<p>Meeting with Alison Besterman and Tim Broomhead (Land Agent). The following was discussed:</p> <ul style="list-style-type: none"> <li>Land take and acquisition discussions to be commenced</li> </ul> <p><b>23rd February 2021</b></p> <p>Meeting with Alison Besterman and Tim Broomhead (Land Agent). The following was discussed:</p> <ul style="list-style-type: none"> <li>Land required for the scheme</li> <li>Update on progress</li> <li>Review of landowner position statement</li> </ul> <p><b>13th May 2021</b></p> <p>Meeting with Alison Besterman and Tim Broomhead (Land Agent) and District Valuer Service. The following was discussed:</p> <ul style="list-style-type: none"> <li>Landowner position statement</li> <li>Land acquisition discussions to be advanced and Heads of Terms to be drafted</li> </ul> <p><b>4th October 2021</b></p> <ul style="list-style-type: none"> <li>Heads of Terms Issued by land agent acting for the landowner</li> <li>Negotiations ongoing</li> </ul>
			Temporary with permanent rights	5/3d	Y	
			Temporary with permanent rights	5/3e	Y	
			Temporary	5/3f	N	
			Temporary with permanent rights	5/3g	Y	
			Temporary with permanent rights	5/3h	Y	
			Temporary	5/3j	N	
			Temporary	5/3k	N	
			Temporary	5/3m	N	
			Temporary with permanent rights	5/3n	Y	
			Permanent	5/3p	Y	
			Permanent	5/3q	Y	
			Temporary with permanent rights	5/3r	Y	
			Temporary	5/3s	N	
			Temporary	5/3t	N	
			Temporary	5/3u	N	
			Temporary with permanent rights	5/3v	Y	
			Temporary with permanent rights	5/3w	Y	
			Temporary with permanent rights	5/3x	Y	
			Temporary	5/3y	N	
			Temporary with permanent rights	5/3z	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	5/3aa	Y	
			Temporary	5/3ab	N	
			<i>Temporary with permanent rights</i>	5/3ac	Y	
			Temporary	5/3ad	N	
			Permanent	5/3ae	Y	
			<i>Temporary with permanent rights</i>	5/3af	Y	
			Permanent	5/3ag	Y	
			<i>Temporary with permanent rights</i>	5/3ah	Y	
			<i>Temporary with permanent rights</i>	5/3aj	Y	
			Permanent	5/4	Y	
			Permanent	5/4a	Y	
			Permanent	5/4b	Y	
			Permanent	5/4c	Y	
			Temporary	5/4d	N	
			Permanent	5/4e	Y	
			<i>Temporary with permanent rights</i>	5/4f	Y	
			Permanent	5/5	Y	
			Permanent	5/5a	Y	
			Permanent	5/5b	Y	
			Permanent	5/5c	Y	
			Permanent	5/5d	Y	
			Temporary	5/5e	N	
			Permanent	5/5f	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	5/5g	Y	
			<i>Permanent</i>	6/4	Y	
			<i>Temporary with permanent rights</i>	6/5	Y	
			<i>Temporary with permanent rights</i>	6/5a	Y	
			<i>Temporary</i>	6/5b	N	
			<i>Temporary with permanent rights</i>	6/5c	Y	
			<i>Permanent</i>	6/5d	Y	
			<i>Temporary</i>	6/5e	N	
			<i>Permanent</i>	6/5f	Y	
			<i>Temporary</i>	6/5g	N	
			<i>Temporary</i>	6/5h	N	
			<i>Temporary with permanent rights</i>	6/5j	Y	
			<i>Permanent</i>	6/5k	Y	
			<i>Temporary with permanent rights</i>	6/11	Y	
3	Medlock (Moore Alan and Innocent)	<i>Part 1 (Category 1 – Owner)</i>	<i>Permanent</i>	2/17	Y	<p>The landowner did not engage with the project from October 2019 until December 2020 as non-intrusive and intrusive survey access was refused. From January 2021 the landowner has now engaged with the project, and we will seek to progress land acquisition discussions.</p> <p>Meeting with landowner’s agent and landowner to discuss land acquisition and S.253 agreements. In addition, the management of Emma’s Grove by Historic England. The landowner is considering submitting a blight application. A discussion on land values is be held between the DVS and the landowner’s agent.</p>
			<i>Temporary with permanent rights</i>	2/21	Y	
			<i>Temporary</i>	2/21a	N	
			<i>Temporary</i>	2/21b	N	
			<i>Permanent</i>	2/21c	Y	
			<i>Temporary</i>	2/21d	N	
			<i>Temporary with permanent rights</i>	2/21e	Y	
			<i>Permanent</i>	2/21f	Y	
			<i>Permanent</i>	2/21g	Y	



Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Permanent</i>	2/21h	Y	
			<i>Permanent</i>	2/21j	Y	
			<i>Permanent</i>	2/21k	Y	
			<i>Permanent</i>	2/21m	Y	
			<i>Temporary</i>	2/21n	N	
			<i>Permanent</i>	2/21p	Y	
			<i>Permanent</i>	2/32	Y	
			<i>Permanent</i>	3/9	Y	
			<i>Permanent</i>	3/9a	Y	
			<i>Permanent</i>	3/9b	Y	
			<i>Permanent</i>	3/10	Y	
			<i>Permanent</i>	3/10a	Y	
			<i>Temporary with permanent rights</i>	4/4	Y	
			<i>Temporary with permanent rights</i>	4/4a	Y	
4	FlyUp (Fisher German – Jonathan Perks)	Part 1 (Category 1 – Owner)	<i>Temporary</i>	1/19	N	<p><b>18<sup>th</sup> June 2019</b> Meeting to discuss borehole locations</p> <p><b>11<sup>th</sup> September 2019</b> Meeting at Crickley Hill Farm with Mr and Mrs Ruskin to discuss:</p> <ul style="list-style-type: none"> <li>Proposed PRoW between Green Bridge and FlyUp. Concerns relating to operational requirements for FlyUp including insurance and security by opening up to horse riders and cyclists.</li> <li>Current one-way system acts as a deterrent to potential thieves.</li> <li>Loss of parking.</li> </ul> <p><b>9<sup>th</sup> October 2019</b> Meeting at George Pub, following public exhibition Birdlip with Mr and Mrs Ruskin to discuss proposed Scheme. Discussion included:</p> <ul style="list-style-type: none"> <li>Public Right of Way</li> <li>Mapping</li> </ul>
				1/19a	N	
			<i>Temporary</i>	1/19b	N	
			<i>Permanent</i>	1/19c	Y	
			<i>Temporary with permanent rights</i>	1/19d	Y	
			<i>Temporary with permanent rights</i>	1/19e	Y	
			<i>Temporary</i>	1/19f	N	
			<i>Temporary</i>	1/19g	N	
			<i>Temporary</i>	1/19h	N	
			<i>Temporary</i>	1/19j	N	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			Temporary	1/19k	N	<ul style="list-style-type: none"> <li>• Surplus information</li> <li>• Mitigation</li> <li>• Noise</li> </ul> <p><b>5<sup>th</sup> February 2020</b> Meeting at National Star College as part of landowner consultation. Discussion included:</p> <ul style="list-style-type: none"> <li>• Design changes</li> <li>• Car Parking</li> <li>• Impact on the business</li> <li>• Impact on bike tracks</li> <li>• Dirt jump field</li> <li>• Access</li> <li>• Train planting</li> <li>• Impact on house</li> <li>• Public right of way</li> </ul> <p><b>21<sup>st</sup> October 2020</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>• Design of access track</li> <li>• Provision of mitigation car parking</li> <li>• Compensation for business disruption</li> <li>• Noise</li> </ul> <p><b>17<sup>th</sup> December 2020</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>• Design of access track</li> <li>• Provision of mitigation car parking</li> <li>• Approach for TCPA regarding reception/café building</li> </ul> <p><b>8<sup>th</sup> February 2021</b></p> <ul style="list-style-type: none"> <li>• Provision of land interest plans and notification of targeted landowner consultation. These plans detailed the land required for the scheme</li> </ul> <p><b>19<sup>th</sup> March 2021</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>• Cafe Reception and shop building and its temporary or permanent nature</li> </ul>
			Permanent	1/19m	Y	
			Temporary with permanent rights	1/19n	Y	
			Temporary	1/19o	N	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>• Review of proposed mitigation car parking and access track</li> <li>• Landscape planting</li> <li>• Costs of a temporary building</li> <li>• Payment towards the preparation of a planning application for a permanent building</li> <li>• Survey licence payments</li> </ul> <p><b>12th May 2021</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>• Noise levels and mitigation available</li> <li>• Noise assessment</li> <li>• Request that a permanent café/reception and shop building be included in the Development Consent Order as people will not want to walk from the new car parking to their existing buildings.</li> <li>• Explanation of compensation constraints and that only a temporary building can be provided</li> <li>• The landowner's agent rejected this and stated that a permanent building would have to be included within the DCO to meet the businesses requirements</li> <li>• DVS confirmed that the cost of temporary buildings could be put towards the construction of a permanent building if the business was successful in seeking planning permission for a permanent building</li> <li>• The land agent would therefore object to the scheme if a permanent building was not provided as part of the DCO</li> </ul> <p><b>23<sup>rd</sup> July 2021</b></p> <ul style="list-style-type: none"> <li>• Email correspondence outlining that a permanent building cannot be provided and that professional fees would be paid for to enable a planning application for new cafe reception and shop building</li> </ul> <p><b>30th July 2021</b></p> <ul style="list-style-type: none"> <li>• Email correspondence from agent confirming that if a permanent building is not being provided then the access track route to revert to being in front of the house in its existing position</li> </ul> <p><b>6<sup>th</sup> August 2021</b></p> <ul style="list-style-type: none"> <li>• Email correspondence from Project Director confirming that a permanent building will not form part of the DCO and that a temporary one will be provided.</li> <li>• Confirmation that the costs of a planning application for a permanent building would be provided</li> </ul> <p><b>6th August 2021</b></p>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Email correspondence from land agent stating that if only a temporary building is being provided it needs to be substantial enough to be secure for a bike shop and that the access track should revert to being in front of the house once construction is complete.</li> </ul> <p><b>23rd August 2021</b></p> <ul style="list-style-type: none"> <li>Email correspondence confirming why the provision of a permanent building cannot be made</li> </ul> <p><b>8th December 2021</b></p> <p><u>Meeting with landowner and land agent. Discussion included:</u></p> <ul style="list-style-type: none"> <li>Parking provision</li> <li>Access track route</li> <li>Provision of a permanent building</li> </ul> <p><b>12th January 2022</b></p> <p><u>Meeting with landowner and land agent. Discussion included:</u></p> <ul style="list-style-type: none"> <li>Presentation of new car park and access track layout</li> <li>Reduction of land take</li> <li>Access track to run in front of house after construction is complete</li> <li>Woodland planting to be agreed via S.253 if possible, to allow the landowner to retain freehold</li> </ul> <p><b>10th February 2022</b></p> <p><u>Email correspondence confirming:</u></p> <ul style="list-style-type: none"> <li>The maximum number of car parking spaces that can be provided without affecting the area of woodland and downhill bike tracks</li> <li>Confirmation that the landowner could retain ownership of the land required for woodland planting and undertake the planting themselves if a s.253 agreement could be made, and planting specification followed.</li> <li>Request that if design changes proposed on 12th January were acceptable to the landowner, then National Highways would need confirmation of this to submit the change into examination.</li> </ul>
			<i>Permanent</i>	1/19p	Y	
			<i>Permanent</i>	1/19q	Y	
			<i>Temporary</i>	1/19r	N	
			<i>Temporary with permanent rights</i>	1/19s	Y	
			<i>Permanent</i>	1/19t	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	1/19u	Y	
			<i>Temporary with permanent rights</i>	1/19v	Y	
5	Garlick (Fisher German – Jonathan Perks)	Part 1 (Category 1 – Owner)	<i>Permanent</i>	1/27	Y	<p><b>4<sup>th</sup> October 2019</b> Meeting with Mr and Mrs Garlick to discuss design updates. Discussion included:</p> <ul style="list-style-type: none"> <li>Potential to provide access from Crickley Tractors onto re-aligned A417.</li> <li>Crickley Tractors relocation and land acquisition.</li> <li>Two telecoms masts on site, Lease terms to be confirmed.</li> </ul> <p><b>8<sup>th</sup> November 2019</b> Statutory consultation response from Mr Garlick included:</p> <ul style="list-style-type: none"> <li>Support for tree planting to offset views</li> <li>Note that access to Crickley Hill Tractors shouldn't be directly off new road</li> </ul> <p><b>5<sup>th</sup> February 2020</b> Meeting with Mr and Mrs Garlick as part of landowner consultation. Discussion included:</p> <ul style="list-style-type: none"> <li>Discretionary purchase and blight</li> <li>Telecom mast</li> <li>Access</li> <li>Damage to concrete yard by GI contractors</li> <li>Proposed PRoW and interaction with the business</li> <li>Business impacts</li> </ul> <p><b>7<sup>th</sup> October 2020</b> Submission of blight notices regarding:</p> <ul style="list-style-type: none"> <li>Crickley Hill Tractors</li> <li>Grove Farm</li> <li>Pinewood</li> </ul> <p><b>18<sup>th</sup> November 2020</b> Blight accepted regarding:</p> <ul style="list-style-type: none"> <li>Crickley Hill Tractors</li> <li>Grove Farm</li> </ul>
			<i>Temporary with permanent rights</i>	1/27a	Y	
			<i>Permanent</i>	1/27b	Y	
			<i>Permanent</i>	1/27c	Y	
			<i>Permanent</i>	1/29	Y	
			<i>Permanent</i>	2/10	Y	
			<i>Temporary with permanent rights</i>	2/10a	Y	
			<i>Permanent</i>	2/10b	Y	
			<i>Temporary with permanent rights</i>	2/10c	Y	
			<i>Temporary</i>	2/10d	N	
			<i>Permanent</i>	2/10e	Y	
			<i>Permanent</i>	2/10f	Y	
			<i>Permanent</i>	2/11	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Pinewood</li> </ul> <p>Crickley Hill Tractors and Pinewood have had contracts exchanged with National Highways and due to complete in winter 2022</p> <p>Grove Farm acquisition completed 19<sup>th</sup> November 2021</p>
6	Edward Peter Parker-Thomas Danielle Kristina Parker-Thomas	Part 1 (Category 1 – Owner)	<i>Temporary with permanent rights</i>	1/26a	Y	<b>30<sup>th</sup> June 2021</b> Purchase of land and buildings by Mr and Mrs Parker-Thomas Land interest plans have been provided to the landowner and details of how the scheme affects the land holding.
			<i>Permanent</i>	1/26	Y	
7	Anton Palmer	Part 1 (Category 1 – Owner)	<i>Temporary with permanent rights</i>	1/23	Y	<b>12<sup>th</sup> November 2019</b> Meeting with Estate Manager. Discussion included: <ul style="list-style-type: none"> <li>Proposed land take</li> </ul> . Meeting held onsite with landowner 12 <sup>th</sup> April. Landowner will wait for rights to be acquired by GVD.
			<i>Permanent</i>	1/23a	Y	
			<i>Permanent</i>	1/23b	Y	
			<i>Temporary with permanent rights</i>	1/24	Y	
			<i>Temporary with permanent rights</i>	1/24a	Y	
8	Alan Dick (Carter Jonas – Mark Warnett)	Part 1 (Category 1 – Owner)	<i>Temporary with permanent rights</i>	2/29	Y	<b>1<sup>st</sup> August 2019</b> Meeting with Mr Dick at Shab Hill Radio Station to discuss borehole and survey locations and access.
			<i>Temporary with permanent rights</i>	2/29a	Y	
			<i>Permanent</i>	2/29b	Y	<b>10<sup>th</sup> October 2019</b> Meeting with Mr Dick to discuss consultation plans and design updates.
			<i>Permanent</i>	2/29c	Y	
			<i>Permanent</i>	2/29d	Y	<b>20<sup>th</sup> March 2020</b> Meeting with landowner and Land Agent. Discussion included: <ul style="list-style-type: none"> <li>Land acquisition</li> <li>Survey work</li> <li>Project timeline</li> </ul>
			<i>Temporary with permanent rights</i>	2/30	Y	
			<i>Temporary</i>	2/30a	N	
			<i>Permanent</i>	2/30b	Y	
			<i>Permanent</i>	2/30c	Y	<b>3<sup>rd</sup> November 2020</b> Meeting with landowner and land agent. Discussion included:
<i>Permanent</i>	4/3	Y				

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	4/3a	Y	<ul style="list-style-type: none"> <li>Drainage infrastructure for radio station</li> <li>Land take</li> <li>Land acquisition discussions to be progressed with District Valuer Service</li> </ul> <p><b>17<sup>th</sup> February 2021</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Section 253 agreement</li> <li>Design</li> <li>Land take</li> <li>Likely duration of construction</li> <li>Accommodation works</li> <li>Ecological mitigation</li> <li>Reduction of temporary possession</li> </ul> <p>Landowner's agent is considering S.253 agreement. Outline land management requirements have been issued. A final response to the draft agreement is outstanding.</p>
			<i>Temporary with permanent rights</i>	4/3b	Y	
			<i>Temporary with permanent rights</i>	4/3c	Y	
			<i>Temporary with permanent rights</i>	4/3d	Y	
			<i>Temporary with permanent rights</i>	4/3e	Y	
			<i>Temporary with permanent rights</i>	4/3f	Y	
			<i>Temporary with permanent rights</i>	4/9	Y	
			<i>Temporary with permanent rights</i>	4/9a	Y	
			<i>Temporary with permanent rights</i>	4/9b	Y	
			<i>Permanent</i>	4/9c	Y	
			<i>Temporary with permanent rights</i>	4/9d	Y	
			<i>Temporary</i>	4/9e	N	
9	Stephen Mendel (Bruton Knowles)	Part 1 (Category 1 – Owner)	<i>Permanent</i>	2/32	Y	<p><b>6<sup>th</sup> August 2019</b> Meeting with Mr Mendel to look at borehole locations and trial pit locations. Shab Hill Junction takes up most of Mr Mendel's landholding. Access will be shared from B4070.</p> <p><b>6<sup>th</sup> August 2019</b> Meeting with Mr Mendel to look at borehole locations and trial pit locations. Shab Hill Junction takes up most of Mr Mendel's landholding. Access will be shared from B4070.</p> <p><b>5<sup>th</sup> February 2020</b> Meeting at National Star College as part of landowner consultation. Discussion included:</p> <ul style="list-style-type: none"> <li>Blight and discretionary purchase</li> </ul>
			<i>Permanent</i>	2/34	Y	
			<i>Permanent</i>	3/6	Y	
			<i>Permanent</i>	4/6	Y	
			<i>Temporary with permanent rights</i>	4/6a	Y	
			<i>Permanent</i>	4/6b	Y	
			<i>Temporary</i>	4/7	N	
			<i>Temporary with permanent rights</i>	4/7a	Y	
			<i>Permanent</i>	4/7b	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Permanent</i>	4/7c	Y	<ul style="list-style-type: none"> <li>Access to top field post construction</li> <li>Upcoming survey work</li> <li>Severed land</li> <li>Use of land proposed to be taken</li> <li>Land agent representation</li> </ul> <p>Discretionary purchase application has been accepted by National Highways 21<sup>st</sup> October 2021.</p> <p><b>28<sup>th</sup> October 2020</b> Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Land acquisition</li> <li>Land access</li> <li>Discretionary purchase</li> </ul> <p><b>12<sup>th</sup> March 2021</b> Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Discretionary Purchase</li> <li>Land required for the scheme</li> <li>Public Rights of Way</li> <li>Forward plan for purchase</li> </ul> <p><b>26<sup>th</sup> March 2021</b> Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Land required for the scheme</li> <li>Public Rights of Way</li> </ul> <p><b>26<sup>th</sup> April 2021</b> Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Confirmation of land area required for the scheme being purchased only</li> <li>Fees and costs</li> </ul> <p><b>7<sup>th</sup> May 2021</b></p>
			<i>Temporary with permanent rights</i>	4/7d	Y	
			<i>Permanent</i>	4/7e	Y	
			<i>Temporary with permanent rights</i>	4/7f	Y	
			<i>Temporary with permanent rights</i>	4/7g	Y	
			<i>Permanent</i>	4/7h	Y	
			<i>Temporary</i>	4/7j	N	
			<i>Permanent</i>	4/7k	Y	
					N	
			<i>Temporary</i>	4/7m		



Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> </ul> <p><b>18<sup>th</sup> August 2021</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Property Valuation</li> <li>Special Payment process</li> <li>Information on unregistered land</li> <li>Valuers final report</li> <li>PRoW</li> </ul> <p><b>8<sup>th</sup> October 2021</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Property Valuation</li> <li>Special Payment process</li> <li>Information on unregistered land</li> </ul> <p><b>29<sup>th</sup> October 2021</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Property Valuation</li> <li>Information on unregistered land</li> <li>PRoW</li> <li>Valuers final report</li> </ul> <p><b>12<sup>th</sup> November 2021</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>Progression of discretionary Purchase</li> <li>Property Valuation</li> <li>Information on unregistered land</li> <li>Third party fees</li> <li>Valuers final report</li> <li>PRoW</li> </ul> <p><b>17<sup>th</sup> January 2022</b></p>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>• Progression of discretionary Purchase</li> <li>• Information on unregistered land</li> <li>• PRoW</li> </ul> <p><b>21<sup>st</sup> January 2022</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>• Progression of discretionary Purchase</li> <li>• Instruction of solicitors</li> </ul> <p><b>Discretionary purchase to be progressed. Original application did not include farmland and the property is unable to sell on the open market.</b></p>
10	De Lisle Wells	Part 1 (Category 1 – Owner)	Permanent	2/33	Y	<p><b>6<sup>th</sup> September 2019</b></p> <p>Meeting to look at borehole location and trial pit location.</p> <p><b>10<sup>th</sup> October 2019</b></p> <p>Meeting with Mr and Mrs De Lisle Wells. The following was discussed:</p> <ul style="list-style-type: none"> <li>• Construction dust is of concern. Specialist advice is required.</li> </ul> <p><b>6<sup>th</sup> May 2020</b></p> <p>Meeting with land agent and landowner. Discussion included:</p> <ul style="list-style-type: none"> <li>• Update on the scheme</li> <li>• Access and passing places on private means of access</li> <li>• Landscape planting</li> <li>• Noise mitigation</li> <li>• Land acquisition</li> </ul> <p>A Discretionary Purchase application has been submitted by the landowner, which National Highways are currently considering. The land required for the scheme has been accepted though the remainder outside the order limits is being negotiated.</p>
			Permanent	2/36	Y	
			Temporary	2/36a	N	
11	Julia and David Parkinson (Rushwood Kennels)	Part 1 (Category 1 – Owner)	Permanent	4/17	Y	<p><b>6<sup>th</sup> September 2019</b></p> <p>Meeting with Mr and Mrs Parkinson to discuss blight claim.</p> <p><b>2<sup>nd</sup> October 2019</b></p>
			Temporary	4/17a	N	
			Permanent	4/17b	Y	
			Temporary	4/17c	N	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<p>Meeting with Mr and Mrs Parkinson's concerns relating to the Scheme. The following was discussed:</p> <ul style="list-style-type: none"> <li>Excavated material and whether the value of earth will be reimbursed in addition to the purchase cost of the land.</li> <li>Exercise field is very much required for the business. Concerns on operation of business due to air quality, noise and construction impacts.</li> <li>The kennel's licence renewal takes place in 2.5 years, potentially during construction which is of concern.</li> <li>Access to priority is required all day every day for operation and emergencies.</li> <li>Concerns about water supply.</li> </ul> <p>Barrow wake car park and anti-social behaviour.</p> <p><b>10<sup>th</sup> October 2019</b> Meeting with Mr and Mrs Parkinson to discuss concerns.</p> <p><b>30<sup>th</sup> January 2020</b> Meeting with Mr and Mrs Parkinson to discuss concerns and changes since last meeting. Mr and Mrs Parkinson noted that they do not object to the Scheme in principle but are concerned about potential impact on their business. Discussion included:</p> <ul style="list-style-type: none"> <li>Licensing concerns and business impact – significant risk.</li> <li>Mitigation Land Access – potential for the arrangement of a Section 253 agreement was discussed that allows access onto mitigation land with assurance that land will be maintained as mitigation.</li> <li>Design Changes</li> <li>Blight Claim</li> <li>Access Requirements at the Kennels</li> <li>Survey Requirements</li> </ul> <p><b>7<sup>th</sup> October 2020</b> Discretionary purchase application submitted</p> <p><b>11<sup>th</sup> December 2020</b> Discretionary purchase accepted on business premises</p> <p>22<sup>nd</sup> March 2022 Completion of acquisition by National Highways.</p>
12	National Star College	Part 1 (Category 1 –	Permanent	2/24	Y	<b>10thOctober 2019</b>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
		Owner)	<i>Permanent</i>	2/24a	Y	<p>Meeting with David Ellis, Peter Horne and Hugh Piggott to discuss National Star College. Discussion included:</p> <ul style="list-style-type: none"> <li>Main concerns relating to traffic flow and access around the site as critical to the charity's operation.</li> <li>Concerns over noise levels around National Star.</li> <li>Concerns over the capacity of the Shab Hill junction, and whether the design accounts for staff levels at National Star and stressed the very high level of care required for students.</li> <li>Concern that land required for attenuation basins may become an area of marshland as at the moment it has effective drainage.</li> <li>Access during construction.</li> <li>Air quality.</li> <li>Access to the PRow network.</li> <li>Timescales on land purchase and potential loss of income.</li> <li>Consideration of weather extremes.</li> <li>Existing transport plan for the campus and current plans to develop facility.</li> <li>Construction compound and potential to cause distress to students.</li> </ul> <p><b>30<sup>th</sup> January 2020</b></p> <p>Meeting with Peter Horne and Hugh Piggott. Discussion included:</p> <ul style="list-style-type: none"> <li>Shielding during works and operation – temporary screening with construction spoil</li> <li>Attenuation basins and drainage</li> <li>Current models – concern expressed about current design based on unconfirmed models</li> <li>Potential need for additional drainage and land take</li> <li>Access still of concern and reassurance provided that retention of access is an obligation</li> <li>Air quality – NSC not satisfied with general management measures during construction and requested meeting with specialists</li> <li>Further meeting with specialists to be arranged</li> </ul> <p><b>10<sup>th</sup> September 2020</b></p> <p>Meeting with National Star College. Discussion included:</p> <ul style="list-style-type: none"> <li>Update on the scheme</li> <li>Summary of all environmental affects</li> <li>Land take</li> <li>Timescales</li> <li>Drainage</li> <li>Agent's fees</li> </ul>
			<i>Permanent</i>	2/24b	Y	
			<i>Temporary</i>	2/24c	N	
			<i>Permanent</i>	2/28	Y	
			<i>Temporary</i>	2/28a	N	
			<i>Temporary</i>	2/28b	N	
			<i>Temporary with permanent rights</i>	2/28c	Y	
			<i>Temporary with permanent rights</i>	2/28d	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Professional fees</li> <li>Landowner objects to creation of easement to formalise overflow drainage route</li> </ul> <p><b>26<sup>th</sup> November 2020</b> Meeting with National Star College – walk over to better understand land take.</p> <p><b>13<sup>th</sup> January 2021</b> Meeting with National Star College. Discussion included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Drainage</li> <li>Design acceptability explored with GCC</li> </ul> <p><b>10<sup>th</sup> March 2021</b> Meeting with National Star College. Discussion included:</p> <ul style="list-style-type: none"> <li>Drainage regarding infiltration testing</li> <li>Update to design</li> <li>Requirement for easement</li> <li>Land take now understood by NSC and acquisition discussions to progress with District Valuer Service</li> </ul> <p>Heads of Terms issued to NSC on 20<sup>th</sup> January 2022. Discussions to be progressed</p>
13						
14	David and Lisa Field Bruton Knowles	Part 1 (Category 1 – Owner)	<i>Permanent</i>	1/3	Y	<p><b>10<sup>th</sup> October 2019</b> Meeting with Mr and Mrs Fields to discuss the Scheme’s progression and potential land take. Discussion included:</p> <ul style="list-style-type: none"> <li>Relocation of attenuation basin about which Mr and Mrs Fields did not agree with the new placement of the attenuation basin</li> <li>Previous planting by HE which has blocked their view and is not maintained.</li> <li>Noise levels.</li> <li>Requirement for contractor caravans to be located on land.</li> </ul>
			<i>Temporary with permanent rights</i>	1/3a	Y	
			<i>Temporary with permanent rights</i>	1/3b	Y	
			<i>Temporary with permanent rights</i>	1/3c	Y	
			<i>Permanent</i>	1/3d	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			Temporary	1/13	N	<p><b>6<sup>th</sup> February 2020</b> Meeting at National Star College as part of landowner consultation. Discussion included:</p> <ul style="list-style-type: none"> <li>Layby design and intended use</li> <li>Noise mitigation</li> <li>Access</li> <li>Impacts of construction</li> </ul> <p><b>2<sup>nd</sup> November 2020</b> Meeting onsite with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Drainage</li> <li>Landscaping</li> <li>Land take</li> </ul> <p><b>16<sup>th</sup> February 2021</b> Meeting (virtual) with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Drainage design</li> <li>Landscaping</li> <li>Land take</li> <li>Noise</li> <li>Layby design</li> <li>Landowner objects to proposed layby – discussions progressing regarding justification for location</li> </ul> <p><b>4<sup>th</sup> February 2022</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Drainage design</li> <li>Landscaping</li> <li>Land take</li> <li>Layby design</li> </ul> <p>District Valuer Service to issue Heads of Terms and progress negotiations</p>
			Temporary	1/13a	N	
15	John Dyke (Ian and Robert) (Fisher German – Graham Hunt)	Part 1 (Category 1 – Owner)	Temporary with permanent rights	1/30	Y	<p><b>18<sup>th</sup> July 2019</b> Meeting with Graham Hunt on site to agree Borehole locations</p> <p><b>10<sup>th</sup> October 2019</b> Meeting with Mr Dyke to discuss the Scheme's progression. Discussion included:</p>
			Temporary with permanent rights	1/31	Y	
			Temporary with permanent rights	1/31a	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Permanent</i>	1/31b	Y	<ul style="list-style-type: none"> <li>Mr Dyke was updated on the design changes affecting Fernbank which removed the cutting required for the Cold Slad Lane access to the land ownership boundary rather than intruding into it.</li> </ul> <p><b>8<sup>th</sup> November 2019</b> Statutory consultation response from Mr Dyke which included:</p> <ul style="list-style-type: none"> <li>Support for Cold Slad Lane access road but concern about a motorised access from Dog Lane to the new roundabout by Air Balloon due to potential rat run and proximity to property.</li> <li>No support for opening up current dead end of Cold Slad lane as a right of way for vehicles.</li> <li>Concern about possibility for travellers to find parking places where they set up camp for extended periods of time. Mr Dyke noted it essential that only designated parking is provided.</li> <li>A request for HE to be sensitive to the local residents during construction. Mr Dyke noted that the grass verges become very soft and tear easily during winter months.</li> </ul> <p><b>6<sup>th</sup> November 2020</b> Meeting with landowner and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Proposed land take</li> <li>Explanation of acquisition process</li> <li>Discussions to be progressed by District Valuer Service</li> </ul>
			<i>Temporary with permanent rights</i>	1/34	Y	
			<i>Temporary with permanent rights</i>	1/34a	Y	
			<i>Temporary with permanent rights</i>	1/35	Y	
			<i>Temporary with permanent rights</i>	1/36	Y	
			<i>Temporary with permanent rights</i>	2/2	Y	
			<i>Temporary with permanent rights</i>	2/3	Y	
			<i>Temporary with permanent rights</i>	2/5	Y	
			<i>Temporary with permanent rights</i>	2/6	Y	
16	National Highways Limited	<i>Part 1 (Category 1 – Owner)</i>	<i>Permanent</i>	2/12	Y	<p><b>10<sup>th</sup> October 2019</b> Meeting with Mrs King to discuss Scheme. Blight claim has been accepted. Mrs King is looking for a new accommodation. Fisher German acting as her agents.</p> <p><b>29<sup>th</sup> January 2020</b> Meeting with Mrs King to discuss valuation and blight claim. HE actions to send a letter of comfort to Mrs King outlining the process. District Valuer outlines a 3 year period to redeem blight claim.</p> <p><b>Blight claim accepted</b> <b>Property acquired</b> National Highways Limited completed the purchase of Mrs King's freehold on the 14 October 2021f</p>
			<i>Temporary</i>	2/20	N	
17	Iddles	<i>Part 1 (Category 1 –</i>	<i>Permanent</i>	2/15	Y	<b>5<sup>th</sup> July 2019</b>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
		Owner)	<i>Temporary with permanent rights</i>	2/15a	Y	Meeting to agree borehole locations and geophysical trenching.
			<i>Temporary with permanent rights</i>	2/15b	Y	<b>10<sup>th</sup> October 2019</b> Meeting with Lee Iddles and David Iddles. Discussion included: <ul style="list-style-type: none"> <li>Impact of borehole survey on land and horses (issue resolved)</li> <li>Blight claims</li> <li>Upcoming survey work</li> </ul>
						<b>5<sup>th</sup> February 2020</b> Meeting at National Star College as part of landowner consultation. Discussion included: <ul style="list-style-type: none"> <li>Upcoming survey work</li> <li>Remuneration of time spent</li> <li>Damage caused by GI contractors</li> </ul>
						5 <sup>th</sup> May 2022 Landowner actively searching for a new property to move to.  <b>Blight claim accepted – acquisition progressing</b>
18	John Kingston	Part 1 (Category 1 – Owner)	<i>Temporary with permanent rights</i>	1/20	Y	<b>18<sup>th</sup> October 2019</b> Meeting with Mr Kingston to discuss Scheme. Discussion included: <ul style="list-style-type: none"> <li>Land plot drawings</li> <li>Concern that the property is near a pinch point and noise impacts and insulation.</li> <li>Concern about pool and dust impacts.</li> <li>Air Quality and NOx</li> <li>Concern about fencing and planting as a noise barrier.</li> <li>Concerns on holiday cottages business</li> </ul>
			<i>Temporary with permanent rights</i>	1/20a	Y	
			<i>Temporary with permanent rights</i>	1/20b	Y	
						<b>6<sup>th</sup> February 2019</b> Meeting with Mr Kingston to discuss Scheme. Discussion included: <ul style="list-style-type: none"> <li>Noise</li> <li>Replacement Glazing</li> <li>Damage to Render</li> <li>House on Market and not selling because of the road</li> <li>Noise fence</li> </ul>



Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<b>No land being acquired – acquisition of permanent rights to be progressed</b>
19	Ford	<i>Part 1 (Category 1 – Owner)</i>	<i>Permanent</i>	6/10	Y	<p><b>22<sup>nd</sup> October 2019</b></p> <p>Meeting with Mr Ford to discuss Scheme. Discussion included:</p> <ul style="list-style-type: none"> <li>Potential of construction phase to disrupt farm operation</li> <li>Attenuation basin is no longer within Mr Ford's land plot</li> <li>Area to the west of Mr Ford's land plot to be used for temporary works and potentially be a storage site during construction and for landscaping.</li> </ul> <p><b>30<sup>th</sup> January 2020</b></p> <p>Meeting with Mr John Ford and Mr Gordon Ford. Mr John Ford stated no objection to the Scheme in principle but wants to minimise impact on his land. Discussion included:</p> <ul style="list-style-type: none"> <li>Construction compound. Mr J Ford is not happy with the use of his field due to previous experience of unsatisfactory restoration and would prefer land to the south is used.</li> <li>Land interest questionnaire and associated costs</li> <li>Agricultural land classification</li> <li>Archaeological trenches</li> <li>Access</li> <li>Consultation process</li> </ul> <p><b>4<sup>th</sup> August 2020</b></p> <p>Meeting with Mr Ford and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Survey work</li> <li>Use of the land as a compound</li> </ul> <p><b>13<sup>th</sup> November 2020</b></p> <p>Meeting with Mr Ford and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Survey access</li> <li>Design and proposed land take</li> <li>Land acquisition meeting to be progressed by District Valuer Service</li> </ul>
			<i>Temporary</i>	6/10a	N	
			<i>Temporary</i>	6/10b	N	
			<i>Permanent</i>	6/12	Y	
20	National Trust	<i>Part 1 (Category 1 – Owner)</i>	<i>Permanent</i>	2/14	Y	<p><b>21<sup>st</sup> August 2019</b></p> <p>Meeting with Sarah Cook, Tim Barter, Laura Lawrance-Owen and Kate Jones representing National Trust and Ian Stevenson representing Gloucestershire Wildlife Trust. Discussion included:</p>
			<i>Permanent</i>	2/14a	Y	
			<i>Permanent</i>	2/14b	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	2/14c	Y	<ul style="list-style-type: none"> <li>• Borehole within coach park</li> <li>• Access arrangements</li> <li>• Ground investigation methodology</li> <li>• Cotswold Way diversion</li> <li>• Other surveys</li> </ul> <p><b>15<sup>th</sup> January 2020</b> Meeting with Sarah Cook and Tim Barter. Discussions included:</p> <ul style="list-style-type: none"> <li>• Land take</li> <li>• Land required for Green Bridge</li> </ul> <p><b>30<sup>th</sup> January 2020</b> Meeting with Sarah Cook. Discussions included:</p> <ul style="list-style-type: none"> <li>• Impacts of a 40m bridge width in preferred location to be considered</li> </ul> <p>7<sup>th</sup> September 2020 Meeting with Sarah Cook. Discussions included:</p> <ul style="list-style-type: none"> <li>• Update to the scheme</li> <li>• Land take required for Green Bridge removed</li> <li>• Revised land take of National Trust's inalienable land is now significantly less along their land boundary</li> <li>• Cattle access routes across National Trust land are to be progressed</li> <li>• Land acquisition discussions to be progressed with District Valuer Service end of 2020/start of 2021</li> </ul> <p><b>9<sup>th</sup> March 2021</b> Meeting (virtual) with Sarah Cook. Discussion included</p> <ul style="list-style-type: none"> <li>• Scheme update</li> <li>• Land take</li> <li>• Land Acquisition</li> <li>• National Trust in agreement to progress acquisition of the land</li> <li>• Question raised in relation to plot 2/1f and its freehold ownership – the National Trust believes this is still owned by them though land registry entry states freeholder as Highways England</li> </ul> <p><b>10<sup>th</sup> June 2021</b> Meeting (virtual) with Sarah Cook. Discussion included:</p> <ul style="list-style-type: none"> <li>• Access</li> <li>• Accommodation works</li> </ul>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Method of compulsory acquisition of inalienable land</li> <li>Grazing</li> <li>Issue of better title now resolved for 2/1f</li> </ul> <p><b>17<sup>th</sup> January 2022</b> Meeting (virtual) with Sarah Cook. Discussion included:</p> <ul style="list-style-type: none"> <li>Update on potential land acquisition and valuation discussions</li> <li>Access</li> <li>PRoW</li> <li>Grazing Rights</li> <li>Accommodation works</li> </ul> <p><b>4<sup>th</sup> February 2022</b> Meeting (virtual) with legal counsel and District Valuer Service to discuss:</p> <ul style="list-style-type: none"> <li>Clarification of approach for land acquisition</li> <li>Valuation to progressed</li> <li>Covenants held in existing Deed of Dedication to be added to side agreement</li> <li>Access rights and grazing</li> </ul>
21	Colston Trustees Limited	Part 1 (Category 1 – Owner)	Temporary with permanent rights	4/12	Y	<p><b>29<sup>th</sup> January 2020</b> Meeting with Mr McCarthy, Mr Taylor and Mr Lorriman. Discussion included:</p> <ul style="list-style-type: none"> <li>Design of Birdlip Link Road. Mr McCarthy expressed concern over the design and whether underpass and roundabout could handle traffic demand. Concerns also raised over access to the lane.</li> <li>Land and compensation. Discretionary purchase, compensation for disruption, blight and reduction in property values, land take.</li> <li>Land ownership information</li> <li>Services including fibre broadband services and relocation of septic tank.</li> <li>Road alignment and construction</li> <li>Drainage</li> <li>Mitigation</li> <li>Surrounds</li> <li>Security</li> <li>Mast</li> </ul> <p><b>28<sup>th</sup> October 2020</b> Meeting with Mr McCarthy, Mr Taylor and Mr Lorriman. Discussion included:</p>
			Temporary with permanent rights	4/12a	Y	
			Temporary with permanent rights	4/12b	Y	
			Temporary with permanent rights	4/13	Y	
			Temporary with permanent rights	4/13a	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
						<ul style="list-style-type: none"> <li>Scheme design</li> <li>Access</li> <li>Drainage</li> <li>Noise</li> <li>Utilities</li> <li>Winter road conditions</li> <li>Width of access road to radio station</li> <li>Junction visibility</li> </ul>
22	Overbury	Part 1 (Category 1 – Owner)	<i>Temporary with permanent rights</i> <i>Permanent</i> <i>Temporary</i> <i>Permanent</i> <i>Temporary</i> <i>Temporary with permanent rights</i> <i>Temporary</i> <i>Temporary with permanent rights</i> <i>Temporary with permanent rights</i>	6/8 6/8a 6/8b 6/8c 6/8d 6/8e 6/8f 6/8g 6/9	Y Y N Y N Y N Y	<p><b>29<sup>th</sup> January 2020</b>                      Meeting with Thomas Overbury who noted a general support for the project. Discussion included:</p> <ul style="list-style-type: none"> <li>Mitigation</li> <li>Drainage – concern expressed about water runoff from direction of Stockwell Farm</li> <li>Unknown ownership – Mr Overbury has the deed of the land bordering the Golden Heart</li> <li>Water supply</li> <li>Archaeology</li> </ul> <p><b>27<sup>th</sup> October 2020</b>                      Meeting (virtual) with Thomas Overbury and land agent. Discussion included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Scheme design</li> <li>Access to Cowley Wood</li> <li>Land acquisitions to be progressed by District Valuer Service</li> <li>Archaeology survey work</li> </ul> <p>3<sup>rd</sup> February 2022                      Meeting (virtual) with Thomas Overbury, land agent and District Valuer Service. Discussions included:</p> <ul style="list-style-type: none"> <li>Areas of land to be permanently acquired</li> <li>Agreement that heads of terms for the acquisition of land could be progressed.</li> </ul> <p><b>28<sup>th</sup> March 2022</b>                      Heads of Terms issued to landowners agent by DVS. Awaiting response.</p>
23	Greene King	Part 1 (Category 1 –	<i>Permanent</i>	2/19	Y	<b>30<sup>th</sup> January 2020</b>

