

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 26, Annexes A and B to Deadline 1

Submission: Response to ExA Action Points arising  
from Preliminary Meeting

Relevant Examination Deadline: 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

Revision A

Drafted By:	Vattenfall Wind Power Ltd
Approved By:	Daniel Bates
Date of Approval:	January 2019
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Revision A	Original Document submitted to the Examining Authority
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# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 26, Annex A to Deadline 1 Submission:  
Landowner Update Table

Relevant Examination Deadline: 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

Revision A

Drafted By:	Blackhall and Powis
Approved By:	Daniel Bates
Date of Approval:	January 2019
Revision:	A

Revision A	Original Document submitted to the Examining Authority
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Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
Thanet District Council	00/01	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	<p>Thanet District Councils ownership of the part of the intertidal zone became apparent as a result of the ongoing diligent enquiries by the Applicant in November 2018.</p> <p>Until that time the Applicant had understood that this plot had been in the ownership of The Crown Estate and that land rights would be secured by virtue of the Agreement for Lease that is being negotiated between The Applicant and The Crown Estate for the Offshore Generating Station and the associated export cables.</p> <p>However The Applicant has been in a process of consultation and engagement with Thanet District Council since the inception of the project about a wide range of issues including impacts on Thanet District Councils land holdings.</p> <p>The Applicant is now engaged in discussions with the landowner with a view to concluding a contract for an option to grant an easement to lay cables through this section of the intertidal zone with the objective of concluding negotiations prior to the close of examination.</p>

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
Unknown landowners	00/02 00/05	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	<p>The Applicant has made enquiries with The Environment Agency and with The Crown Estate in relation to these small parcels of unregistered land in the vicinity of the River Stour in the intertidal zone. The Applicant and continues to undertake further diligent enquiry to try to establish ownership including discussions with neighbouring proprietors.</p> <p>The Applicant considers that one of the possible explanations for non-registered nature of these land parcels could be alterations in the course of the River Stour at the different times of registration of the titles to the land to either side of that watercourse.</p>
The Kent Wildlife Trust	00/03 00/10 01/01 01/02 01/05 01/06 01/11 01/15 01/20 01/25	Acquisition of New Rights - Rights of Easement in respect of the landowners freehold property comprising part of the foreshore of Pegwell Bay between low and high water and Stonelees Nature Reserve.	<p>The Applicant has made several offers for an Option to Grant Easement for cables to Kent Wildlife Trust in respect of both of their freehold and leasehold interests in different parts of Pegwell Bay. The Applicant has not received any official feedback from on the proposals from Kent Wildlife Trust although they has had several informal meetings with their property agents the BTF Partnership.</p> <p>The Applicant understands that Kent Wildlife Trust's decision not to engage in discussions for an Option to Grant an</p>

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
	01/30 01/35 01/40 01/50 01/60 01/65 01/75	Acquisition of New Rights - Rights of Easement in respect of KWTs leasehold interest in land owned by their landlords, The National Trust and Kent County Council in respect of other parts of Pegwell Bay.	<p>Easement is due to their other objections to the project although they have not directly objected to the compulsory acquisition of the acquisition of new rights in land affecting their freehold and leasehold interests.</p> <p>The Applicant has been involved in a process of engagement about the project in general with Kent Wildlife Trust both through the Pegwell Bay Steering Group and bilaterally. The Applicant has also been seeking access to the landowners freehold and leasehold property to carry out early site investigations in order to inform decision making about landfall and onshore cable laying methodologies.</p> <p>Access for those works had been agreed in principle on 4 October 2018 but a signed entry permit for the works were not forthcoming and the Kent Wildlife Trust have subsequently withdrawn their consent. This matter is the subject of a separate application in terms of s.53 of the Planning Act 2008.</p>
The National Trust for Places of Historic Interest or Natural Beauty	00/05 00/10 00/15 01/01	Acquisition of New Rights - Rights of Easement in	The Applicant has made an offer for an Option to Grant an Easement in respect of the landowners freehold interest in the intertidal zone at Pegwell Bay. The majority of this land is

