

Mr Whittaker  
Whittaker & Co  
The Estate Officer  
Fiddler Hall  
Newby Bridge  
Cumbria  
LA12 8NQ  
Our ref **ROGN/CAP/154863.00411**

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6 September 2023

Dear Mr Whittaker,

**The Cadent Gas Limited (Whassett to Barrow High Pressure Gas Pipeline Diversion) Compulsory Purchase Order 2023 (the "Order") and the pipeline diversion project (the "Project")**

**Response to Objection (ref: VL) on behalf of The Executors of Daniel Lowther dated 7 August 2023 (the "Objection")**

We are writing further to the submission of the Objection in respect of the Order. We act on behalf of Cadent Gas Limited.

The Personal Representatives of Mr Daniel Lowther are noted as having an interest as an owner in respect of the following plots: Plot 11; Plot 12; Plot 14; Plot 15; Plot 16; Plot 17; and Plot 18.

The Objection is based on insufficient details regarding pre-entry and post-construction drainage, fencing off of the land, rights of access during the period of construction to retained land to the north, stockproof fencing, crossing points that will be required and details regarding the length of the Project and planned re-instatement.

Cadent is not aware that Executors or Administrators have been appointed and Cadent has been seeking confirmation as to the identity of Executors of Mr Daniel Lowther's estate through its land agents. If Executors have been appointed, then please can you provide:

- 1) evidence of appointment of the executors and the identity of those executors;
- 2) evidence that those specific executors are your client(s); and

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- 3) confirmation of the status of the grant of probate (ideally with copies of any such grant if it has been progressed and/or any that may exist).

Prior to the unfortunate passing of Mr Daniel Lowther, Cadent is aware that the deed of easement had been executed by Mr Daniel Lowther but had not been legally completed. If Executors have now been appointed so that the documentation can be entered into then Cadent are keen to ensure that documents can be completed.

In terms of the issues identified in your Objection in respect of details of the Project, there has been significant engagement on points of detail during the course of negotiations throughout 2021 and 2022 and Cadent has responded to all questions raised to date, notably in September 2021. Cadent has continued to engage throughout 2023 in order to progress matters.

Cadent has previously provided its specification for undertaking works such as the Project and detailed plans of the expected extent of works including details related to. This has included the provision of: 1) working area and drainage layouts; 2) Cadent's Specification for General Pipelining Designed to Operate at Pressures Greater than 7 Barg; 3) plans detailing the proposed works; 4) details of a typical right of way required during construction; and 5) detailed responses to questions raised regarding issues such as drainage and reinstatement, including details of: a) the approach to be taken during pre-construction and post-construction drainage, including details of proposed contractors and machinery to be used; b) the type of fencing to be installed; c) details of topsoil storage and reinstatement including drawings; d) details of proposed reinstatement timings.

In terms of the length of the proposed Project, works are expected to last a period of approximately 9 months with this period comprising mobilisation, construction and reinstatement.

Please can you confirm what further information you require from Cadent in order to understand the implications of the Project and/or upon review of the previously supplied information confirm that you are satisfied and in a position to remove the Objection.

In respect of the matters raised regarding compensation, while Cadent appreciates the importance of the level of compensation to be secured as part of a voluntary agreement (or if the Order is confirmed pursuant to any compensation settlement) for affected landowners, compensation is not a valid ground for objection to the Order. The valuations offered in respect of the affected landowner are consistent with the valuations offered across the Project.

Please do not hesitate to contact us on 0207 367 3546 or at [robert.garden@cms-cmno.com](mailto:robert.garden@cms-cmno.com) if you have any questions.

Yours sincerely,



**Robert Garden**  
**CMS Cameron McKenna Nabarro Olswang LLP**