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
		Owner)	<i>Permanent</i>	2/19a	Y	<p>Meeting with Mr Ross Kent. Discussion included:</p> <ul style="list-style-type: none"> <li>Royal George</li> <li>Blight claim for Air Balloon</li> <li>Survey work</li> <li>Access for the Iddles</li> <li>Licencing</li> <li>Fee agreements and payment of agent fees</li> </ul> <p><b>30<sup>th</sup> September 2020</b></p> <p>Phone call with land agent. Discussions included:</p> <ul style="list-style-type: none"> <li>Land take for Royal George</li> <li>Land take for Air Balloon pub</li> <li>Timescales</li> <li>Air balloon pub to continue trading for as long as possible</li> </ul> <p><b>17<sup>th</sup> November 2021</b></p> <p>Meeting with estates team and land agent: Discussions included:</p> <ul style="list-style-type: none"> <li>Timing of works</li> <li>Compulsory Acquisition</li> <li>Valuation discussions to be advanced</li> </ul>
			<i>Permanent</i>	2/19b	Y	
			<i>Permanent</i>	3/5	Y	
24	Michael Williams		<i>Permanent</i>	2/27	Y	<p><b>6<sup>th</sup> February 2020</b></p> <p>Land will be removed from red line boundary. Land unaffected by application. Water from his field spills onto road and onto National Star collages land.</p>
			<i>Temporary</i>	2/27a	N	
25	Hanson UK Part 1 (Category 1 – Owner)		<i>Permanent</i>	6/7	Y	<p><b>6<sup>th</sup> February 2020</b></p> <p>Meeting at National Star College as part of landowner consultation. Discussion included:</p> <ul style="list-style-type: none"> <li>Scheme's impact on the future operation of the quarry</li> <li>Works through the quarry</li> <li>Value of the quarry</li> <li>Aggregate need</li> </ul> <p><b>11<sup>th</sup> November 2020</b></p> <p>Meeting with Ian MacPherson and land agent. Discussions included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Utilities</li> </ul>
			<i>Temporary with permanent rights</i>	6/7a	Y	
			<i>Permanent</i>	6/7b	Y	
			<i>Permanent</i>	6/7c	Y	
			<i>Temporary with permanent rights</i>	6/7d	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	6/7e	Y	<ul style="list-style-type: none"> <li>Use of the site by the scheme</li> <li>Use of material</li> <li>Timescales</li> <li>Instruction of agents</li> <li>Acquisition to be progressed by District Valuer Service</li> </ul> <p>26<sup>th</sup> May 2021 Meeting with Ian MacPherson and land agent. Discussions included:</p> <ul style="list-style-type: none"> <li>Permanent rights being sought by the scheme</li> <li>Distance required from possible quarry workings</li> <li>Valuation discussions to be progressed by the District Valuer Service</li> </ul>
26	Irene and Mike McCarthy	Part 1 (Category 1 – Owner)	<i>Permanent</i>	4/10	Y	<p><b>6<sup>th</sup> February 2020</b> Meeting to discuss design changes and the project in general. Held at the McCarthy's residence at Shab Hill Barn. Discussion included:</p> <ul style="list-style-type: none"> <li>Outlook from house on to the Scheme, specifically Shab Hill Junction</li> <li>Noise impacts</li> <li>Safety</li> <li>Access</li> <li>Utilities</li> <li>Air BnB business loss</li> <li>Ability to claim compensation</li> </ul> <p><b>9<sup>th</sup> November 2020</b> Meeting with landowners. Discussions included:</p> <ul style="list-style-type: none"> <li>Noise</li> <li>Landscape</li> <li>Design</li> <li>Compensation</li> <li>Land take</li> <li>Timescales</li> <li>Land area is quite small – as is the entrance to their driveway – acquisitions to be progressed by District Valuer Service</li> </ul>
			<i>Temporary with permanent rights</i>	4/10a	Y	
27	Gloucestershire Wildlife Trust	Part 1 (Category 1 – Owner)	<i>Permanent</i>	2/13	Y	<p><b>5<sup>th</sup> February 2020</b></p>
			<i>Permanent</i>	2/13a	Y	

Obj no:	Land interest name/organisation and land agents name (if applicable):	Type of interest:	Permanent/temporary:	Plot(s):	Compulsory acquisition (Y/N):	Status of objection and negotiations with land interest:
			<i>Temporary with permanent rights</i>	2/13b	Y	<p>Meeting at National Star College as part of landowner consultation. Discussion included the following:</p> <ul style="list-style-type: none"> <li>B4070 redesign</li> <li>Biodiversity</li> <li>Crickley Hill Junction</li> <li>Attenuation basins</li> <li>Car parking</li> <li>Green Bridge</li> <li>Green Bridge alternatives</li> </ul> <p><b>22<sup>nd</sup> October 2020</b> Meeting with Gareth Parry and Ian Stevenson. Discussions included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Scheme design</li> <li>Effect on SSSI at Barrow Wake</li> <li>Instruction of agents</li> <li>Professional fees</li> <li>Acquisitions to be progressed by District Valuer Service</li> </ul> <p><b>16<sup>th</sup> February 2021</b> Meeting with Gareth Parry and Ian Stevenson. Discussions included:</p> <ul style="list-style-type: none"> <li>Land take</li> <li>Scheme design</li> <li>Acquisitions to be progressed by District Valuer Service</li> </ul> <p><b>14<sup>th</sup> October 2021</b> Meeting with land agent and District Valuer Service. Points discussed:</p> <ul style="list-style-type: none"> <li>Land to be acquired</li> <li>Heads of Terms for acquisition to be progressed</li> </ul> <p>5<sup>th</sup> May 2022 No response received from landowner's agents to Heads of Terms provided. DVS following up with the Wildlife Trust directly.</p>
			<i>Permanent</i>	2/13c	Y	
			<i>Temporary</i>	2/13d	N	
			<i>Temporary with permanent rights</i>	2/13e	Y	
			<i>Temporary</i>	2/13f	N	
			<i>Permanent</i>	2/13g	Y	
			<i>Temporary</i>	2/13h	N	
			<i>Permanent</i>	2/13j	Y	
			<i>Permanent</i>	2/23	Y	
			<i>Permanent</i>	2/23a	Y	
			<i>Permanent</i>	3/11	Y	
			<i>Permanent</i>	3/11a	Y	
			<i>Permanent</i>	3/11b	Y	
			<i>Permanent</i>	3/12	Y	
			<i>Permanent</i>	3/12a	Y	
			<i>Temporary</i>	3/12b	N	
			<i>Permanent</i>	3/12c	Y	
			<i>Permanent</i>	3/12d	Y	
			<i>Permanent</i>	3/12e	Y	
			<i>Temporary</i>	3/12f	N	

# Appendix C Unidentified Plots and LIQ information

## **A417 Missing Link – Land**

### Contents:

1. Land Interest Questionnaire Covering Letter
2. Land Interest Questionnaire
3. Unidentified Plot Notice
4. Methods and Photographic evidence of Unidentified Land Plots.



## **1. Land Interest Questionnaire Covering Letter**

Landowner Name	Michael Goddard
Landowner Address Line 1	A417 Missing Link
Landowner Address Line 2	Highways England
Landowner Address Line 3	Temple Quay House
Landowner Address Line 4	2 The Square, Temple Quay
Landowner Address Line 5	Bristol, BS1 6HA
Landowner Address Line 6	<a href="mailto:a417missinglink@highwaysengland.co.uk">a417missinglink@highwaysengland.co.uk</a>

11/09/2019

Dear <Insert Name>

### **A417 MISSING LINK – REQUEST FOR LAND OWNERSHIP INFORMATION**

**Plots: «Plots»**

**Drawing Number(s): <DRAWING NUMBERS> «Drawing\_Number\_4»  
«Drawing\_Number\_5» «Drawing\_Number\_6» «Drawing\_Number\_7»  
«Drawing\_Number\_8» «Drawing\_Number\_9» «Drawing\_Number\_10»**

I am writing to you about the proposed A417 Missing Link scheme, and to request your response to our Land Information Questionnaire. We are asking for this response to help Highways England identify relevant land interests which may be affected by our proposals.

We may have previously been in touch with you about the scheme and how it affects your land. Please be assured that we still hold any information which you may have provided, and that this questionnaire is part of our duty to demonstrate diligent inquiry as part of the planning process. Highways England will pay any reasonable fees for a representative to fill out this questionnaire on your behalf if required.

The Planning Act 2008 requires Highways England to make diligent inquiries as to who has an interest in the area of the land which is subject to the proposed application for a Development Consent Order.

Those with a land interest for the A417 Missing Link scheme fall into the following three categories:

1. Reputed owners, lessees, tenants and occupiers;
2. Those with charges, rights and easements; and
3. Those who may have a claim but have no land taken.

We are currently preparing a Book of Reference for the A417 Improvement scheme in accordance with Section 42 and Section 44 of The Planning Act 2008. Highways England are seeking to identify all parties with an interest in the land, in order to formally consult with them on the above scheme. We are obliged to contact everyone who could possibly be affected by the A417 scheme, however it may transpire that the scheme will not affect all of those who we have contacted.

The land affected will only be that which is essential for the scheme. Those affected will have the opportunity to support or object to the scheme during our statutory pre-application consultation, which is currently planned for Autumn 2019. If your land is

affected, plans will be sent to you, and consultation documents will be available in local deposit locations and at our consultation events. Affected land interests will also be identified as part of our application for development consent and invited to take part in the examination of our planning application by the Planning Inspectorate.

In order to help us ensure that we consult with all land interests, and that they are represented throughout the planning process, please complete the enclosed questionnaire as best as you are able and return it, together with the marked-up plan(s). Please return the completed questionnaire to the address shown at the top of this letter by 31 August 2019.

If you require any assistance, or have any queries, please do not hesitate to contact [A417\\_Lands@arup.com](mailto:A417_Lands@arup.com). If you have received this letter in error, please advise us so that we may update our records.

The information you provide will be protected under the General Data Protection Regulation (GDPR). Personal data collected for the A417 Missing Link will be processed and retained by Highways England and its appointed contractors until the scheme is complete. If you'd like more information about how we manage data, or a copy of our privacy notice, please contact [DataProtectionAdvice@Highwaysengland.co.uk](mailto:DataProtectionAdvice@Highwaysengland.co.uk)

Further information on the proposals for the A417 Missing Link scheme can be found on the scheme's consultation website <https://highwaysengland.co.uk/projects/a417-missing-link/>

Yours faithfully,

Michael Goddard  
Senior Project Manager  
A417 Missing Link

## **2. Land Interest Questionnaire**

### **A417 Missing Link Land Interest Questionnaire**

**To:**

**Dated:**

**Concerning: Land and Property as shown on the attached plan(s)**

#### **PLEASE READ THE ATTACHED NOTES BEFORE COMPLETING THIS QUESTIONNAIRE**

*Additional information can be written on the reverse of the relevant sheet*

*We are grateful for your help in completing and returning this questionnaire. We will use the information you provide us with in preparing a Development Consent Order (“DCO”) application in accordance with the Planning Act 2008 and associated legislation. We need to prepare a DCO application to authorise the construction and maintenance of the A417 Missing Link. The information you provide in this questionnaire will contribute towards DCO Application documents including the Book of Reference and Land Plans, which detail the land required to construct and maintain the scheme. The Book of Reference also acts as a list of individuals and organisations that need to be kept informed throughout the progress of the DCO application process and into construction. Therefore, if the information you provide here indicates you have an interest in land and / or property, we will include your name and contact address in the Book of Reference, and they will be used when sending our notifications relating to the progress of the DCO application. The DCO Application documents all will be available for public inspection once they have been submitted to the Planning Inspectorate.*

Personal data collected for the A417 Missing Link will be processed and retained by Highways England and its appointed contractors until the scheme is complete.

Under the General Data Protection Regulation (GDPR) you have the right to request the following information from us:

1. Right of access to the data (Subject Access Request);
2. Right for the rectification of errors;
3. Right to erasure of personal data – this is not an absolute right under the legislation;
4. Right to restrict processing or to object to processing and
5. Right to data portability.

If, at any point, Highways England plans to process the personal data we hold for a purpose other than that for which it was originally collected, we will provide you with information about what that other purpose is. This will be done prior to any further processing taking place. The extra information will include any relevant further information as referred to above, including the right to object to that further processing.

You have the right to lodge a complaint with the supervisory authority, the Information Commissioners Office.

If you'd like more information about how we manage data, or a copy of our privacy notice, please contact [DataProtectionAdvice@Highwaysengland.co.uk](mailto:DataProtectionAdvice@Highwaysengland.co.uk)

**1. Details of the person(s) or organisation having an interest in land or property as shown on the attached plan(s). For example, this could be that you own or lease the property, occupy the property or have a right over the land. Please complete your details:**

- If the interest is in your name, please provide:

Title & Full Name:	
Home Address:	
Telephone:	
E-mail Address:	
Address for service of notices if different to above:	

- If the interest is in a Registered Company or incorporated body, please provide:

Full Name of Company:	
Registered/Principal Office Address and Company Number:	
Telephone:	
E-mail Address:	
Address for service of notices if different to above:	

- If you are an executor, trustee, partner etc, please state the capacity in which your interest is held and any collective name:

E.g. Executor/Trustee/ Partner etc	
------------------------------------	--

- Please give full names and addresses of all other individuals in a similar position:

Full Name:	
Address:	
Telephone:	
E-mail Address:	

*If necessary, please continue on a separate sheet*

**2. Nature of your Tenure concerning property as shown on the attached plan(s): (If joint please list other parties in question 16)**

See attached notes (a) to (k)	Single Owner or	Joint Owner (please list other parties in question 16)
(a) Freehold		
(b)(i) Leasehold		
(b)(ii) Tenancy		
(c) Easement/Right (e.g. wayleave, access rights, service rights or rights to light)		
(d) Mortgage		
(e) Rent Charge		
(f) Right of Entry		
(g) Restrictive Covenant		
(h) Licence		
(i) Franchise (e.g. right to hold a market or fair or take tolls)		
(j) Profit à Prendre (e.g. right to remove something: grazing, grass, fish, peat or wood)		

(k) Other (Please state):

.....  
 .....

- Trading Name (if applicable):.....

**3. If the interest in Question 2 is freehold, leasehold or a tenancy, does it include the whole of the property (building and/or land)?**

**Yes / No**

If only part, please describe?

.....  
 .....  
 .....

**4. If you are not the freeholder, please provide the name and address of the freeholder:**

Full Name:	
Address:	
Telephone:	
E-mail Address:	

- **If you do not pay rent to the freeholder, please provide the name and address of the person to whom rent is paid, e.g. landlord:**

Full Name:	
Address:	
Telephone:	
E-mail Address:	

*If necessary please continue on a separate sheet*

**5. If you are a leaseholder:**

- (i) What is the term of the lease? (if known) .....
- (ii) What date did the lease commence? (if known) .....

**6. If you are a tenant, what is the period of your tenancy?**

**Weekly / Fortnightly / Quarterly / Annual / Other**

If other, please provide details

.....

**7. Does the person or organisation named in Question 1 occupy the premises?****Yes / No**

Please list the names and addresses of **ALL OTHER** occupiers together with the nature of their tenure including all persons aged 18 years and over (or who will be 18 years within the next 6 months).

Full Name:	
Address:	
Telephone:	
Relationship to person / organisation identified in Question 1 above:	
Nature of Tenure (See Question 2 for examples):	
E-mail Address:	

*If necessary please continue on a separate sheet*

**8. Does the person or organisation named in Question 1 enjoy any rights, easements or other legal interest over any adjacent or other property?****Yes / No / Don't Know**

If yes please give details below:

Address of property:	
Nature of interest:	

*If necessary please continue on a separate sheet*

**9. Does anybody in any adjacent or other property enjoy any rights, easements or other legal interest over this property?****Yes / No / Don't Know**

Full Name:	
Address:	



Telephone:	
E-mail Address:	
Nature of interest:	

*If necessary, please continue on a separate sheet*

### 10. Is the property subject to any restrictive covenant(s)?

**Yes / No / Don't Know**

If yes, please give details below:

Details of Restrictive Covenants:	
Land/person having the benefit of the covenant(s):	
Address:	

*If necessary, please continue on a separate sheet*

### 11. (i) Attached plan:

- If the plan attached shows the extent of your interest correctly, please sign one copy and return it with this questionnaire.
- If the plan attached shows the extent of your interest incorrectly, please amend and sign one copy and return it with this questionnaire.
- Please also show any other land over which you consider you have rights of use, enjoy easements or other private rights.
- Please also show the extent of land to which you consider others have rights of use, enjoy easements or other rights over your land.

### 12. Are there any tenancies or licences in respect of hoardings, poster sites, showcases, vending machines, kiosks, etc

**Yes / N**

If yes please give name(s), address(es), type(s) and the nature of the interest:

Full Name:	
Address:	

Telephone:	
E-mail Address:	
Type:	
Nature of interest:	

*If necessary, please continue on a separate sheet*

**13. Is the property subject to any mortgage or equitable interest?**

**Yes / No**

If yes please provide name(s), address(es) and the nature of the interest:

Full Name:	
Address:	
Mortgage Reference:	
E-mail Address:	
Nature of interest:	

*If necessary, please continue on a separate sheet*

**14. Are there any managing or letting agents connected with the property?**

**Yes / No**

If yes please provide name(s), address(es) and the nature of the interest:

Full Name:	
Address:	
Telephone:	
Type:	

*If necessary, please continue on a separate sheet*

**15. Please describe the current use and features of the property (e.g., flats, yard, house, embankment, garden, allotment, works, offices, unoccupied, etc) and postal address:**

Current use and features of the property:	
FULL Postal Address:	

**16. Are there any other individuals or organisations with an interest in the property, not disclosed above?**

**Yes / No**

If yes please provide name(s), address(es) and the nature of the interest:

Full Name:	
Address:	
Telephone:	
E-mail Address:	
Nature of interest (See Question 2 for examples):	

*If necessary, please continue on a separate sheet*

**17. Are there any other individuals or organisations currently negotiating or in the process of purchasing your interest or any other interest in the property?**

**Yes / No**

If yes please provide name(s), address(es) and details of the current situation:

Full Name:	
Address:	
Telephone:	
E-mail Address:	

Details of the current situation:	

*If necessary, please continue on a separate sheet*

**18. Please supply details of the person to whom any additional enquiries may be directed if necessary:**

Contact Name: ..... Tel No(s): .....

..... E-mail Address: .....

**The information on the schedule is both complete and accurate to the best of my knowledge (subject to corrections identified):**

**Name** (please print): .....

**Position:** .....

**Signed:** ..... **Date:** .....

**Tel No.:** ..... **E-mail Address:** .....

**\*\* Please return the completed questionnaire, in the PREPAID envelope provided \*\***

## NOTES on completing the QUESTIONNAIRE

**Please use BLOCK CAPITALS throughout.**

**If you need more space, please use the back of the form or another sheet of paper.**

**Where options are provided, please delete or circle as appropriate.**

**Please return the completed questionnaire using the prepaid envelope provided.**

If you require any help with completing the questionnaire please contact

[A417\\_Lands@arup.com](mailto:A417_Lands@arup.com)

### The Questionnaire

#### Question 1

- a) Please give the full name of the person who, or organisation which has a legal interest in the property.
- b) For Limited Companies, please supply the registered office address and telephone number. Place of registration would normally be 'England and Wales', but may be Scotland, Isle of Man, Jersey, etc.
- c) For other corporate bodies, please supply corporate title, address and telephone number of the principal office.
- d) For individuals and partners, trustees, governors or similar executive positions, please supply full names (including all forenames), home address, telephone numbers and where applicable the collective title of each group or organisation. An additional sheet may be used if required.

#### Question 2

- a) If you legally own the land and property outright and do not pay any rent, then you are the freeholder.
- b) If you have an agreement to use or occupy the property for a specific duration, then you probably have a lease or tenancy, e.g. six month, one year, 99 years and 999 years.
- c) If you have a legal right to use another person's land for a particular purpose, e.g. a right to walk through your neighbour's land to gain access to your property, then you have an easement/right. Easements are legal rights which give the legal owner of one piece of land the right to use a defined portion of another person's land. Utilities often get easements that allow them to run pipes or phone lines beneath the private property. Other examples of easements may relate to drains, power, or rights of way. In most cases easements deal with land itself, not the landowners, so that when land is bought or sold, the easement which relate to that land go with the land.
- d) If the property is subject to a mortgage you will need to provide details of the lender.
- e) If the property is subject to a rent charge payable to the rent charge owner you will need to provide details of the same.
- f) If you have a legal right to take possession of the property which allows you to enter and forfeit the lease for non-payment of rent or breach of covenant, you will have a right of entry or re-entry.

- g) If the property is subject to restrictive covenants, i.e. restriction not to do something on the land, e.g. not to make any alterations or to operate as commercial premises, without obtaining the consent of 'the beneficiary'.
- h) If you have formal permission from the proper authorities to do something it may be classed as a licence, e.g. a licence obtained from an authority to place a sandwich board on a footpath.
- i) A franchise is a privilege granted by the Crown such as a right to hold a market or fair or to take tolls.
- j) A profit a prendre is a right for a person to remove something from the land of another, e.g. grass for grazing, fish, or peat or wood for fuel.
- k) The other types of legal interest in land (including property) might comprise holders of privileges or matrimonial rights. If you are unsure about the nature of your interest, please contact [A417\\_Lands@arup.com](mailto:A417_Lands@arup.com)

### Question 8 & 9 & 10

Refer to notes to Question 2 above.

### Question 11 (i)

- a) If no plans have been provided, question 11 can be ignored.
- b) If plans are attached, there should be two copies, showing an area edged in red in which we understand you may have a legal interest.
- c) One copy is for your information and retention whilst the other is to be amended and returned to [A417\\_Lands@arup.com](mailto:A417_Lands@arup.com) if the area edged in red on the plan is not correct.
- d) Particular attention should be paid to situations such as rights or other benefits which have a different extent to that of the property itself, such as rights to use fire escapes, other accesses or car parks.
- e) One copy of the plan must always be returned.

### Question 11 (ii)

Please see (b) above.

### Question 12

Please list all tenancies and licences (formal agreement to use or occupy the land).

### Question 13

Please list all mortgagees and equitable interests.