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
	01/02 01/05 01/06	respect of part of the foreshore	<p>leased to Kent Wildlife Trust who manage the land on behalf of The National Trust.</p> <p>Discussions had been progressing relatively positively in tandem with discussions around a Statement of Common Ground. However, The National Trust recently informed the Applicant that in light of their own objections to the scheme and those of their tenants Kent Wildlife Trust they did not consider it appropriate to continue discussions.</p> <p>This has led the Applicant to bring the interest of the National Trust into the scope of their application for rights of Compulsory Acquisition.</p> <p>The Applicant continues to seek the recommencement of discussions about a voluntary land agreement with The National Trust especially in light of the Applicants decision to remove landfall option 2.</p>
Kent County Council	01/10 01/11 01/15 01/20 01/25	Acquisition of New Rights - Rights of Easement in respect of the cable route and rights of temporary	The Applicant has made an offer for an Option to Grant an Easement. The landowner appointed an agent in early December 2018 and both parties are engaged in positive ongoing discussions with a view to concluding negotiations before the close of examination.



Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
	01/30 01/35 01/40 01/45 01/50 01/55 01/60 01/65 01/70	occupation in respect of a construction compound.	Both parties have a clear understanding of each others positions and are working positively towards an agreement.
RAMAC Holdings Limited	01/80 01/85 01/90 01/95 01/100 01/105 01/110 01/115 02/05 02/10 02/15 02/20 02/25 02/30	Permanent acquisition of freehold.  Acquisition of new rights (rights of easement)  Temporary Rights. (in respect of construction compounds)	The Applicant has agreed heads of term for the acquisition of rights to construct, operate and maintain the project substation.  The agreement includes rights to occupy a construction compound during the substation and cable installation works.  The agreement includes land for the relocation of the Ministry of Justice (Borderforce) leased area  The agreement includes rights of easement for the incoming cable circuits through the landowners property at The Bay Point Club.

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
	02/35 02/40 02/55 02/60 02/61 02/65 02/70 02/75 02/80 02/85		<p>The parties have agreed a target date of 1 March 2018 for exchange of contracts.</p>
BCA Fleet Solutions 2 Limited	02/30 02/35 02/ 40	Acquisition of new rights (Rights of Easement)	<p>The Applicant is engaged in in ongoing discussions with this tenant of RAMAC with a view to agreeing the terms for a Deed of Consent to the Option Agreement which is being entered into between the Applicant and RAMAC Holdings Ltd. should the creation of that new right affect the leasehold rights that BCA enjoy from the same landowner.</p> <p>The Applicant is confident that the occupiers concerns are well understood and can be accommodated to minimise impacts during the construction period. These are principally that a one way system of traffic movement around the car park can be maintained and that they are able to access sufficient land for car parking.</p>

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
<p>Secretary of State for Communities, Housing and Local Government c/o The Ministry of Justice (Borderforce)</p>	<p>02/60 02/61 02/75</p>	<p>Permanent Acquisition</p>	<p>The Applicant has been involved in a process of dialogue with the Government Property Service on behalf of the Ministry of Justice since the substation site was selected.</p> <p>Taking account of the special nature of the Secretary of States interest in the land that dialogue has been with a view to identifying replacement land to which the occupying agency, Borderforce, could be relocated to.</p> <p>Borderforce use the land for vehicle and vessel storage.</p> <p>A suitable parcel of replacement land was identified within RAMAC Holdings land at Richborough Port. At the request of The Government Property Service the Applicant undertook a comparative analysis of the existing MoJ lease area and the proposed replacement land to ensure that it was fit for purpose given that it is wedge shaped and the existing site is rectangular.</p> <p>This process has concluded with positive assessment that the land would be suitable and the drafting of a tripartite contract amongst the Applicant, The Secretary of State and RAMAC Holdings Ltd. has commenced. The three parties are targeting a completion date for the tripartite agreement of 15 March 2019.</p>

