

My registration Identification number : 20055241

I contend there are no legal grounds to sell or in any way allow any third party access in any type of agreement to any of the Blenheim Estate.

The entire Blenheim Estate is protected by Acts of Parliament, a 1,000 year Parliamentary Mortgage, UNESCO status, Crown ownership and being in The National Interest.

Today's NSIP legislation, which has at its core 'The National Interest' must acknowledge:

- The Blenheim Estate was specifically created in the National Interest from "a grateful peoples" to the first Duke.
- The Estate was specifically 'future proofed' from any third party interference such as, in this case, NSIP legislation.

I submit the Blenheim Trustees are acting against several Acts of Parliament, the terms of a 1000 year Parliamentary mortgage, UNESCO rules (underwritten by the UK Government), Crown Ownership and The Blenheim Estate being in The National Interest— all of which protect the Blenheim Estate from the developers of the proposed Botley West Solar Farm.

NB: All **bold** highlights are mine.

My Case:

The present Blenheim Estate was created by The Queen Anne Act of 1705 which defined the area of land that comprised the Blenheim Estate. For example, it included the Manors of Wootton, Stonesfield, Bladon, Handborough (sic), Old Woodstock etc. This land was leased by the Crown to the Duke and his Heirs **and remains so to this day.**

"The premisses so to be granted to the said John Duke of Marlborough, his heires and Assignes for ever to **THE ONLY USE** and behoof, or in Trust, for the said Duke, heires and Assignes for ever and **TO NO OTHER USE, INTENT or PURPOSE WHATSOEVER.**" (*my Capitals*)

Since Queen Anne was leasing the land to the first Duke and Heirs, the Act placed much emphasis on keeping control away from any third party. The original intention was to prevent the land falling into German hands following the gift of a German Principality to the first Duke. How ironic.

Blenheim's land ownership was re-iterated by The Masters Report of 1825 and The Blenheim Estate Act of 1856. The latter enacted to recover land that the then Duke had given to settle debts.

Parliament stepped in to pay off the Duke's debts on a 1,000 year Mortgage (the term 'mortgage' is used in the Act) because the land could not be given to a third party.

Prior to this, statutory restrictions on the disposal of Crown lands necessitated the passage of the statute 3 & 4 Anne c 6 (1704).

Thus, the intention and duty to preserve the Blenheim Estate intact and protected from any other parties, to be enjoyed solely by the Duke and his Heirs was legally established and excluded third party use of the land that would provide a service to parties other than "the said Duke, heirs and Assignes".

Current legal experts comment – 'There seems to have been much more concern with the preservation of the estates than with the titles.

<https://cambrianchambers.com/wp-content/uploads/2015/11/property-law-imperial-and-british-titles-the-duke-of-marlbrough-and-the-principality-of-mindelheim.pdf>

In 2017 Blenheim drew up 'The Blenheim Palace World Heritage Site Revised Management Plan' referencing UNESCO's 2015 Operational Guidelines.

This plan was necessary to align Blenheim's WHS status to UNESCO's rules and regulations which, as a member State, the UK is committed to upholding.

Interestingly, one of UNESCO's rulings states "Member States and groups concerned should protect historic areas and their surroundings against the increasingly serious environmental damage caused by certain technological developments..... and by taking preventive measures to counter the destructive effects of noise, shocks and vibrations caused by machines and vehicles".

The 2017 UNESCO Plan had to legally align with the 1705 / 1825 and 1856 Acts of Parliament designed to preserve the Estate intact. It also had to align with the numerous UK Laws and regulations giving protection to "known or suspected Heritage / Archaeological sites and their surrounds".

I provided reference to some 13 of these Acts in my original presentation.

The 2017 Estate Plan specifically stressed the importance of "**protecting the high quality environment from such developments as solar farms**" referencing the damage a solar farm would do to the World Heritage Estate.

Crucially, the Plan states that all land owned by Blenheim is part of the WHS (giving it its OUV (Outstanding Universal Value). "the extent of setting is not fixedit does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset.....**much of the setting lies within the wider extent of the Blenheim estate..... Thus for almost 300 years, management of the wider**

estate has acted as a means of both supporting the historic core and protecting it.”

And there is yet another layer of protection for the Blenheim Estate.

It is leased from the Crown on a yearly token payment of a flag.

The Crown, therefore, have an interest in the land they own yet, as I understand, have not been consulted or provided with the spirit and intention of Queen Anne.

To recap :

The 1705 Act of Parliament which established the Blenheim Estate emphasised that the Estate could only “be granted to the said John Duke of Marlborough, his heires and Assignes for ever to **THE ONLY USE** and behoof, or in Trust, for the said Duke , heirs and Assignes for ever and **TO NO OTHER USE, INTENT or PURPOSE WHATSOEVER.**” (*my Capitals*)

This was upheld in 1856 which created a Parliamentary mortgage on the land. It is against the terms of a mortgage for mortgage holders to sell off land / property held under mortgage -in this case the mortgage holder being Parliament for 1,000 years.

It was used as the reference point and framework for Blenheim’s agreement with UNESCO in 2017.

Thus all laws protecting the Blenheim Estate are active and referenced to this day

Recent legal observations conclude that legislation seems to have been much more concerned with the preservation of the estates than with the titles. (see earlier reference).

The Crown lease the land to the Duke and, therefore, must be consulted and fully appraised of the legal protection afforded to the Blenheim Estate as set up by Queen Anne.

Since the Blenheim Estate was a Parliamentary creation under the guidance of Queen Anne it was clearly set up as being in the National Interest of “a grateful peoples” to the first Duke.

In modern parlance it could be categorised (having been created in the National Interest) as the first and continuing NSIP ! Which makes a legal and constitutional impasse in using NSIP legislation against a current NSIP defined property which is ,and always has been, in The National Interest.

Conclusion:

I contend that leasing and giving ownership of Blenheim land to a third party who will directly enjoy financial benefits is against the 1705 Queen Anne Act, The Masters Report of 1825 and The Blenheim Estate Act of 1856.

I contend that the change of use of Blenheim land to that of a solar farm is directly against the commitment and undertaking to UNESCO in the 2017 Blenheim Palace World Heritage Site Revised Management Plan which the Government underwrote through its Agencies.

I contend damage will be done by the Solar Farm to all these sites and surrounds protected by at least 13 laws and regulations:

- 1 SSI's eg Wytham Woods
- 2 A '4 star' rated English Heritage site – Churchill's grave
- 3 Three Scheduled Monuments and their surrounds
- 4 Four Conservation Areas
- 5 Nature reserves – Farmoor Reservoir
- 6 Protected water meadows
- 7 Nineteen Grade 1 & 2 listed buildings
- 8 The Green Belt
- 9 Blenheim Palace – a World Heritage Site / Grade 1 Listed Building

I contend that the assurance given by the developer that “the effect of the scheme on the Blenheim Palace World Heritage Site is not significant” does not meet any of the above legal and regulatory references.

I contend that NSIP legislation has no ability to allow Botley West Solar Farm to go ahead on Blenheim land since, uniquely, the Blenheim Estate was created in the National Interest and specifically future proofed as such under the spirit and intention of the 1705 Queen Anne Act and further active legislation.

I contend that the Crown must be involved as to the selling off or leasing of land they own plus given full understanding of Queen Anne's intentions.

I contend the Blenheim Trustees do not have the right to sell or lease or in any way dispose of any part of the Blenheim Estate and that this Botley West Solar Farm proposal should be terminated immediately and permanently.