#### Equitable Interests

Rights in or over land which fail to qualify as legal rights take effect as equitable interest therefore estates, interests, and charges in or over land which are not legal estates are referred to as equitable interests. Examples of such interest include:

- a) Option to purchase (The right to buy a property at a given price within a specific period of time).
- b) Contract to purchase (A contract the buyer initiates which details the purchase price and conditions of the transaction and is accepted by the seller. Also known as an agreement for sale).
- c) Beneficiary of a trust (A trust is a relationship whereby a party called a trustee holds property, either real or personal, for the benefit of other parties or persons, or for some purpose permitted by law).
- d) Wherever the legal owner(s) of property can be compelled to hold that property for the benefit of the equitable owner(s). Where groups of individuals are concerned, a

person may be both a legal and an equitable owner. For example, a man may own a house and hold it for the benefit of himself and his wife (or a wife for her husband).

- e) Legal rights in a property that do not include the right to sell its legal title. This may apply to a mortgage lender.

**Question 16**

If you hold a joint interest in common, please provide details of all other parties.

**Question 18**

- a) Sometimes it is necessary to make further enquiries as a result of new information or changes to the plans for the scheme. Please provide the name and telephone number of the individual(s) whom we should contact.
- b) If a third party (a solicitor, for example) has been instructed to complete this questionnaire on behalf of the person with an interest in the property, please supply written confirmation of that fact.

**\*\* Please return the completed questionnaire, in the PREPAID envelope provided \*\***

## **A417 Missing Link: Identification of Interest in the Land - 5 December 2019**



Highways England operates, maintains and improves England's motorways and major A-roads.

A417 Missing Link - upgrade the connection between two dual carriageway sections of the A417 at Brockworth bypass and the Cowley Roundabout. The proposed development would provide a 3.6 mile new dual carriageway with a grade separated junction at Shab Hill linking the new A417 to the A436 toward Oxford into Birdlip.

The scheme is a Nationally Significant Infrastructure Project which means it is being developed under the Planning Act 2008. In accordance with section 42 of the Planning Act 2008, Highways England has a duty to consult with all persons having a legal interest in land that may be affected by the proposed scheme.

**This notice relates to land and/or property as shown on the plan below, the ownership of which is unclear.**

The scheme requires the permanent acquisition of land and rights in land, and temporary possession to use land whilst the scheme is being constructed.

Highways England is seeking to understand who owns and uses the land and/or property outlined in blue on the plan provided below. If you own, have a right to access or have an interest such as a right to the title, lease or tenancy on the land and/or property, or know who does, please contact us as soon as possible at the contact details provided below quoting reference number: U00219

**Contact details:**

Name: Oliver Kirkham

Telephone: 07384 251117

Address: Ove Arup and Partners Ltd, 63 St Thomas Street, Bristol, BS1 6JX

#### **4. Methods and Photographic Evidence of Unidentified Land Plots**

Unidentified land plots were identified by the GIS team and provided with a reference number with a 'U00' prefix. Each plot within the redline boundary was provided with a drawing demarcating the plot boundaries, plot number and its relative position to highways and settlements. An A3 drawing of the unidentified plot and plot notice (provided above) was affixed on site or in the nearest/safest location to the plot. Each plot notice and drawing was laminated to ensure it remained weatherproof and legible to the public.

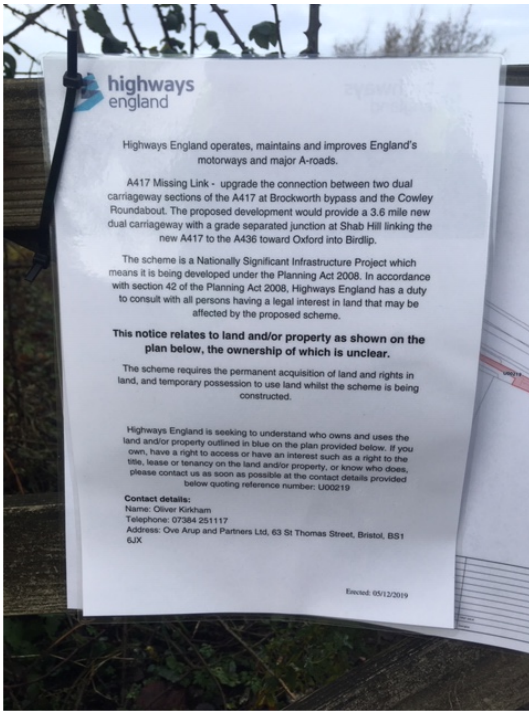
This exercise was repeated on three occasions from September 2019 to February 2020. Plot notices and drawings were replaced where they remained in situ using cable ties. All previous materials including cable ties and laminated plans/drawings were removed and disposed of upon replacement.

A photograph of the plot drawing, plot notice and its location was taken for each site, as demonstrated below using plot U00219 as an example:

##### **Plot Location:**



### **Plot Notice:**



### **Plot Drawing:**



# Appendix D Special Category Land Assessment

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# Appendix D Special Category Land Assessment

## D.1 Introduction

### D.1.1 Purpose of this document

- D.1.1.1 The A417 Missing Link DCO includes provision for the compulsory acquisition of land, which is identified as forming part of a common, Open Space or National Trust land, and therefore falling within the definition of 'special category land' in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Definitions of those types of land are provided at D.1.3 below.
- D.1.1.2 This assessment considers the special category land located within the DCO Red Line Boundary (RLB) in respect of the A417 Missing Link (the scheme), and the associated option identification and appraisal process pertinent to its replacement, as required by the Planning Act 2008 (the Act).

### D.1.2 Planning Act 2008

- D.1.2.1 The Act enables an applicant to include the compulsory acquisition of land and rights including over any special category land required for the construction, operation and mitigation of a project as part of the application for development consent.
- D.1.2.2 Any compulsory acquisition of land or rights over special category land may be subject to Special Parliamentary Procedures (SPP) unless the tests in sections 131 and 132 of the Act are met. The tests are different depending on the type of special category land and whether it is the land or rights which are being acquired.
- D.1.2.3 In addition, land held inalienably by the National Trust is dealt with in section 130 of the Act (the National Trust land). This is particularly relevant to areas of Country Park owned by the National Trust, which is also classified as Open Space. The DCO could be subject to SPP should the National Trust raise an objection to the compulsory acquisition of land held inalienably.

### D.1.3 Special Category Land

- D.1.3.1 As described by the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, 'special category' land means *land identified as forming part of a common, open space, National Trust land or fuel or field garden allotment*.
- D.1.3.2 Open Space is defined as "*any land laid out as a public garden, or used for the purposes of public recreation...*"
- D.1.3.3 The special category land that is required to facilitate the construction and operation of the A417 Missing Link scheme includes:

- Areas of **Common Land**, defined as “any land subject to be enclosed under the Inclosure Acts 1845 to 1882...”. Common Land is also open access land under the under the Countryside and Rights of Way Act 2000 (CRoW Act) unless there is evidence that the public have a right of access on foot for recreation by some other means. In addition, there is no right for use over common land by bicycle or on horseback unless that right has been specifically provided by the landowner.
- Areas of **Open Access Land**, which is Open Space land made available to the public for recreation on foot only under the CRoW Act. Some of this land is also considered to be special category land by virtue of it being in the ownership of the National Trust.
- Areas of a **Country Park**, which forms land used for the purposes of public recreation and therefore falls within the definition of Open Space. The areas of Country Park required as part of the scheme are in the ownership of Gloucestershire Wildlife Trust (GWT) in the area adjacent to the access to Crickley Hill Country Park.

D.1.3.4 The areas of special category land required for the scheme can be seen on the Special Category Land Plans and are summarised in Table 1 below. All of the Common Land effected by the scheme is also identified as Open Access Land. To avoid duplication, this assessment only considers such areas as Common Land, and does not further consider them in the assessment of Open Access Land.

**Table 1 Special Category Land required for the scheme**

Special Category Land	Amount Required by the scheme	
	Square Meters	Hectares
Common Land	5,741	0.57
Open Space (Open Access Land)	43,959 (including the 5,741 of Common Land)	4.39 (including the 0.57Ha Common Land)
Open Space (Country Park)	1,436	0.14

D.1.3.5 The following sections briefly summarise the provisions that need to be met and in order to avoid SPP on the various types of special category land.

#### **Works on Country Park and Open Access Land (Open Space)**

D.1.3.6 If land is solely Open Space and required permanently, then under section 131 any of the following must apply in order to avoid SPP:

- a) Replacement land must be provided and vested in the prospective seller and subject to the same rights, trusts and incidents as attach to the order land (s131(4)); or
- b) Where there is no suitable land available to be given in exchange, or where any suitable land available to be given in exchange is available only at prohibitive cost, it must be strongly in the public interest for the project to be begun sooner than is likely to be possible if the order were to be subject (to any extent) to SPP (s131(4A)); or



- c) The Open Space required does not exceed 200 square metres in extent or is required for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public (s131(5)).

D.1.3.7 If possession of Open Space land is required temporarily this is covered by section 131(4B) and SPP will not be triggered.

D.1.3.8 Section 132 uses the same definition of Open Space as section 131. Section 132 applies where rights are sought to be acquired compulsorily over special category land. The same tests apply in respect of rights to be acquired but with one addition set out in section 132(3) that, *“The land, when burdened with the right, will be no less advantageous than it was before to:*

- a) *the persons in whom it is vested;*
- b) *other persons, if any, entitled to rights of common or other rights; and*
- c) *the public.”*

### **Works on Common Land**

D.1.3.9 If land is Common Land and required permanently then under section 131 any of the following must apply in order to avoid SPP:

- a) Replacement land must be provided and vested in the prospective seller and subject to the same rights, trusts and incidents as attach to the order land (s131(4)); or
- b) The Common Land required does not exceed 200 square metres in extent or is required for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public (s131(5)).

D.1.3.10 There is no provision for the temporary possession of Common Land as there is with Open Space.

D.1.3.11 Section 132 uses the same definition of Common Land as section 131. Section 132 applies where rights are sought to be acquired compulsorily over special category land. The same tests apply in respect of rights to be acquired but with one addition set out in section 132(3) that, *“The land, when burdened with the right, will be no less advantageous than it was before to:*

- a) *the persons in whom it is vested;*
- b) *other persons, if any, entitled to rights of common or other rights; and*
- c) *the public.”*



## D.1.4 Exchange Land

D.1.4.1 The requirements for replacement Open Space or Common Land in exchange for that lost are set out sections 131(12) and 132(12) as follows:

Section 131 (in respect of compulsory acquisition of land)

*“replacement land” means land which is not less in area than the order land and which is no less advantageous to the persons, if any, entitled to rights of common or other rights, and to the public”*

Section 132 (in respect of compulsory acquisition of rights over land)

*“replacement land” means land which will be adequate to compensate the following persons for the disadvantages which result from the compulsory acquisition of the order right—*

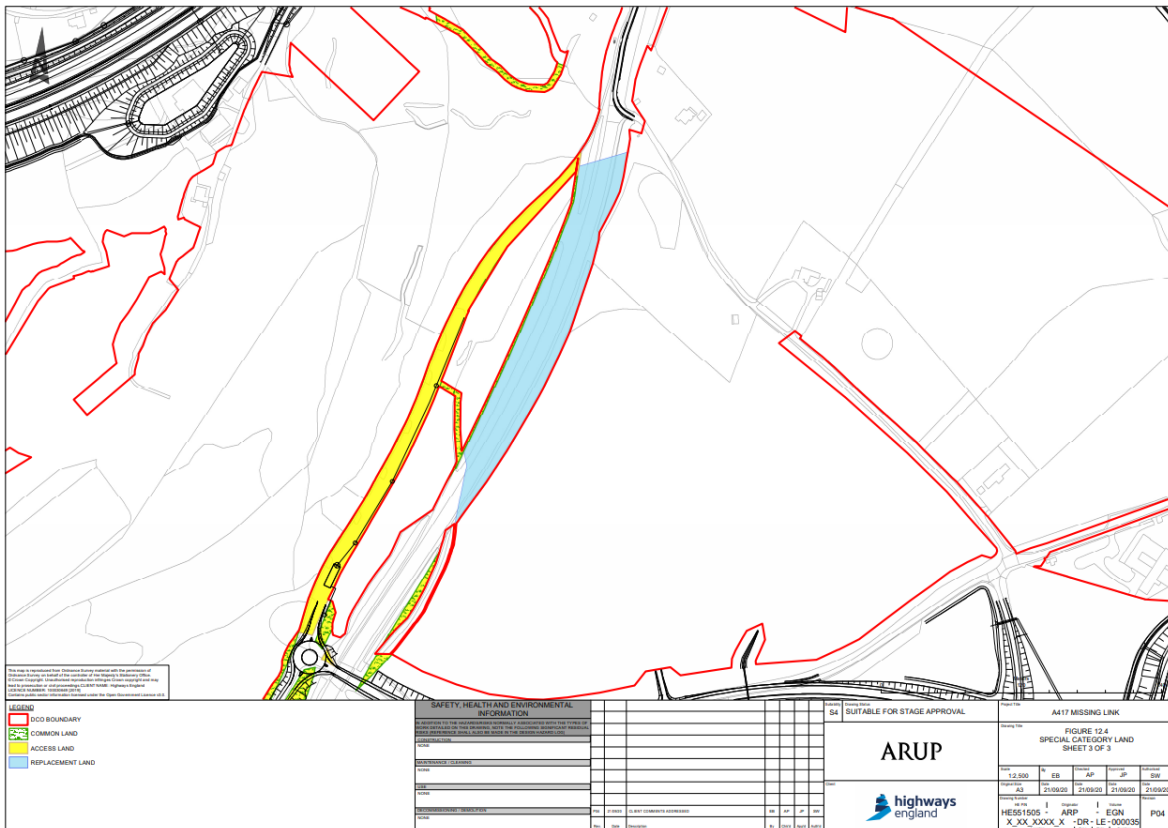
- a) *the persons in whom the order land is vested,*
- b) *the persons, if any, entitled to rights of common or other rights over the order land, and*
- c) *the public.*

## D.2 2020 Consultation Update

D.2.1.1 As part of the scheme development, a supplementary statutory public consultation was undertaken between 13 October and 12 November 2020. This sought feedback on design changes that had emerged through taking into account public consultation feedback received in response to proposals consulted upon in 2019.

D.2.1.2 Stakeholder engagement has also been ongoing to help inform design decisions, and has considered the need for, location of, and access to/from replacement Common Land. For example, discussions have been held with GWT about their ownership of and interest in the existing Common Land, and potential options and details associated with exchange land.

D.2.1.3 Utilising the opportunity offered by the supplementary consultation, Highways England included its then preferred strategy for replacement Common Land as part of the consultation process, seeking views on proposals to utilise an area of the de-trunked A417 as the preferred location for replacement Common Land. The proposals as consulted upon are shown in Figure 1, which is an extract from Figure 12.4 of the Preliminary Environmental Information Report, which was published for the purposes of consultation.



**Figure 1 Replacement Common Land as consulted upon (13 Oct - 12 Nov 2020)**

D.2.1.4 The proposals as presented included an area of replacement land to the east of Barrow Wake car park, utilising a section of de-trunked A417, which would be contiguous to the existing Common Land.

D.2.1.5 Separate to the area of replacement Common Land was proposed a new walking, cycling and horse riding connection into the Barrow Wake car park, to take users off the proposed Air Balloon Way route to avoid cyclists and horse riders accessing the replacement Common Land.

D.2.1.6 As part of the consultation process, the proposals received general support and conversations held with GWT as landowner during the consultation period were also positive in relation to the principle of utilising the de-trunked A417 as replacement Common Land. However, suggestions were made as part of the consultation responses and these have been considered in the drafting of this assessment. The suggestions received included:

- a) That the current Barrow Wake car park should be considered as an opportunity for replacement Common Land, with the car park being removed, reduced and/or relocated elsewhere;
- b) That the Air Balloon Way should continue along the length of the de-trunked A417 (which would require amendments to the replacement Common Land); and
- c) The proposed new walking, cycling and horse-riding connection into the Barrow Wake car park should be removed to reduce potential impacts on the Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI).

D.2.1.7 The above suggestions have led to design changes in the vicinity of the proposed replacement Common Land since the consultation was held in 2020.

These changes have been reflected in the consideration of the options in section 5 below.

### D.3 Special Category Land Required

- D.3.1.1 It is important to understand exactly what works are being undertaken on each plot of land shown as part of any scheme where there are works proposed to or on special category land, to ensure that the correct tests under sections 131 and 132 are applied.
- D.3.1.2 The scheme includes the following types of special category land:
- a) land which is Open Space (as defined in section 19 of the Acquisition of Land Act 1981, as applied by section 131(12) of PA 2008);
  - b) land which is Open Space and owned by the National Trust (as defined in section 19 of the Acquisition of Land Act 1981, and within section 130 of the PA 2008); and
  - c) land which is Common Land (as defined in section 19 of the Acquisition of Land Act 1981).
- D.3.1.3 The scheme involves undertaking works on a Country Park, Open Access Land and registered Common Land. This land is in the areas surrounding Crickley Hill Country Park and Barrow Wake. This is detailed further in Part 5 of the Book of Reference (Document Reference 4.3) and is shown on the Special Category Land Plans (Document Reference 2.3). For clarity, each of type of land is summarised below.

#### **Required Country Park and Open Access Land (Open Space)**

- D.3.1.4 The land required for the scheme that is designated as a Country Park is in the ownership of GWT and located adjacent to the proposed highway along Leckhampton Hill, in the vicinity of the entrance to Crickley Hill Country Park. As the Country Park is land used for the purposes of public recreation, it falls within the definition of Open Space.
- D.3.1.5 The land required for the scheme that is Open Access Land is in a variety of ownerships. The areas to the north of the proposed scheme are either in private ownership or owned by Highways England or the National Trust. To the south of the proposed scheme and in the area around Barrow Wake, ownership is primarily that of GWT, with smaller areas owned by Highways England, or Gloucestershire County Council.
- D.3.1.6 Open Access Land falls within the definition of Open Space as it is land that is used for the purposes of public recreation on foot only. The land required for the scheme is therefore Open Access Land by virtue of its nature as open countryside and provides informal access for the public. The land is not known to be regularly used on this basis and whilst the scheme therefore seeks to remove minor areas of Open Access Land, proposals as a whole, seek to improve WCH access and connectivity across the A417 and within the surrounding areas.
- D.3.1.7 The table below summarises the type of Open Space land required, details the relevant plot numbers, considers the type of land take proposed, and provides a summary as to whether replacement land is required. Those matters are considered further below.

**Table 2** Open Space land required for the scheme

Special Category Land	Land Take	Plot(s)	Area (m2)	Land required for	Relevant tests	Replacement land required
Country Park	Permanent	2/13j	355	Works to widen Leckhampton Hill and associated drainage works	Land required partially for the widening of Leckhampton Hill and for associated drainage. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies.	No
Country Park	Temporary with rights to be acquired permanently	2/13g	154	Works to provide new PRoW connection	This land, when burdened with the rights will be no less advantageous than it was before to those in whom it is vested, other persons entitled to rights and the public. Accordingly, the exception in section 132(3) applies.	No
Country Park	Temporary	2/13f	926	Works to access to Crickley Hill Country Park/tie-in to Leckhampton Hill	Land required for temporary possession and use only, and, as such, the exception in section 131(4B) applies.	No
Open Access	Permanent	1/1aw 1/1ay 1/1au	146	Widening of existing A417 to include a new bridleway connection between Cold Slad Lane and Dog Lane, along with associated drainage works.	Land required to accommodate drainage provision as part of the widening of the A417. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies.	No
		2/14* 2/14a* 2/14b	2,828	Works to widen Cold Slad Lane and for associated drainage works along this route	Land required partially for the widening of Cold Slad Lane and for drainage associated with the mainline and Cold Slad Lane. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies. Section 130 - agreement reached with NT on this parcel of land and	No

Special Category Land	Land Take	Plot(s)	Area (m2)	Land required for	Relevant tests	Replacement land required
					correspondence confirming they do not propose to object given area is covered by deed of dedication.	
		2/1k	5,015	Works associated with the construction of the mainline (widening of the A417), earthworks, Grove Farm underpass and Cold Slad Lane/associated drainage works	Land required partially for widening of the A417 and partially for associated drainage. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies.	No
		2/1m 2/1t	2,588	Earthworks and embankments to the south of the A417 in the vicinity of Crickley Ridge to enable widening of the mainline. Currently vegetated land south of the A417 between the current road and Crickley Ridge.	Land required for the widening of the A417. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies.	No
		3/1h 3/13	535	Works on the B4070 and Birdlip Link to allow for Barrow Wake roundabout and associated earthworks/access to Barrow Wake and drainage works.	Land required partially for widening of the Birdlip Link and partially for associated drainage and construction of the roundabout. The provision of exchange land is unnecessary and accordingly, the exception in section 131(5) applies.	No
Open Access	Temporary with rights to be acquired permanently	1/26b 2/1g 2/9a	21,139	Sub-surface drainage works/ground stabilisation	This land, when burdened with the rights will be no less advantageous than it was before to those in whom it is vested, other persons entitled to rights and the public. Accordingly, the exception in section 132(3) applies.	No

Special Category Land	Land Take	Plot(s)	Area (m2)	Land required for	Relevant tests	Replacement land required
Open Access	Temporary	2/16	1,598	Works to improve PRow from Barrow Wake car park onto the proposed Air Balloon Way	Land required for temporary possession and use only, and, as such, the exception in section 131(4B) applies.	No
		3/13a	4,367	Surfacing, drainage and landscaping works within Barrow Wake car park		No

\* Plot is also inalienable land owned by the National Trust.

### Open Space - Permanent Acquisition

- D.3.1.8 As shown in Table 2, the Open Space land that is to be acquired permanently relates to the following proposed works:
- Works to widen Leckhampton Hill and associated drainage works.
  - Widening of existing A417 to include a new bridleway connection between Cold Slad Lane and Dog Lane, along with associated drainage works.
  - Works to widen Cold Slad Lane and for associated drainage works along this route.
  - Works associated with the construction of the mainline (widening of the A417), earthworks, Grove Farm underpass and Cold Slad Lane/associated drainage works.
  - Earthworks and embankments to the south of the A417 in the vicinity of Crickley Ridge to enable widening of the mainline. Currently vegetated land south of the A417 between the current road and Crickley Ridge.
  - Widening of the B4070 and Birdlip Link to allow for Barrow Wake roundabout and associated earthworks/access to Barrow Wake and drainage works.
- D.3.1.9 Where land is required for the construction of the A417, including widening and associated drainage (Plot 2/1k), the provision of replacement land is unnecessary in accordance with section 131(5). Following completion of the scheme this land will be in the ownership of Highways England and will be within the highway boundary, which means that the public will have the right to pass and repass over the land. In addition, the land would allow the construction of the Grove Farm underpass, which is an important part of WCH proposals, providing improved connectivity across the A417 from north to south. The interests of the public would not therefore be adversely affected, with safer provision for WCH users to cross the A417 in this location.
- D.3.1.10 Similarly, following completion of the works, land required for the widen and improved drainage along Leckhampton Hill (Plot 2/13j) would be in the ownership of Highway's England and will be within the highway boundary, which means the public will have a right to pass and repass over the land. The land is currently, and would continue to form the boundary of the Country Park and although works are proposed, they would not obviously change the way the land is used, meaning the interests of the public would not be adversely impacted. Therefore, the provision of replacement land for these plots is unnecessary in accordance with section 131(5).
- D.3.1.11 Works to provide a new link between Cold Slad Lane and Dog Lane which includes plots 1/1aw, 1/1ay and 1/1au, would see a new section of highway created in the form of a bridleway along with associated drainage. The land would be in the ownership of Highway's England and will be within the highway boundary, which means the public will have a right to pass and repass over the land. In addition, the new bridleway connection is a key enhancement measure as part of wider WCH proposals, providing improved public access and connectivity east – west to the north of the scheme. Therefore, the works would improve access for the public across an area which is currently not known to be regularly accessed and the provision of replacement land for these plots is unnecessary in accordance with section 131(5).
- D.3.1.12 Plots 2/14, 2/14a and 2/14b are required for works to Cold Slad Lane and associated drainage. These works utilise land which is currently part of the

carriageway of the A417 and / or areas of land adjacent to the carriageway. Following completion of the works, the land would be in the ownership of Highways England and will be within the highway boundary, which means access for the public would not be dissimilar to the current situation. In addition, Cold Slad Lane forms an important part of WCH proposals to improve public access and connectivity in the north of the scheme and works will therefore facilitate improved WCH access. Therefore, the provision of replacement land for these plots is unnecessary in accordance with section 131(5).

- D.3.1.13 Plots 2/1m and 2/1t are required to enable widening of the A417 mainline. Although Open Access Land these areas are not actually available for use by the public for recreation due to their topographical nature. The ground surveying specialists working on the project commented when they were on site that the gradients were at the upper end of those that they could access without the need for climbing ropes, and therefore it would be highly unlikely that the public are using this land for recreation permitted under the CRow Act 2000.
- D.3.1.14 Nonetheless, post completion of the scheme these plots will be in the ownership of Highways England and will be within the highway boundary, which means that the public will have the right to pass and repass over the land. Given the current conditions of these plots, use of the land as part of the scheme is not considered to adversely impact on the public interests and therefore, the provision of replacement land for these plots is unnecessary in accordance with section 131(5) and section 132(3).
- D.3.1.15 Finally, plots 3/1h and 3/13 are required for works associated with the widening of the Birdlip Link, as well as the construction of the Barrow Wake roundabout. Plot 3/1h currently forms part of the highway verge on the access to the underpass which is to be retained as part of the scheme. It is heavily vegetated and not known to be used by the public for recreation. Plot 3/13 forms the current access to Barrow Wake car park (both vehicular and pedestrian) and will continue to serve this function as part of the scheme. Following completion of the works, both plots would be in the ownership of Highways England and will be within the highway boundary. The public would use plot 3/13 in the same way as it is currently used and plot 3/1h would be no less accessible that it is at present, forming part of the highway verge adjacent to the proposed Barrow Wake roundabout. Therefore, it is not considered that the interests of the public will be adversely affected by the proposals and the provision of replacement land for these plots is unnecessary in accordance with section 131(5).

#### Open Space – Temporary Acquisition with rights to be acquired Permanently

- D.3.1.16 The Open Space land to be used with rights to be acquired permanently includes land required for sub-surface drainage and ground stabilisation works, and land in the vicinity of Crickley Hill Country Park where a new bridleway connection is proposed. Construction works on these plots will be undertaken with permanent rights sought for the ongoing maintenance of these works and the scheme.
- D.3.1.17 The nature of the open access land would not be affected by the rights given the sub-surface nature of proposals and the improved accessibility via the bridleway. The ability for the public to access the land following construction would therefore be no different to the current situation. Accordingly, the land when burdened with the right, will be no less advantageous than it was before to the persons in whom it is vested, or the public as required by the tests set out in section 132(3).



D.3.1.18 These works are also considered to fall under section 131(5) given the land required is for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and the giving in exchange of other land is unnecessary.

#### Open Space – Temporary Acquisition

D.3.1.19 The land required temporarily includes land that will be used during construction only for:

- a) Works to tie in the access to Crickley Hill Country Park into the new Leckhampton Hill road.
- b) Works to improve an existing PRoW connection between Barrow Wake car park and the proposed Air Balloon Way.
- c) Surfacing, drainage and landscaping works within Barrow Wake car park.

D.3.1.20 Following construction activities, the land will be handed back to the current landowner(s).

D.3.1.21 The land required temporarily meets the test in section 131(4B) of the Act because the land is, or forms part of, an open space, meets none of the other descriptions in subsection (1), and is being acquired for a temporary (although possibly long-lived) purpose.

#### **Required Common Land**

D.3.1.22 The Common Land affected by the scheme is an area of land known as Barrow Wake, near Birdlip, and is registered as Common Land parcel CL274.

D.3.1.23 While Common Land is also Open Access Land under the CRoW Act (unless there is evidence that the public have a right of access on foot for recreation by some other means) it benefits from wider protection because of its status as Common Land. In addition, there is no right over common land for use by bicycle or on horseback unless that right has been specifically provided by the landowner. Highways England understands that such rights have not been provided in the case of the Common Land effected by the scheme.

D.3.1.24 The Common Land is in the ownership of GWT and much of the area is designated part of the Crickley Hill and Barrow Wake SSSI (which would be adversely impacted by cyclists and horse riders if they were to be permitted to use the Common Land if any such rights were provided in the future, which it is not intended for this reason).

D.3.1.25 The Common Land impacted by the scheme does not have any registered rights of common and therefore any areas proposed as replacement land would be no less advantageous for such persons.

D.3.1.26 The Common Land affected by the scheme is within the plots identified in Table 3 below. These plots comprise 5,741 square metres of land to be acquired to facilitate construction of the scheme.

D.3.1.27 When undertaking this assessment, and given that there is no provision for temporary acquisition of Common Land, it was assumed that all land would be acquired permanently and the test in section 131(4) should be met with replacement land to be provided in exchange.

D.3.1.28 Further detail in relation to the works to be undertaken are provided in Table 3 overleaf.

**Table 3 Common Land required for the scheme**

Special Category Land	Land Take	Plot(s)	Area (m2)	Land required for	Relevant Test	Replacement land required
Common Land	Permanent	3/1n 3/12 3/12a 3/12c 3/12d 3/12e 3/9b 3/11b	2,636	Carriageway and earthworks associated with the B4070, Barrow Wake roundabout and Birdlip Road	Land required permanently to facilitate construction of the scheme - replacement land to be provided in accordance with section 131(4).	Yes
Common Land	Permanent	2/13 2/13a	1,334	Earthworks and embankments associated with the A417 mainline in the vicinity of Crickley Ridge	Land required permanently to facilitate construction of the scheme - replacement land to be provided in accordance with section 131(4).	Yes
Common Land	Temporary possession	3/12b 3/12f	1,771	Working area to construct stone wall/highway fence	N/A as no compulsory acquisition occurring.	N/A

## D.4 Approach to Replacement Common Land

D.4.1.1 The requirements for replacement land as defined through section 131(2) of the Act are considered further below, as summarised in section D.1.4. This provides a baseline against which the assessment of replacement land options has been undertaken and describes the various characteristics of the land to be acquired by the scheme, under a number of key headings as follows.

### **Not less in area than the order land**

D.4.1.2 The compulsory acquisition of 5,741 square metres of Common Land is required to enable delivery of the scheme in two discrete areas as follows:

- Land to the south and surrounding Barrow Wake car park – required for the construction of side roads and creation of public rights of way; and
- Land in the area adjacent to Woodside House, south of the A417 - required to facilitate the construction of the A417 mainline.

D.4.1.3 All replacement land options will therefore be considered in the context of providing no less than 5,741 square metres of land.

### **No less advantageous to the persons entitled to the rights of common or other rights**

D.4.1.4 As outlined in section 2, the Common Land impacted by the scheme does not have any registered rights of common and therefore any areas proposed as replacement land would be no less advantageous for such persons.

D.4.1.5 The replacement land options will therefore not be appraised against this criterion.

### **No less advantageous to the public**

D.4.1.6 In considering this requirement and how the replacement land options compare to the existing Common Land, sub-headings are applied for the purpose of describing the existing and appraising the replacement land options, as presented in the subsequent sections. This helps assist the comparison of the options and includes consideration of the following three criteria:

1. Access arrangements and features of the land, including public access;
2. Condition and use of the land including:
  - a) Biodiversity;
  - b) Landscape;
  - c) Archaeology;
  - d) Agriculture;
  - e) Recreational interests;
  - f) Any structures of buildings on the land; and
  - g) Current boundary features, including any access points.

3. Environmental designations, including whether any of the land in question is or part of SSSI, or whether the land is within an Area of Outstanding Natural Beauty (AONB).

D.4.1.7 As a baseline against which to compare the replacement options, each area of Common Land to be acquired by the scheme is described further below, with reference to the above criteria.

Land to the south and surrounding Barrow Wake Car Park

D.4.1.8 The existing Common Land required to the south of Barrow Wake, as shown on Sheet 3 of the Special Category Land Plans Volume 2, (Document Reference 2.3) is land that sits adjacent to the existing highway, and is required in order to undertake the proposed works in relation to Birdlip Road and the side road. That includes a new roundabout to the west of the existing underpass to the A417 as shown in Figure 2 overleaf.

D.4.1.9 The subsequent sections of the report present the baseline for this area of land utilising the criteria outlined above.



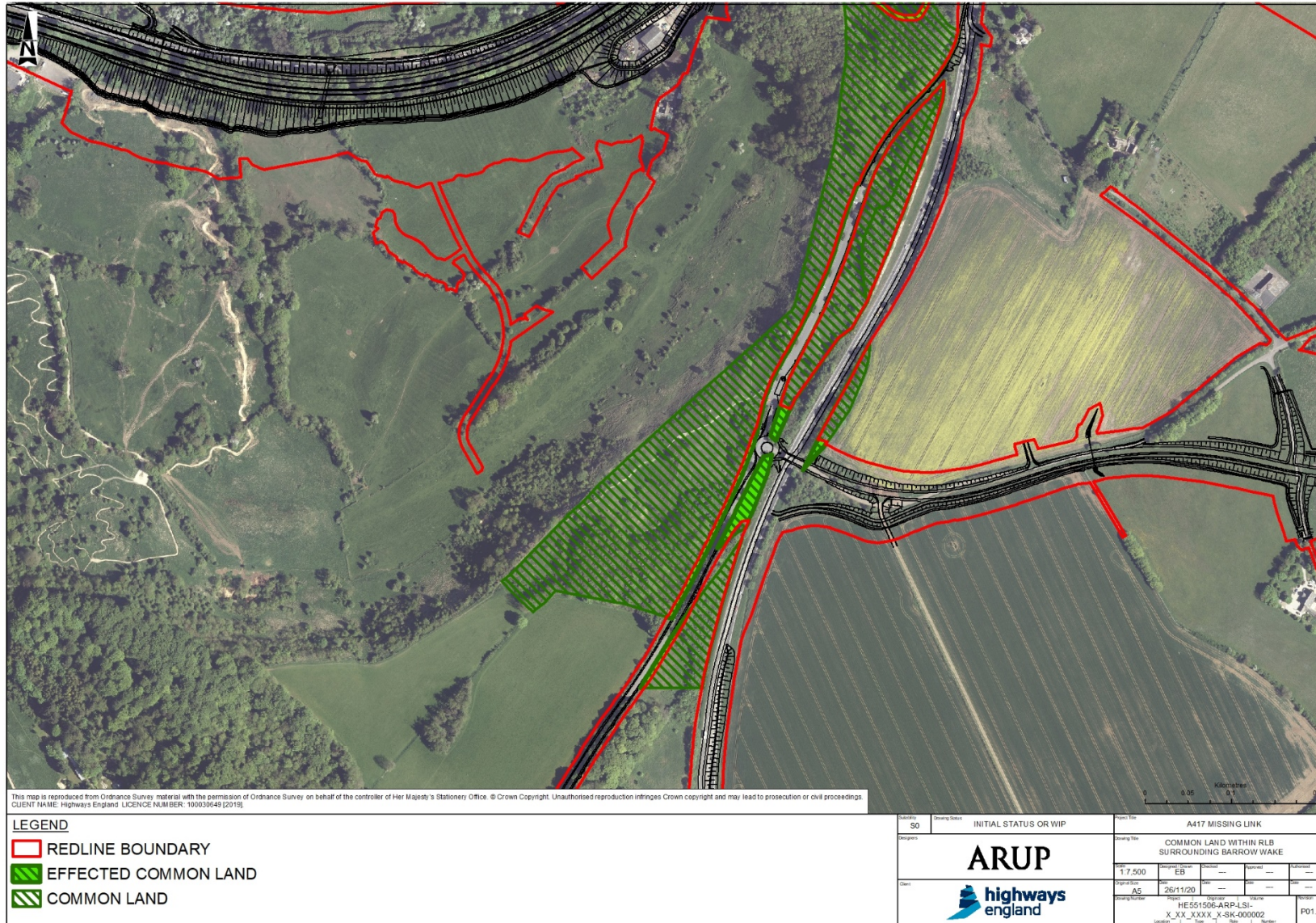


Figure 2 Common Land within RLB surrounding Barrow Wake



### **1. Access arrangements and features of the land**

- D.4.1.10 The land to be acquired in this location of the scheme can be characterised as land adjacent to existing highway or land located between the existing A417 and Barrow Wake access road and car park.
- D.4.1.11 The land is part of the Crickley Hill and Barrow Wake SSSI (as described further below) and is generally grass verge and semi-natural woodland, with a mixture of established and younger tree species, including hawthorn, sycamore, hazel, dogwood and ash.
- D.4.1.12 No formal or informal access arrangements such as PRow or informal routes of access are currently present within this area of Common Land to be acquired and no evidence of recent access was established during site visits.

### **2. Condition and use of the land**

- D.4.1.13 Although Common Land, most of the land required is a wooded area adjacent to the access road to Barrow Wake Car Park and between its access road and the existing A417. In visiting the area, the land in question could be mistaken as highway verge and it is not known to be regularly accessed or used by the public for recreation pursuant to the CRow Act.
- D.4.1.14 Photos 1 and 2 below provide context in terms of the current condition of the Common Land to be acquired in this area with Photograph 1 showing the area adjacent to the existing underpass of the A417, and Photograph 2 showing an example of the tree growth on the existing Common Land.



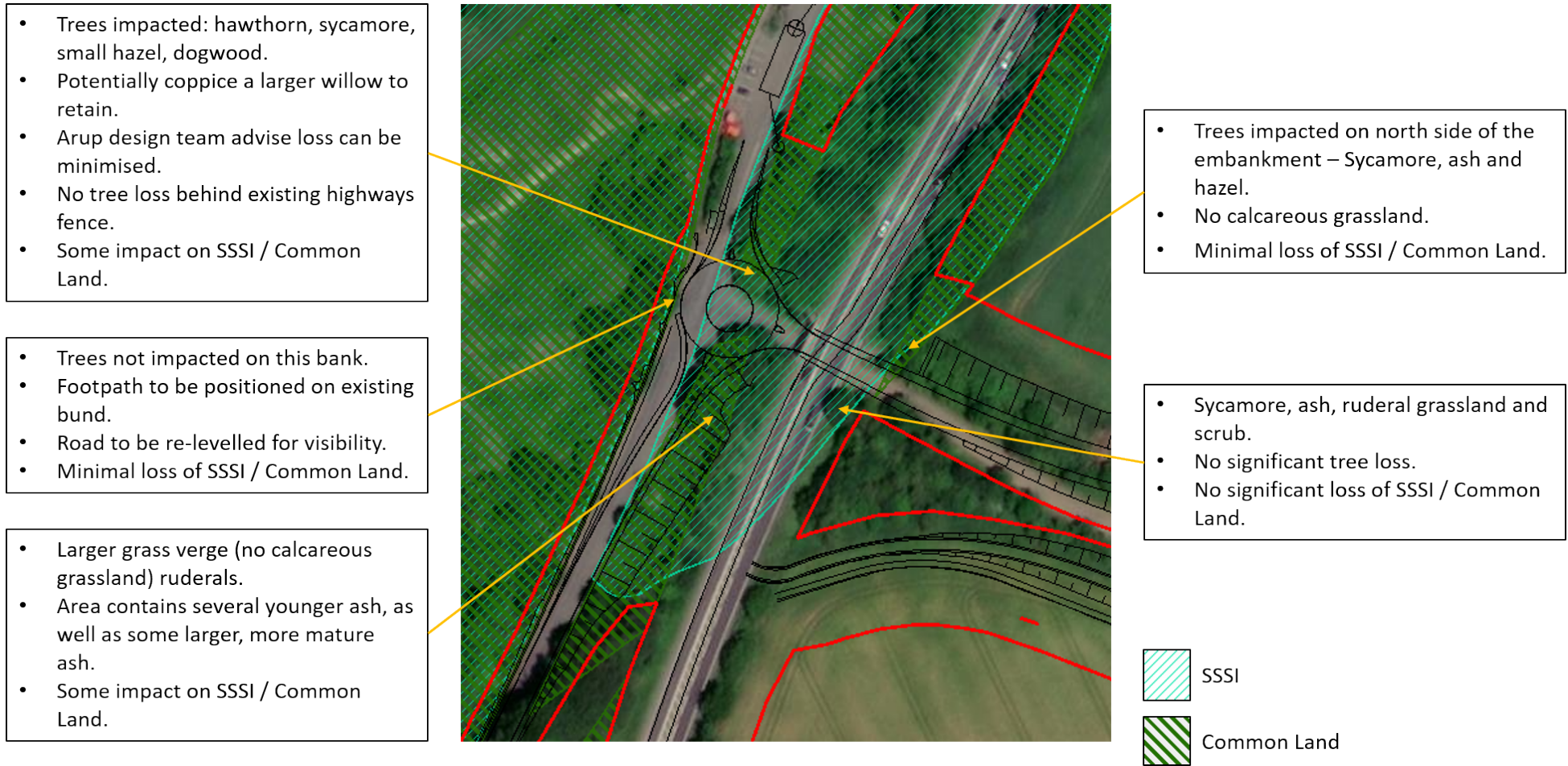
**Photograph 1** Common Land adjacent to Barrow Wake car park/A417 underpass





**Photograph 2 Example of young ash tree growth within the Common Land**

- D.4.1.15 In terms of the condition of the land to be acquired, a phase 1 habitat survey identifies the area as semi-natural broadleaved woodland with areas of semi-improved calcareous grassland to the north of the proposed roundabout, and in the area to the west of Barrow Wake car park/on land in between the car park and existing A417.
- D.4.1.16 A more detailed survey further explored the potential impacts on the SSSI and Common Land in this location identified the potential for tree loss on land surrounding the current underpass with tree species such as sycamore, hazel and ash having grown up since the construction of the current A417. No calcareous grassland was identified in this location.
- D.4.1.17 The potential effects are explained further in Figure 3 which highlights the areas of the Common Land and SSSI which are likely to be impacted by the proposed scheme in this location.



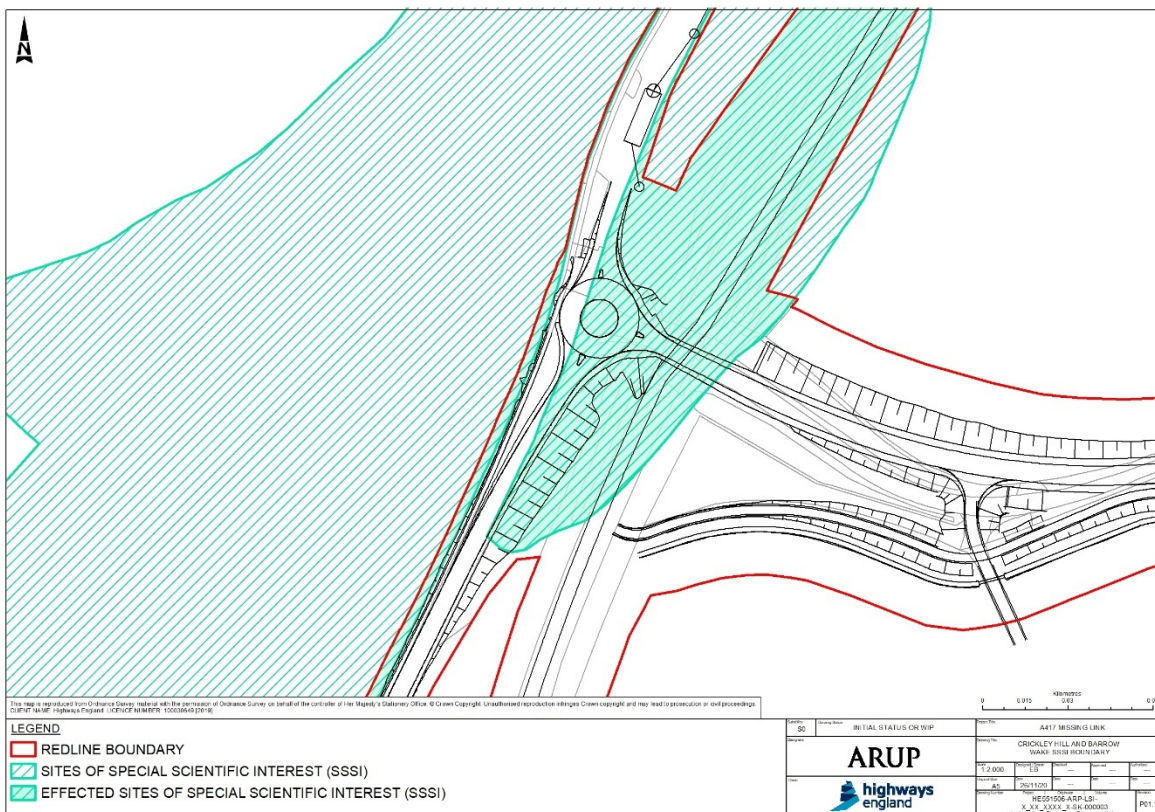
**Figure 3** Survey notes from site visits to Barrow Wake



- D.4.1.18 The landform presents as part of the existing road verge with its topography altered in relation with the current A417 embankment and access road to Barrow Wake car park. As mentioned above, it is partially covered with grass and young woodland, predominately ash, hazel and sycamore which has some landscape value. The A417 embankments and existing tree cover provide a good level of enclosure which would remain despite the localised loss of some existing vegetation. The land does not provide a high level of aesthetic appeal given its immediate context adjacent to the existing road infrastructure and overall has a low quality compared to the wider SSSI and landscape features present at Barrow Wake.
- D.4.1.19 The land to be acquired contains no known archaeological remains or heritage assets.
- D.4.1.20 The land to be acquired does not form part of a current agricultural holding and the nature of much of the land in terms of young and established tree growth would make any form of agriculture challenging. Similarly, these features mean that recreational interests in the land are limited with no formal or informal recreational access established.
- D.4.1.21 The land does not currently contain any structures or buildings. Boundary features are limited to sections of dry-stone wall which demark the boundary of the SSSI in the area between Barrow Wake car park and the existing A417.

**3. Designations**

- D.4.1.22 Part of the Common Land to be acquired also forms part of the Crickley Hill and Barrow Wake SSSI, as shown in Figure 4 below.



**Figure 4 Crickley Hill and Barrow Wake SSSI Boundary**

- D.4.1.23 The land is not part of or near to any other land-based designations. However, the land does lie within the Cotswolds AONB.
- D.4.1.24 A detailed site visit was undertaken in August 2020 to seek to confirm the boundary of the SSSI in relation to the existing highway boundary. As shown in Figure 4 above, a portion of the SSSI currently extends over part of the existing A417. Despite this, this area has been considered in the assessment of effects as loss of SSSI and the repurposing of the existing A417 potentially offers opportunity to improve this area of the SSSI moving forward.

**Land adjacent to Woodside House, south of the A417**

- D.4.1.25 The area adjacent to Woodside House, as shown on Sheet 2 of the Special Category Land Plans (Volume 2, Document Reference 2.3) is land required for the construction of the mainline, associated earthworks and drainage. The works in relation to the Common Land boundary can be seen in Figure 5 below.
- D.4.1.26 The subsequent sections present the baseline for this area of land utilising the key criteria outlined above.



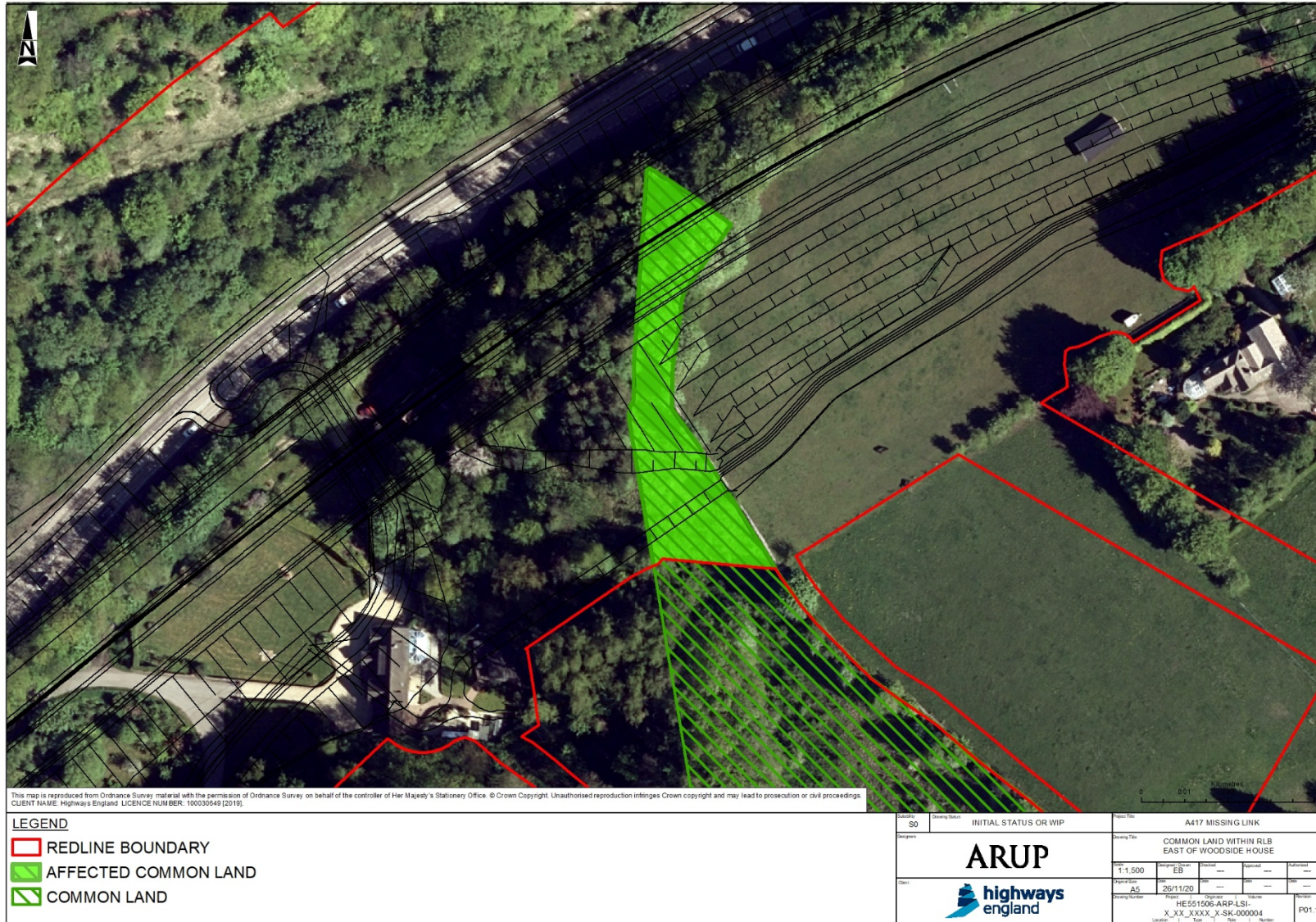


Figure 5 Common Land within RLB east of Woodside House



## 1. Access arrangements and features of the land

- D.4.1.27 This land is characterised by its heavily wooded nature and steep gradient, forming part of the escarpment. The land is bounded by a dry-stone wall along the majority of its eastern boundary which demarks the boundary with the adjacent property known as Crickley Ridge. Beyond this boundary feature the land drops steeply towards the existing A417 to the north and down towards the properties of Woodside House and Pinewood in the west.
- D.4.1.28 No formal or informal access arrangements such as PRoW or informal routes of access are currently present within this area of common land and no evidence of recent access was established during site visits.
- D.4.1.29 Due to the gradient of much of the land in this location and the current vegetation including tree planting, it is not known to be regularly accessed or used by the public.

## 2. Condition and use of the land

- D.4.1.30 The condition of the area of land to be acquired as part of the project in this location is characterised by established tree growth and vegetation as shown in Photographs 3 and 4 below.
- D.4.1.31 Photograph 3 provides a view from the eastern boundary of the Common Land, looking west towards Brockworth and Photograph 4 provides a view in the vicinity of Crickley Tractors, looking east with the properties of Pinewood and Woodside House shown in the context of the Common Land behind.



**Photograph 3** View west from eastern boundary of Common Land





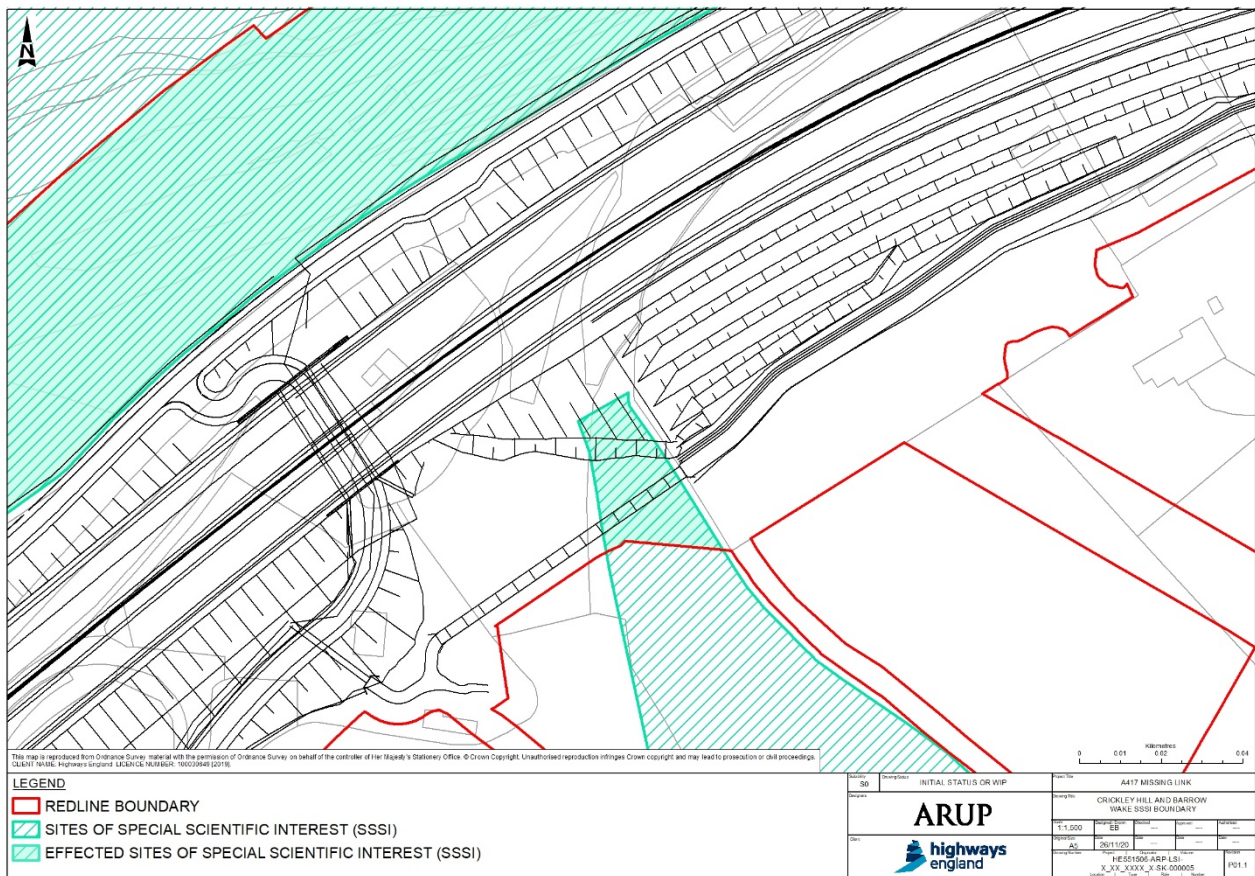
**Photograph 4 View east showing Common Land behind Woodside House**

- D.4.1.32 In the context of the above, the land in question is not known to have any current formal use. In the event that someone did cross the Common Land in the location of the land required, it is not possible to access a PRow or other publicly accessible route/land with private property to the west and east and the current A417 to the north with no safe crossing/onward travel point. To exit the Common Land users would need to travel south and join the existing PRow network that provides a connection east and west. The area of common effected by the scheme is therefore effectively a ‘dead end’ in terms of access.
- D.4.1.33 In terms of the condition of the land, a phase 1 habitat survey identifies the area to be acquired as a mixture of unimproved calcareous grassland and semi-natural broadleaved woodland with the grassland habitat present along the eastern boundary and woodland more prevalent as the gradient steepens and the land falls towards the existing A417 and properties of Pinewood and Woodside House.
- D.4.1.34 Existing landform partly consists of the engineered cut slope of the existing A417, and partly of the distinctive and highly valued slopes of the Cotswold escarpment. As mentioned above, land use is a mix of calcareous grassland and broadleaved woodland both of which are valued locally, as the positively contribute to the landscape character and special qualities of the Cotswolds AONB. The land has a high level of enclosure provided by the existing woodland cover, however, glimpsed views can be obtained through the woodland canopy to the open vale below – a view which is recognised as being important as it contributes to the special qualities of the AONB. Being situated in close proximity to the existing A417, the area’s perceptual qualities (sounds, sight, smells, associations) are dominated by the existing road and associated traffic noise.

- D.4.1.35 The land to be acquired contains no known archaeological remains or heritage assets.
- D.4.1.36 The land to be acquired does not form part of an existing agricultural holding and the topography of the land would make any form of agriculture challenging. Similarly, the topography means that recreational interests in the land are currently limited with no formal or informal recreational access established.
- D.4.1.37 The land does not currently contain any structures or buildings and boundary features are limited to the dry-stone wall which demarks the boundary between the Common Land and the private property of Crickley Ridge in the east.

### 3. Designations

- D.4.1.38 Part of the Common Land to be acquired also forms part of the Crickley Hill and Barrow Wake SSSI, as shown in Figure 6 below.



**Figure 6 Crickley Hill and Barrow Wake SSSI Boundary**

- D.4.1.39 The land is not part of or near to any other land-based designations. However, the land does lie within the Cotswolds AONB.

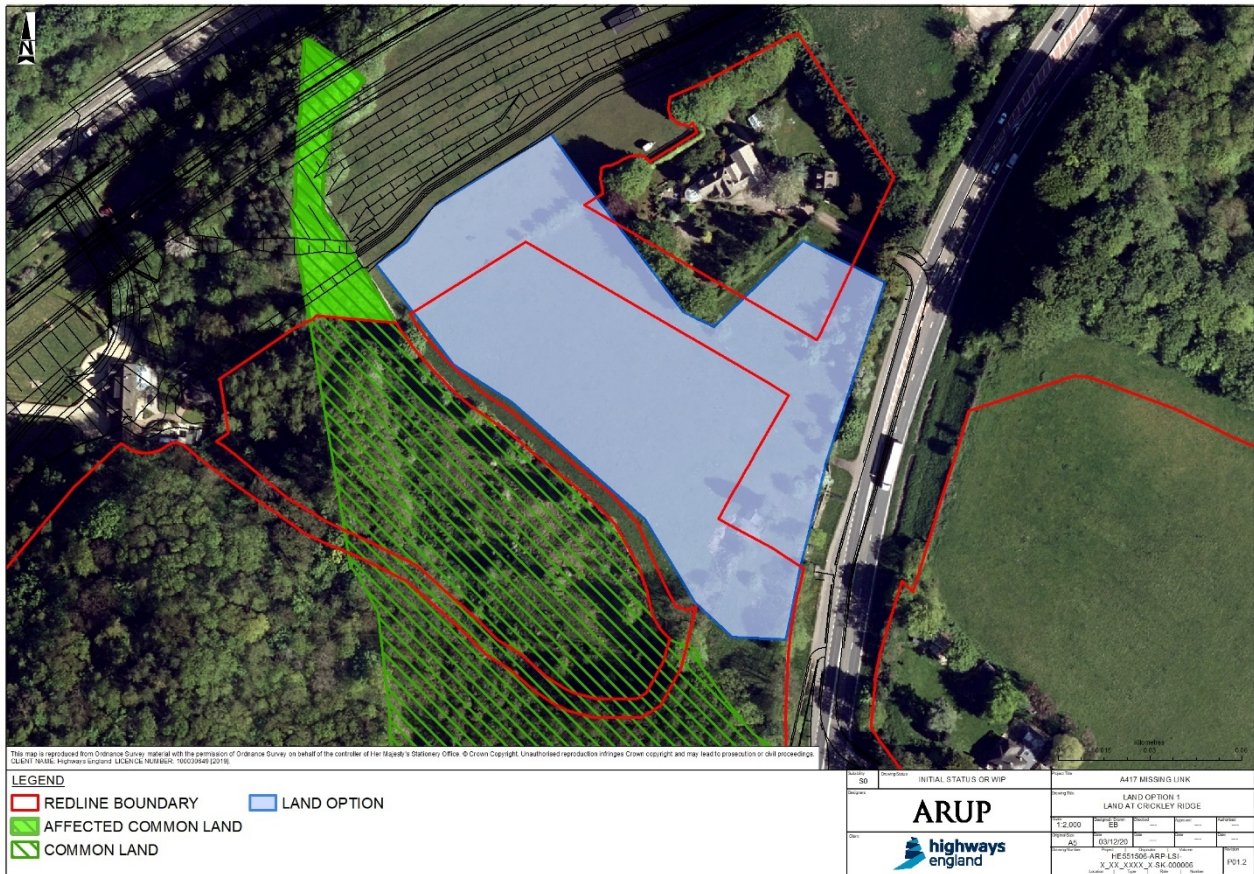


## D.5 Replacement Land Options

- D.5.1.1 A review of the land required for the scheme and nearby land has been considered by relevant specialists to help consider options for exchange (replacement) land.
- D.5.1.2 This review has been informed by work undertaken by the Highways England team, as well as inputs and suggestions from stakeholders through the public consultation and stakeholder engagement process.
- D.5.1.3 This review has carefully considered the requirements for replacement land as defined through section 131(2) of the Act. Further, this review has considered the appropriate Defra Common Land Consents Policy (2015).
- D.5.1.4 In addition, given that any replacement land would revert to the owner of the existing Common Land (GWT), efforts were made to consider land that would be in close proximity to GWT's existing land holding, further to stakeholder discussions.
- D.5.1.5 This review also included consideration of land that was likely to be acquired as part of the scheme, and third-party land, which offered the potential to provide suitable replacement land having been through an initial desk-based review.
- D.5.1.6 This review has identified a total of four areas of land, which were considered to offer the greatest potential as appropriate exchange land. The four areas of land were thus subject to further analysis, as set out below. In addition, a fifth land parcel was raised by stakeholders during the consultation process in November 2020 and this is also considered further below.

### **Option 1: Land at Crickley Ridge**

- D.5.1.7 This option involves land adjacent to the property of Crickley Ridge and would utilise the existing paddock areas, which form part of the property (see Figure 7).
- D.5.1.8 Part of the land is required by Highways England for works associated with the construction of the new A417, which requires a cutting to be created in this location. The property has been subject to a successful blight application and a purchase price has been agreed between Highways England and the owner.



**Figure 7 Option 1 – Land at Crickley Ridge**

D.5.1.9 Further consideration of this replacement land option is provided below with reference to the key criteria established through the baseline.

**Not less in area than the order land**

D.5.1.10 The area shown in blue is approximately 12,540 sqm and therefore greater in area than the order land.

**No less advantageous to the public**

D.5.1.11 In considering whether this option is no less advantageous to the public, the key criteria of access, condition and use, and designations are reviewed.

Access arrangements

D.5.1.12 Although adjacent to the existing Common Land, the option would not be contiguous given proposals for a new public right of way to connect the Air Balloon Way to the Grove Farm underpass (as outlined in Public Rights of Way Management Plan (ES Appendix 2.1 Environmental Management Plan Annex F (Document Reference 6.4)). The PRow would however mean that the replacement land is accessible.

D.5.1.13 No other formal access to the replacement land would be provided with an existing boundary feature differentiating the Common Land from the re-purposed A417.



D.5.1.14 On this basis and given the access arrangements of the Common Land to be acquired for the scheme, this option would be no less advantageous to the public in terms of access.

*Condition and use*

D.5.1.15 The replacement land is currently calcareous grassland with hedgerows and trees on its boundary. The land therefore has some biodiversity value but the condition could be improved as calcareous grassland which would provide an improvement in terms of condition of the Common.

D.5.1.16 Part of the land identified is currently used for the grazing of horses as a paddock associated with property of Crickley Ridge. Under this option, this paddock would therefore be removed from the property.

D.5.1.17 The replacement land would be situated on the upper slopes of the Cotswold escarpment, naturally falling north. The area overlooks Crickley Hill and the existing A417, with occasional glimpsed views out over the Vale of Gloucestershire - a view which is recognised as being important as it contributes to the special qualities of the AONB. Currently the land is under grazing, as calcareous grassland, enclosed by mature tree lined hedgerows forming small-scale regular fields. There is a high level of enclosure offered by the field boundary vegetation and neighbouring woodland. In order to make the land accessible from the existing Common Land, part of the current field boundary would need to be removed and managed.

D.5.1.18 The replacement land would be in close proximity to the existing A417, offering the same level of perceptual value as parts of the Common Land. The replacement land could be planted or managed to make convert it to a more favourable condition.

D.5.1.19 No known archaeological remains or heritage assets are present within the replacement land.

D.5.1.20 The option land contains a single building which is associated with the paddock use of the land currently. This would be removed as part of the proposals. No other structures or boundary features would be affected.

D.5.1.21 In terms of condition and use, the option would be less advantageous to the public, with the removal of the land from the associated property at Crickley Ridge, and the small loss of boundary features to facilitate access. This would lead to a small biodiversity impact and mean any future owners of the property would no longer benefit from the paddock/wider land holding for the grazing of horses.

*Designations*

D.5.1.22 The land is not currently affected by any formal designation, other than forming part of the Cotswolds AONB.

**Option 2: Land on Land west of the A417/B4070 junction and north of Birdlip**

D.5.1.23 This option involves replacement land that is in third party ownership and is not required for any other purposes as part of the scheme. The area of land considered is shown in the figure below.



**Figure 8 Option 2 – Land west of the A417/B4070**

**Not less in area than the order land**

D.5.1.24 The area shown in blue is approximately 65,600 sqm and therefore much greater in area than the order land. A portion of this land could therefore be used to accommodate sufficient replacement Common Land as the scheme could not justify the acquisition of the whole land holding under Compulsory Purchase tests given that land of this scale is not necessary to make the scheme acceptable.

**No less advantageous to the public**

D.5.1.25 In considering whether this option is no less advantageous to the public, the key criteria of access, condition and use, and designations are reviewed.

### Access arrangements

- D.5.1.26 The option land lies to the south west of the existing Common Land and would therefore be contiguous to it. The existing highway into Birdlip runs along the eastern edge of the land and Cowley Footpath 25 runs along the southern boundary of the land, both of which could provide access onto the Common Land in this location.
- D.5.1.27 Based on the above and given the access arrangements of the Common Land to be acquired for the scheme, this option would be no less advantageous to the public in terms of access.

### Condition and use

- D.5.1.28 The replacement land is currently poor semi-improved grassland with an area of semi-natural broadleaved woodland at its northern boundary and hedgerows and trees on other boundaries. This is therefore similar in quality to the Common Land to be acquired as part of the scheme which is also a mixture of semi-improved grassland and woodland planting.
- D.5.1.29 The replacement land forms part of the upper slopes of the Cotswold escarpment, located between Barrow Wake and an area of beech woodland on The Peak. It gently slopes northwest, before meeting the steep escarpment slopes. It is currently under pasture, grazed by sheep and enclosed with a combination of Cotswold stone walling and post and wire fencing. There is a small coppice and isolated trees on its western boundary. The land is open, with a good outlook northwest from the escarpment towards Cheltenham and the Vale of Gloucestershire. The replacement land forms part of an attractive agricultural setting surrounded by mature beech wooded, although perceptual qualities are affected by road noise from the existing A417 and the Birdlip link (B4070).
- D.5.1.30 No known archaeological remains or heritage assets are known within the replacement land.
- D.5.1.31 The land is currently identified as part of an agricultural holding and would therefore be taken out of agricultural use if chosen as the preferred replacement land option. Utilising provisional ALC data from Natural England, the site is considered to be Grade 3 land. Taking a precautionary approach and assuming this is 3a, the land is considered to be Best and Most Versatile and its loss should therefore be avoided.
- D.5.1.32 No structures or boundary features above the natural features described above are present on the replacement option.

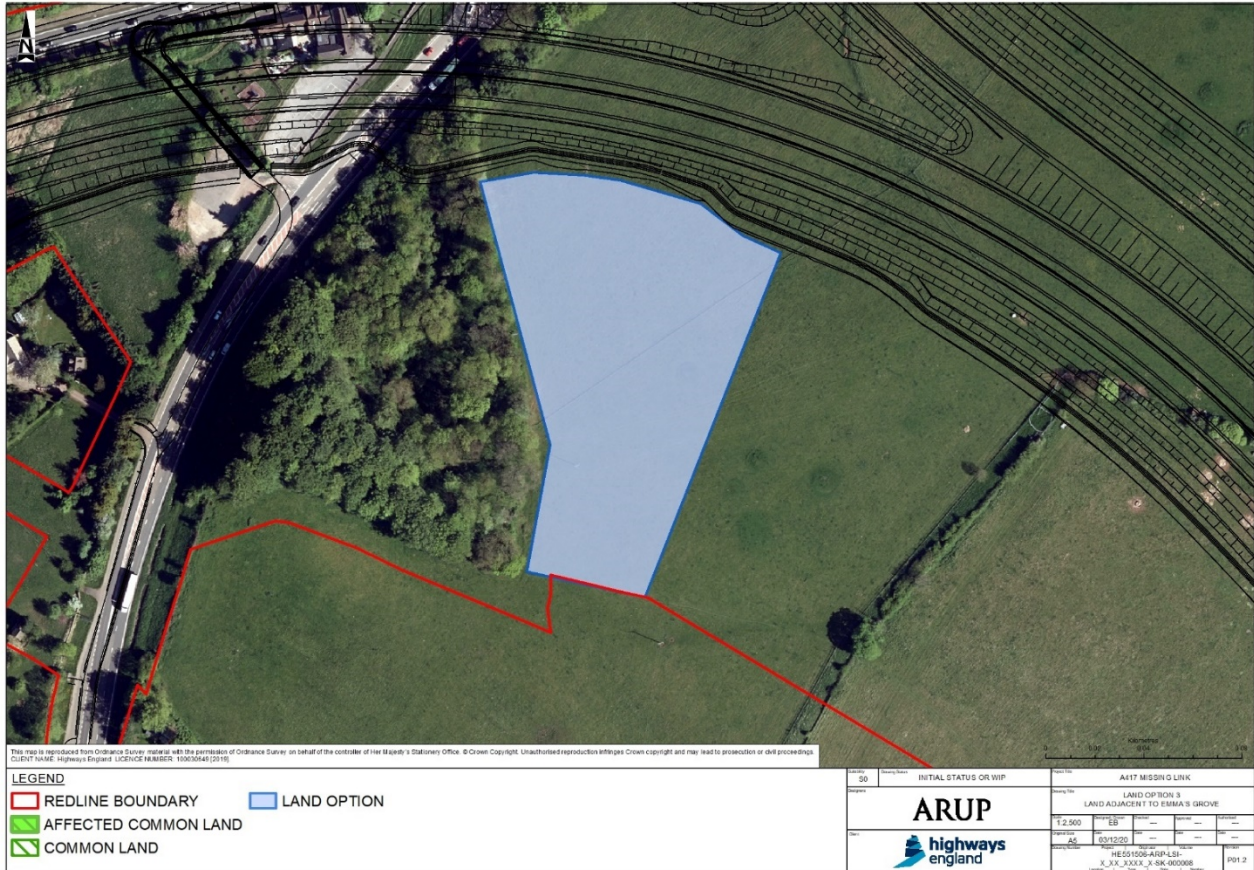
### Designations

- D.5.1.33 The land is not currently affected by any formal designation, other than forming part of the Cotswolds AONB.



**Option 3: Land adjacent to Emma’s Grove**

D.5.1.34 This option utilises land within the red line boundary which is proposed as part of a package of ecological mitigation, providing ecological ‘steppingstones’ between the Gloucestershire Way crossing and Barron Wake. It could however still offer replacement Common Land alongside its function for essential mitigation.



**Figure 9 Option 3 – Land adjacent to Emma’s Grove**

**Not less in area than the order land**

D.5.1.35 The area shown in blue is approximately 13,035 sqm and therefore greater in area than the order land.

**No less advantageous to the public**

D.5.1.36 In considering whether this option is no less advantageous to the public, the key criteria of access, condition and use, and designations are reviewed.

### Access arrangements

- D.5.1.37 The replacement land option is not contiguous with the existing Common Land and therefore access into the option land from the existing Common would not be possible.
- D.5.1.38 However, Cowley Footpath 1, which forms part of the Gloucestershire Way, runs to the south of the area identified and would therefore provide access on foot. No other formal access into the replacement land would be provided.
- D.5.1.39 On the basis of the above and given the access arrangements of the Common Land to be acquired for the scheme, this option would be no less advantageous to the public in terms of access on foot. However, the option is approximately 240m from the Common Land to be retained and is therefore not as accessible from this existing Common Land as some of the other options considered.

### Condition and use

- D.5.1.40 The replacement land is currently poor semi-improved grassland with hedgerow on its eastern boundary and a woodland area known as Emma's Grove to the west.
- D.5.1.41 The replacement land is located on fairly steep sloping ground falling northwest. It is currently under pasture, grazed by cattle, enclosed by a combination of mature hedgerows and post and wire fencing. Emma's Grove woodland forms the replacement land's western boundary, with the Gloucestershire Way long distance footpath aligned along the identified area's southern boundary. It forms part of a wider area of pasture farmland surrounded by woodland. The area is heavily influenced by the presence of the A436 and A417 at the Air Balloon roundabout and the associated traffic noise which negatively affect perceptual qualities.
- D.5.1.42 As part of the scheme the land is now proposed to be enhanced as part of wider essential mitigation to provide 'steppingstone' links between the SSSI and the proposed Gloucestershire Way crossing. This is in response to consultation feedback received as part of the supplementary statutory consultation held between 13 October and 12 November 2020.
- D.5.1.43 The replacement land is immediately adjacent to the scheduled Bronze Age barrows known as Emma's Grove. No archaeological remains are known within the replacement land.
- D.5.1.44 The land is currently part of an agricultural holding, although it is not considered to be operational and largely forms open grassland. Utilising provisional ALC data from Natural England, the site is considered to be Grade 3 land. Taking a precautionary approach and assuming this is 3a, the land is considered to be Best and Most Versatile and its loss should therefore be avoided.
- D.5.1.45 No structures or boundary features above the natural features described above are present on the replacement option land.

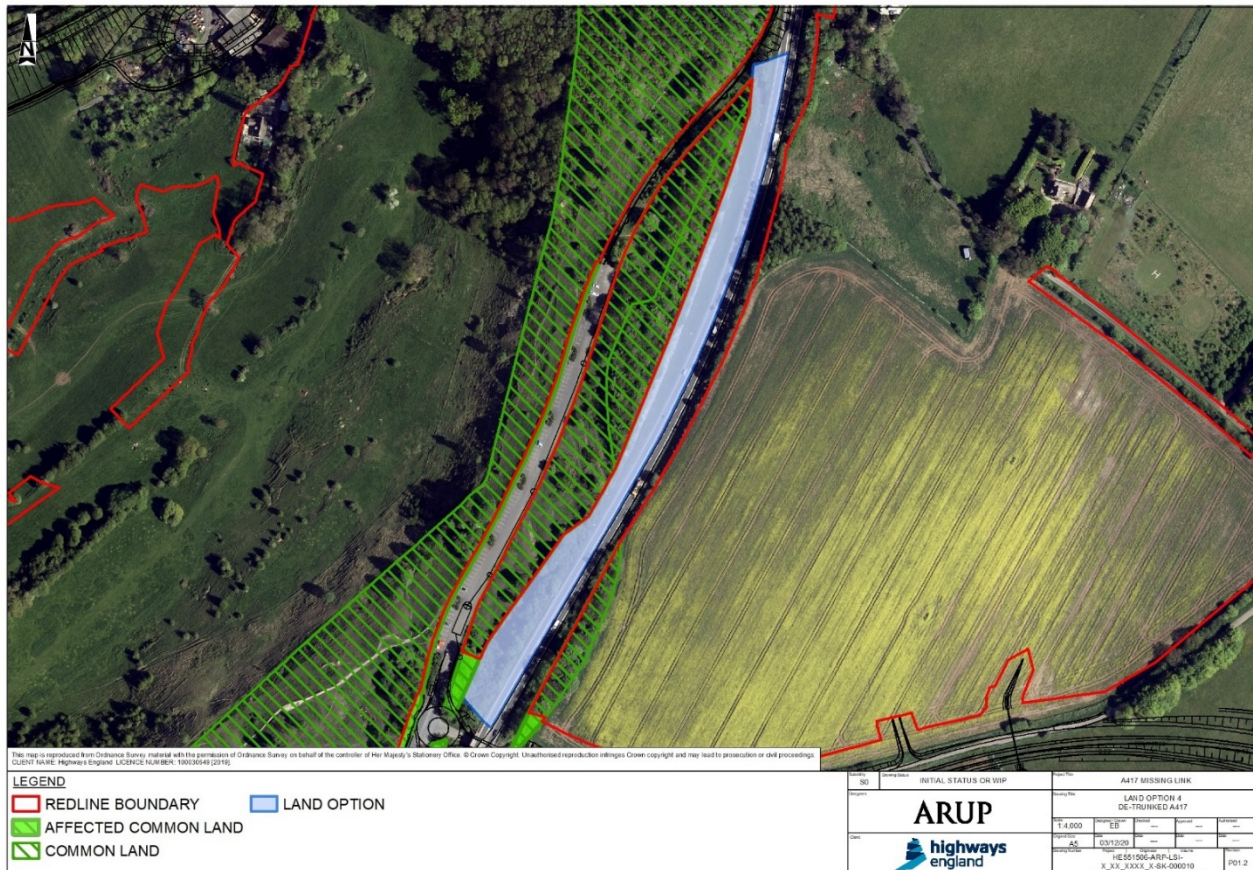
### Designations

- D.5.1.46 The land is not currently affected by any formal designation, other than forming part of the Cotswolds AONB. It is adjacent to a Scheduled Monument, the Three bowl barrows, known as Emma's Grove round barrows.



### Option 4: De-trunked existing A417

- D.5.1.47 This option would seek to provide replacement Common Land on part of the proposals to de-trunk the existing A417. It is adjacent to Barrow Wake as shown below.
- D.5.1.48 The land is in the ownership of Highways England as it forms part of the existing A417, which is to be de-trunked and repurposed as part of the scheme proposals.



**Figure 10 Option 4 – Land De-trunked A417**

#### Not less in area than the order land

- D.5.1.49 The area shown in blue is approximately 10,543 sqm and therefore greater in area than the order land.

#### No less advantageous to the public

- D.5.1.50 In considering whether this option is no less advantageous to the public, the key criteria of access, condition and use, and designations are reviewed.

#### Access arrangements

- D.5.1.51 The option would be contiguous with the existing Common Land, meaning access from the existing Common could be achieved, although in parts this would be via the existing highway verge where the current road is in cutting.
- D.5.1.52 In addition, the replacement Common Land in this location would be accessible given proposals for a new PRow along the remainder of the de-trunked A417.

Access would therefore be arguably better than the existing situation and therefore no less advantageous to the public.

- D.5.1.53 It should be noted that the replacement land would only be possible after the construction stage of the scheme when the works to re-purpose/de-trunk the existing A417 have been completed. Although it is common and best practice when acquiring Common Land to provide replacement land simultaneously, the Act does not require this. The Act requires that replacement land has been, or will be, provided (s131(4)(a)).

#### Condition and use

- D.5.1.54 The replacement land currently forms part of the A417, however as part of the scheme, the road is to be de-trunked with the hard surfacing removed and the area re-landscaped with a proposed restricted byway running along the eastern edge of the de-trunked road. This provides an opportunity to work with the future landowner (GWT as owners of the Common Land to be acquired) to create replacement land which is of the same or better quality and character as the existing Common Land.
- D.5.1.55 Prior to the construction of the existing A417, this land was Common Land and therefore the replacement land would in part return land to its former Common status.
- D.5.1.56 The replacement land consists of a long section of artificial cutting, along the alignment of the existing A417. The replacement land is enclosed by engineered banks on its western boundary and cut slopes, with exposed bedrock, on its eastern boundary. The land is currently used as highway, forming a main trunk road. The road infrastructure and combination of fast moving (south bound) and stationary (north bound) traffic reduce the perceptual qualities of the area. The road is visually dominant with views channelled through the cutting. Proposed restoration of the replacement land could provide significant benefit, particularly if planted or managed to replicate the character of neighbouring common land at Barrow Wake.
- D.5.1.57 The replacement land is within existing highway boundary and is therefore of negligible archaeological value.
- D.5.1.58 Given the nature of the land proposed, the option land is not currently used for agricultural purposes and does not contain any structures and boundary features except those that relate to the existing highway boundary features (e.g. fence line).
- D.5.1.59 The replacement Common Land would therefore be no less advantageous to the public than the land to be acquired.

#### Designations

- D.5.1.60 The land is not currently affected by any formal designation, other than forming part of the Cotswolds AONB. This area of land does run through the Crickley Hill and Barrow Wake SSSI. The opportunity provided by the scheme through the re-purposing of the existing highway could allow the opportunity to reconnect habitats to be established which could enhance the SSSI in the future.



**Option 5: Barrow Wake Car Park**

D.5.1.61 This option has been put forward by environmental groups with an interest in the Crickley Hill and Barrow Wake SSSI, seeking to utilise land currently used for car parking at Barrow Wake in order to help return the land to calcareous grassland habitat. The suggested alternative option is considered further below.



**Figure 11 Option 5 – Land Barrow Wake Car Park**

**Not less in area than the order land**

D.5.1.62 The area shown in blue is approximately 4,409 sqm and therefore less in area than the order land. Utilising the car park alone would not therefore meet this key replacement land test.

**No less advantageous to the public**

D.5.1.63 In considering whether this option is no less advantageous to the public, the key criteria of access, condition and use, and designations are reviewed.

Access arrangements

D.5.1.64 The option would be contiguous with the existing Common Land, meaning access from the existing Common could be achieved. In addition, the car park is currently designated Open Access Land and access would therefore be similar to the existing situation and no less advantageous to the public.



### Condition and use

- D.5.1.65 The replacement land currently forms Barrow Wake car park which would need to be removed should replacement land be provided in this location. Proposals to remove the car park do not form part of the scheme and the land is not in the ownership or control of Highways England. Additional land acquisition would therefore be required in order for this option to be delivered. Furthermore, there may be a need to replace the car park as mitigation as part of the scheme if it acquired the car park for replacement Common Land. Land would have to be identified to satisfy that requirement, which would need to be identified outside of the current DCO red line boundary.
- D.5.1.66 The replacement land is enclosed by an area of existing SSSI and Common Land on its eastern boundary and land forming part of the escarpment which is also SSSI on its eastern boundary. The land is currently used as a car park and is formally highway land, having previously been the road through the area prior to the current A417.
- D.5.1.67 The replacement land is within the historic highway boundary and is therefore is of negligible archaeological value.
- D.5.1.68 Given the nature of the land proposed, the option land is not currently used for agricultural purposes and does not contain any structures and boundary features.
- D.5.1.69 The replacement Common Land would therefore be no less advantageous to the public than the land to be acquired.

### Designations

- D.5.1.70 The land is not currently affected by any formal designation, other than forming part of the Cotswolds AONB. This area of land does run through the Crickley Hill and Barrow Wake SSSI. Repurposing could therefore allow the opportunity to reconnect habitats which could enhance the SSSI in the future.

## D.6 Comparative Assessment

D.6.1.1 This section considers the comparative performance of the above options against the necessary tests for replacement land.

### **Not less in area than the order land**

D.6.1.2 In summary, the only option which would be less in area than the order land is option 5 – Barrow Wake car park. All other options considered would be greater in area than the land to be acquired for the scheme and therefore options 1 to 4 meet this test in relation to replacement land.

### **No less advantageous to the public**

D.6.1.3 In relation to whether the replacement land options are any less advantageous to the public, each option is summarised below:

#### Option 1

D.6.1.4 The option to utilise land currently part of the property at Crickley Ridge would not be contiguous to the existing common but would be accessible to the public from the proposed PRoW to the west of the land parcel.

D.6.1.5 A portion of the current boundary features would be lost to facilitate this access and the current use of the land as a paddock associated with the property would also be lost.

D.6.1.6 Although the opportunity would exist to improve the habitat within the site as part of any repurposing, the option would require the acquisition of land not required for any other purpose as part of the scheme, therefore bringing additional land into the red line solely for the purpose of providing replacement common land.

D.6.1.7 Given the above factors, and on balance, it is considered that the option is slightly less advantageous to the public when compared to the existing Common Land.

#### Option 2

D.6.1.8 This option would be contiguous to and therefore accessible from the existing Common Land as well as being accessible from the highway to the east.

D.6.1.9 However, the option is of lower ecological value than the Common Land to be acquired by the scheme and would remove land from agricultural use which records show to be Grade 3 and the scheme has assumed to be 3a as a worst-case approach to assessment. This would therefore lead to a land option which removes best most versatile agricultural land.

D.6.1.10 In addition, the option would need the acquisition of land not required for any other purpose as part of the scheme, therefore bringing additional land into the red line solely for the purpose of providing replacement common land.

D.6.1.11 Given the loss of BMV land and need for further acquisition, the option is considered to be less advantageous to the public when compared to the existing Common Land.

### Option 3

- D.6.1.12 This option would not be contiguous to the existing Common Land although would be accessible from the existing PRow to the south.
- D.6.1.13 The option is of lower ecological value than the Common Land to be acquired by the scheme but it is proposed to be enhanced as part of wider essential mitigation to provide 'stepping stone' links between the SSSI and the proposed Gloucestershire Way crossing. Although a loss of agricultural land (assumed to be Grade 3a) this is already occurring through the scheme and it is understood that the land is not actively farmed at present.
- D.6.1.14 The option would not therefore require additional land acquisition and although it is considered that Common Land could exist alongside the proposed essential mitigation, this may require greater management, particularly in terms of public access.
- D.6.1.15 Although the land is not contiguous within the existing Common Land, it is not considered to be less advantageous to the public.

### Option 4

- D.6.1.16 This option would be contiguous to the existing Common Land and would be fully accessible from that existing common, and from the proposed PRow (the Air Balloon Way) which would run on the eastern side of the land option and be fully segregated.
- D.6.1.17 The land is in the ownership of Highways England and therefore no additional land acquisition would be required with the land forming part of wider de-trunking proposals as part of the scheme.
- D.6.1.18 Through this process of de-trunking, the option would allow land that was previously deregistered as Common Land as when the existing A417 was created, returned to Common Land.
- D.6.1.19 The de-trunking and landscaping process also offer wider opportunities to re-provide land which creates habitats that are appropriate to the current use of the Common and the surrounding SSSI, potentially improving the SSSI in the future.
- D.6.1.20 To achieve these benefits the provision of the replacement land would only be possible after the construction stage of the scheme and when the works to re-purpose/de-trunk the existing A417 have been completed.
- D.6.1.21 Although it is common and best practice when acquiring Common Land to provide replacement land simultaneously, the Act does not require this. The Act requires that replacement land **has been, or will be, provided** (s131(4)(a)).
- D.6.1.22 In considering the timing of the provision of the replacement land, it should be noted that the Common Land impacted by the scheme does not have any registered rights of common and therefore not providing replacement land simultaneously would not disadvantage any person entitled to the rights of common.
- D.6.1.23 Furthermore, initial discussions with the design team suggest that controls could be used in order to minimise the time between the existing Common Land being acquired for the scheme, and the replacement land being provided.

D.6.1.24 Given the potential benefits outlined above, this option is considered to be no less advantageous to the public.

#### Option 5

D.6.1.25 This option would be contiguous to the existing Common Land and therefore accessible from the existing Common.

D.6.1.26 The option would see the removal of the existing car park and the creation of habitat which would reconnect two areas of Common Land, but also offer potential for improved connectivity between the SSSI areas. This therefore offers benefits to the existing Common Land and SSSI designation.

D.6.1.27 The land is currently within the red line boundary for specific enhancement works to the Barrow Wake car park, including some drainage improvements and boundary treatments (dry stone walls). To progress this option would therefore require a change in land take from temporary to permanent, bringing further permanent land take into the scheme.

D.6.1.28 Given the potential benefits outlined, this option is not considered to be less advantageous to the public, although it would require additional land acquisition as part of the scheme.

#### **Summary**

D.6.1.29 Having considered each of the options in turn:

- a) None of the options are less advantageous to the persons entitled to the rights of common or other rights, given the Common Land impacted by the scheme does not have any registered rights of common;
- b) Option 5 is less in area than the Common Land to be acquired and although it offers some potential benefits in terms of SSSI connectivity, would not meet the tests in terms of area to be re-provided;
- c) All other options (1 to 4) are greater in area than the Common Land to be acquired as part of the scheme;
- d) Option 1 is considered to be less advantageous to the public as it would require additional land acquisition and would lead to the loss of land associated with an existing property. It is also not contiguous to the existing Common Land;
- e) Option 2 is considered to be less advantageous to the public as it would require additional land acquisition, and would lead to the loss of BMV agricultural land;
- f) Following feedback at consultation during 2020 and subsequent design changes, the land involved in option 3 now forms part of essential mitigation proposals to offer connectivity between the Gloucestershire Way crossing and the SSSI. Although it may lead to further management, the land could still be used for mitigation and Common Land; and
- g) Option 4 is not considered to be less advantageous to the public and offers connectivity to the existing Common Land and the opportunity to works collaboratively with GWT, as future landowner to restore the land as part of the de-trunking proposals. However, the land would not be available until after the construction stage of the scheme when the works to re-purpose/de-trunk the existing A417 have been completed.

## D.7 Recommendations

- D.7.1.1 Based on the considerations and analysis above, it is recommended that Highways England pursue option 4 as their preferred strategy for replacement Common Land. This option involves replacement land as follows:

*Replacement Common Land which utilises an area of land adjacent to Barrow Wake which forms part of the proposals to de-trunk the existing A417.*

- D.7.1.2 It is considered that the replacement Common Land would comply with the definition contained in section 131(12) as it is greater in area than the land acquired and would be as advantageous to the persons entitled to rights of common, or to the public, notwithstanding the fact that it could not be provided until after the scheme has been constructed.
- D.7.1.3 Highways England acknowledge that this option would present a delay between the acquisition of the current Common Land and the replacement Common Land being available. Despite this, the option remains valid and in accordance with the requirement in the Act, which is that 'replacement land has been or will be provided'.
- D.7.1.4 Furthermore, it is considered that Option 4 is the most suitable option and offers many benefits which other options do not, including its connectivity to the existing Common, the fact it was previously Common Land and was de-registered to construct the current A417, and the fact that no further acquisition of land would be required given the land is currently in the ownership of Highways England.
- D.7.1.5 Although many of the other options considered could be provided immediately upon acquiring the existing Common Land, they do not offer the extent of benefits offered by Option 4.
- D.7.1.6 In considering the delayed replacement, Highways England have been cognisant to any impact to those with an interest/rights over the existing Common Land. In this instance, the areas to be acquired for the scheme do not have any registered rights of common and therefore a delay in replacement would not adversely impact those with rights over the land.
- D.7.1.7 Discussions about the approach have been held with the landowner and the proposals were subject to consultation as part of the 2020 consultation. No objections to the location or delay involved in the replacement Common Land have been received to date.
- D.7.1.8 It is proposed that the time between the acquisition of the existing Common Land and the replacement Common Land is controlled by articles in the DCO which reduce this time, delaying the acquisition of the existing land as late in the project programme as possible.
- D.7.1.9 It is considered that the Secretary of State can be satisfied that the provisions of the section 131(4) of the Act have been met and that the Order, should they adopt this approach, and the scheme should not be subject to SPP.

# Appendix E Deeds of dedication for National Trust land



500172

THIS DEED OF DEDICATION made the *ninth* day of *January* One thousand nine hundred and sixty-<sup>one</sup> BETWEEN  
THE NATIONAL TRUST FOR PLACES OF HISTORIC INTEREST OR NATURAL BEAUTY  
whose office is at 42 Queen Anne's Gate in the City of Westminster (hereinafter called "the Trust") of the one part and THE MINISTER OF TRANSPORT (hereinafter called "the Minister") of the other part

WHEREAS :-

- (1) The Trust is seised of the piece of land hereinafter described and intended to be hereby dedicated in fee simple absolute in possession subject as hereinafter mentioned but otherwise free from incumbrances
- (2) The Minister is authorised by the Highways Act 1959 to utilise the said piece of land for the purpose of improving the adjoining Hungerford - Hereford Trunk Road (A417)
- (3) The said land is held by the Trust as part of their inalienable estate pursuant to the National Trust Acts 1907 to 1939 and the National Trust have agreed to dedicate the same to and for the use of the public as part of the said trunk road in consideration of the payment of the sum of Ten pounds and covenants by the Minister hereinafter contained

NOW THIS DEED WITNESSETH as follows:-

1. IN pursuance of the said agreement and in consideration of the sum of Ten pounds now paid by the Minister to the Trust (the receipt whereof the Trust hereby acknowledges) AND of the covenants by the Minister hereinafter contained the Trust hereby dedicates and sets apart for the public in perpetuity ALL THAT piece of land (hereinafter called "the said land") situate on the North side of and adjoining the Hungerford - Hereford Trunk Road (A417) in the Parish of Coberley near Cheltenham in the County of Gloucester and containing in the whole Three thousand two hundred and ninety five square yards or thereabouts as the same is more particularly delineated on the plan annexed hereto and thereon coloured pink TO THE INTENT that the said piece of land shall form part of the said Trunk Road (A417) and shall be repairable accordingly
2. THIS dedication is made subject to the exception and reservations rights agreements and covenants mentioned or referred to in a Conveyance dated the Fourth day of April One thousand nine hundred and thirty five and made between Thomas Place of the one part and the Trust of the other part (being a Conveyance to the Trust of the land hereby dedicated and other property) so far as the same affect the said land and are now subsisting and capable of taking effect
3. THE Minister hereby covenants with the Trust:-

(a) In carrying out the works of improvement to the said Trunk Road to provide on the said land and thereafter to maintain proper support for the adjacent property of the Trust and to turf or sow with approved grass seed to the satisfaction of the Trust any supporting slope or bank formed on the said land

(b) To provide erect and for ever after to maintain a fence (of Four inches by Four inches oak posts and five oak rails Three inches by two inches) along the boundary between the said land and the adjoining land of the Trust such fencing work to be carried out to the satisfaction of the Trust

(c) To pay and discharge all proper claims of the Trust's former Tenant for disturbance tenant right and otherwise arising out of or on account of the taking by the Minister of the said land and to keep the Trust indemnified in respect of such claims

(d) At all times hereafter to keep the Trust and its successors in title effectually indemnified against all actions proceedings costs claims and demands whatsoever in respect of the agreements and covenants mentioned or referred to in the said Conveyance of the Fourth day of April One thousand nine hundred and thirty five so far as the same are still subsisting and capable of taking effect and affect the land hereby dedicated

4. THE Trust hereby acknowledges the right of the Minister to the production and delivery of copies of a Conveyance dated the Fourth day of April One thousand nine hundred and thirty five and made between Thomas Place of the one part and the Trust of the other part (the possession of which is retained by the Trust) and to delivery of copies thereof

5. THE Minister hereby certifies that any stamp duty which but for the provisions of Section 248 of the Highways Act 1959 would be payable on this deed would be payable as an expense incurred by him under that Act and stamp duty is therefore not payable

IN WITNESS whereof the Trust and the Minister have caused their respective Common and Official Seals to be hereunto affixed the day and year first above written



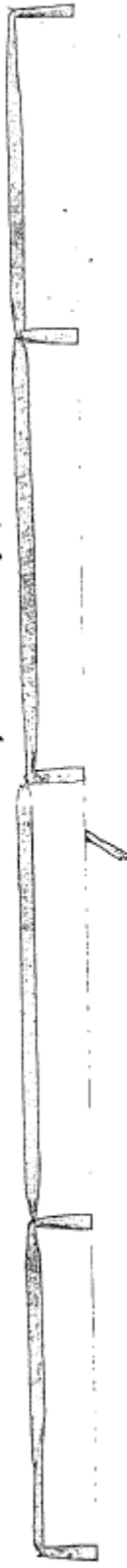
THE OFFICIAL SEAL of THE MINISTER OF TRANSPORT authenticated by A Senior Executive Officer Ministry of Transport Authorised by the Minister

No. IN REGIST C. 23

A4

DRAWING  
DIVISION  
DRAWN BY  
CHECKED BY  
DATE





DATED 9<sup>th</sup> January 1968

~~921~~  
921(3)

THE NATIONAL TRUST

-to-

THE MINISTER OF TRANSPORT

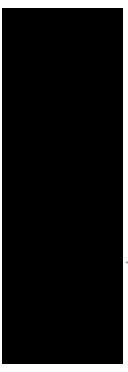
Duplicate/

DEED OF DEDICATION

of a piece of land at  
in the County of Gloucester  
adjoining Frank Road A117

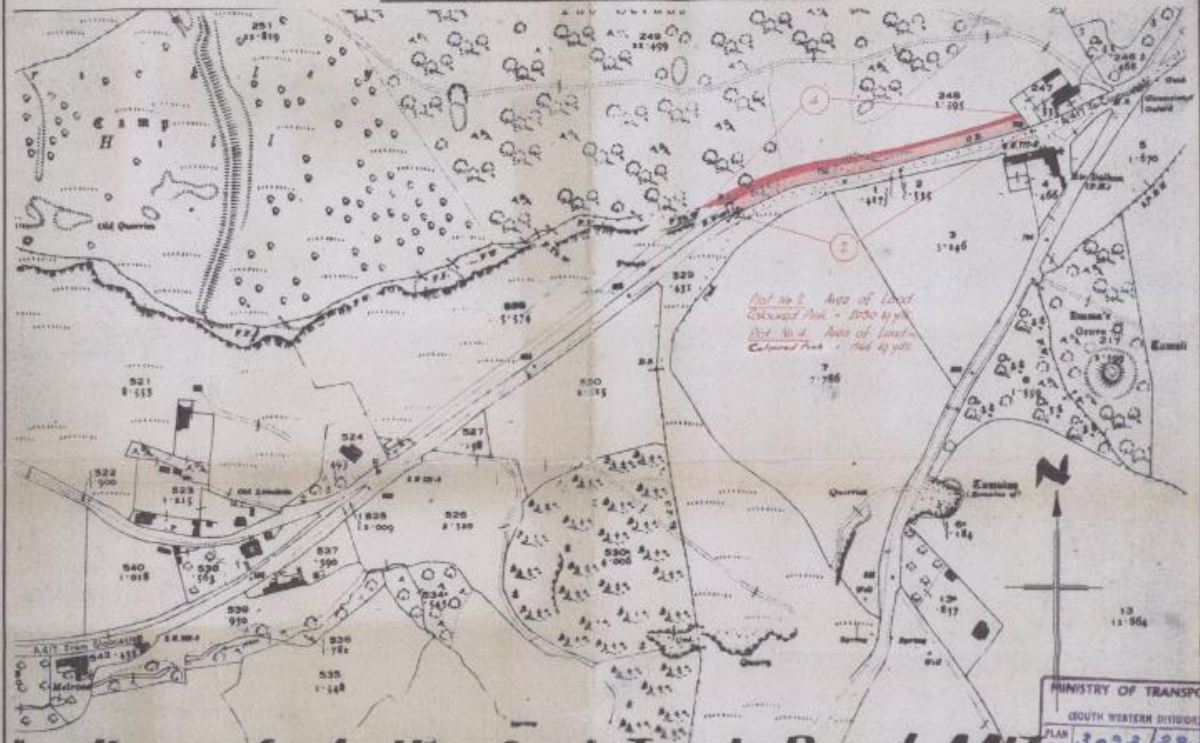


RECEIVED  
28 NOV 1968  
CHARITY  
COMMISSION



Land Registry  
Official Copy  
This copy may not be the same  
size as the original.

COUNTY OF GLOUCESTER.



Hungerford - Hereford Trunk Road. A417

MINISTRY OF TRANSPORT  
SOUTH WESTERN DIVISION  
PLAN No. 3003 224  
DATE 25 III 1951

**A417. Air Balloon - Twelve Bells.**  
The Scrubs, Crickley Hill.

SHEET No. 4

DRAWING No. TR 151/3/2764	COPIES :-	No.	TO WHOM SENT	DATE
DIVISION	CORRESPONDENCE			
DRAWN BY	FILE No.			
CHECKED BY				
DATE				

SCALE  
**1/2500<sup>m</sup>**

COUNTY SURVEYOR'S OFFICE.  
QUAY STREET,  
GLOUCESTER.



SEQ173

THIS DEED OF DEDICATION is made the <sup>Twenty-fifth</sup> day of <sup>November</sup> One thousand nine hundred and sixty three BETWEEN THE NATIONAL TRUST FOR PLACES OF HISTORIC INTEREST OR NATURAL BEAUTY whose office is at 42 Queen Anne's Gate in the City of Westminster (hereinafter called "the Trust") of the one part and THE MINISTER OF TRANSPORT (hereinafter called "the Minister") of the other part

WHEREAS:-

(A) The Trust is seised of the land hereinafter described (hereinafter called "the said land") for an estate in fee simple in possession free from encumbrances

(B) The Minister has requested the Trust to make the said land available for the purpose of widening the Hungerford-Hereford Trunk Road

(C) The said land is held by the Trust as part of its inalienable property pursuant to Section 21(2) of the National Trust Act 1907 and in consequence of its inability to make any conveyance of the said land to the Minister the Trust has agreed with the Minister in consideration of the covenants on the part of the Minister hereinafter contained and upon payment by the Minister of the sum of Ten Pounds to dedicate the said land to and for the use of the public

NOW THIS DEED WITNESSETH as follows:-

1. IN pursuance of the said agreement and in consideration of the sum of TEN POUNDS now paid by the Minister to the Trust (the receipt whereof the Trust hereby acknowledges) and of the covenants on the part of the Minister hereinafter contained the Trust HEREBY DECLARES that ALL THAT piece or parcel of land particulars of which are given in the First Schedule hereto shall form part of the said Hungerford-Hereford Trunk Road and shall be repairable as a highway at large and the same is hereby dedicated to and for the use of the public for ever hereafter
2. THE Minister hereby covenants with the Trust
  - (i) To carry out and complete to the reasonable satisfaction of the Trust the works specified in the Second Schedule hereto
  - (ii) To indemnify and keep indemnified the Trust from and against all costs charges and demands whatsoever arising out of or in connection with the dedication hereinbefore made PROVIDED always that the Trust shall as soon as possible notify the Minister of any such claims and demands brought or made against the Trust and shall not compound settle or admit the same without the consent of the Minister who may at his own expense defend dispute or settle the same in the name and on behalf of the Trust which shall give to the Minister (at the Minister's expense) all reasonable assistance that the

Minister may require for such purpose AND PROVIDED FURTHER that nothing herein contained shall be deemed to render the Minister liable for any injury loss damage costs and expenses proved to have been caused or incurred solely through the neglect or default of the Trust or its agents lessees or tenants AND PROVIDED FURTHER that nothing herein contained shall be deemed to restrict or interfere with any right of the Minister against the Trust or any other person in respect of contributory negligence

(iii) To pay and discharge all proper claims of the Trust's former Tenant for disturbance tenant right or otherwise arising out of or on account of the taking by the Minister of the said land and to keep the Trust indemnified in respect thereof

4. THE Trust hereby acknowledges the right of the Minister to the production and delivery of copies of a Conveyance dated the Fourth day of April One thousand nine hundred and thirty five and made between Thomas Place of the one part and the Trust of the other part

5. THE Minister hereby certifies that any Stamp Duty which but for the provisions of Section 248 of the Highways Act 1959 would be payable on this Deed would be payable as an expense incurred by him under that Act and Stamp Duty is therefore not payable

I N W I T N E S S whereof the Trust and the Minister have caused their respective Common and Official Seals to be hereunto affixed the day and year first above written

THE FIRST SCHEDULE above referred to  
Particulars of the land

ALL THAT piece or parcel of land in the parish of Coberley in the County of Gloucester forming part of the Trust's property known as the Scrubbs and having an area of 155 square yards or thereabouts and comprised O.S. (1922 Edition) No. 298 as the same is more particularly delineated on the plan numbered 3517/7 annexed hereto and thereon coloured pink

THE SECOND SCHEDULE above referred to

1. Construct on so much of the Trusts adjoining land as abuts the said land a Cotswold stone wall and set up the gate and posts in their new position with existing structure
2. Re-erect inside the new boundary the Trusts symbol and bye-law post

3. Properly to grade the approach to the re-sited gateway so as to facilitate access for vehicles to the Scrubba

THE COMMON SEAL of the )  
NATIONAL TRUST FOR PLACES )  
OF HISTORIC INTEREST OR )  
NATURAL BEAUTY was )  
hereto affixed in the )  
presence of:- )

Member of Executive Committee



THE OFFICIAL SEAL of )  
THE MINISTER OF TRANSPORT )



Authorised by the Minister



IN SEAL  
REGISTERED  
C. 82/2



221④

THE NATIONAL TRUST  
- to -  
THE MINISTER OF TRANSPORT

Duplicate

DEED OF DEDICATION

- of -

land at Coherley in the County of  
Gloucester for the purpose of road  
improvement



T.C. 6664/DCTB

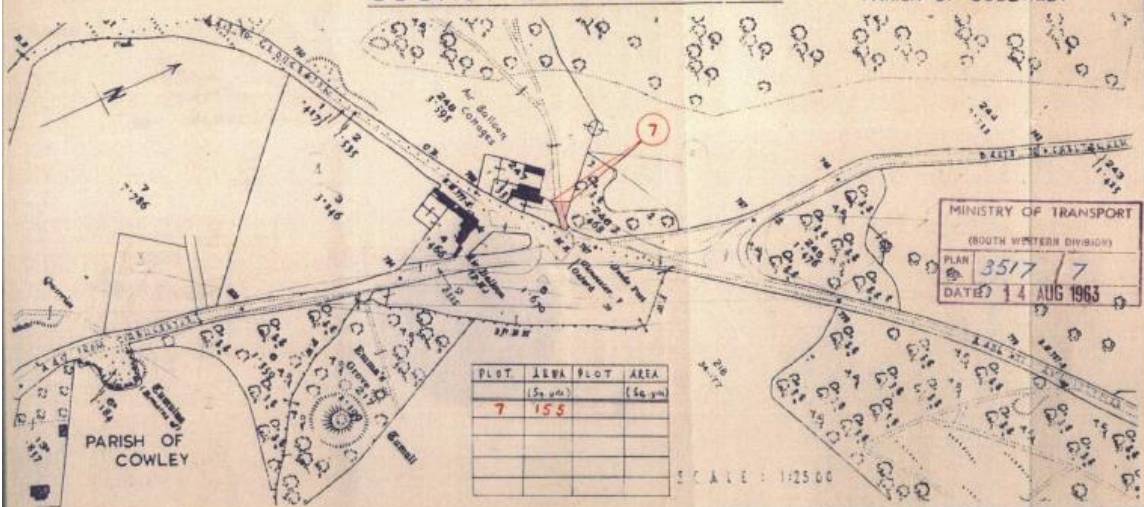
Land Registry  
Official Copy  
This copy may not be the same  
size as the original.

RECEIVED  
- 8 NOV 1966  
CHARITY  
COMMISSION



# COUNTY OF GLOUCESTER

PARISH OF COBERLEY



MINISTRY OF TRANSPORT  
 (SOUTH WESTERN DIVISION)  
 PLAN 3517 7  
 DATE 14 AUG 1963

PLT	AREA	PLT	AREA
	(Sq. yds)		(Sq. yds)
7	155		

SCALE: 1:2500

DRAWING NO TR. 56/E/8  
 DIVISION: C.114613714  
 DRAWN BY: C.1.02.08.24.7  
 CHECKED BY:  
 DATE: 14 AUG 1963

HUNGERFORD - HEREFORD TRUNK ROAD A.417.  
 "AIR BALLOON" IMPROVEMENT

COUNTY SURVEYOR'S OFFICE  
 QUAY STREET  
 GLOUCESTER