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
			The tripartite agreement will set out the practical and logistical arrangements for the relocation of Borderforce to the replacement land.
Crostline Limited  Philip Griffiths  P&G Scaffolding Limited  Trans-Stor Logistics Limited	02/65 02/70 02/75 02/85	Permanent Acquisition	<p>This group of occupiers enjoy short term rights to occupy land owned by RAMAC Holdings at the will of the landowner.</p> <p>Having agreed heads of terms with the landowner the Applicant will engage in a process of consultation with these occupiers in order to keep them informed about any impacts on their leasehold interests</p> <p>The Applicant understands that Tran-Stor may have recently been granted a 5 year lease of an area of land within land parcels 02/65 and 02/70 and the Applicant is intends to enter into a Deed of Consent with the that occupier confirming compensation that may be due in the light of any early termination of that lease.</p>
Beanstone Limited	02/115		The Applicant's diligent enquiry has confirmed that this land is now under option to the Harkalm Investments Group and that they intend to trigger that option and develop the land for hot food retail purposes.

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
			<p>The proposed DCO Order Limits include a small portion of the southern extent of the landowners property. That land already contains electricity cables belonging to The Thanet 1 OFTO Ltd.</p> <p>The Applicant is engaged in positive ongoing discussions with the option holder with a view to agreeing the terms of an option to grant an easement.</p>
Richborough A Limited	02/120 02/121 02/122 02/123 02/124 02/125 02/130 02/135 02/140	Acquisition of new rights (rights of easement)	<p>An explanation of the cable routing options through Richborough Energy Park, in the Ownership of Richborough A Limited can be found in the Applicants response to the Examining Authorities first written question number 1.7.1.</p> <p>The Applicant is engaged in ongoing discussions and negotiations for an Option to Grant an Easement for the installation of the 400KV cable circuit which will link the applicants project substation with NGETS new 400KV Richborough Substation. This cable routing with the Richborough Energy Park and expects the agreement to conclude prior to the close of examination.</p>
National Grid Electricity Transmission plc.	02/130	Acquisition of new rights (rights of easement)	A connection agreement is in place the parties setting out the terms upon which the project will be connected to NGETs transmission network.

Thanet Extension Offshore Wind Farm  
Landowner Update Table

Landowner	Plot Numbers	Rights/Powers Sought	Status of Negotiation
			<p>The Applicant is relying on the provisions of the connection agreement and is not seeking any further rights in land from NGET.</p> <p>The Applicant is however seeking to acquire new rights of easement from the freehold landowner, Richborough A Limited.</p> <p>The Applicant is engaged in an ongoing process of discussion with NGET in order to agree the drafting of bespoke protective provisions within the DCO in connection with works within Richborough Energy Park. More details of this are set out in the Applicants response to the Examiners question number 1.7.1.</p>

# **Vattenfall Wind Power Ltd**

## **Thanet Extension Offshore Wind Farm**

Appendix 26, Annex B to Deadline 1 Submission:  
Commercial Agreements Update Table

Relevant Examination Deadline: 1

Submitted by Vattenfall Wind Power Ltd

Date: January 2019

Revision A

Drafted By:	Blackhall and Powis
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N/A	
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Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

Company	Utility	Plot No.	Crossings / Proximity of interest	Works Required	Status of Discussions
Nemo Link Limited	Electricity		Offshore cable crossing	Offshore Cable Crossing, Onshore Vehicle Crossings and Onshore Proximity Works	The Applicant is in ongoing discussions with Nemo with a view to concluding a private protective agreement. Comments on the Applicant's draft were provided by NEMO on 10 December 2018. These comments are under consideration by the Applicant. The Applicant anticipates that discussions will conclude in advance of the close of examination which would result in Nemo removing its objection.
		01/15, 01/20, 01/35, 01/60, 01/80, 01/85, 01/90,	Heavy vehicles crossing Nemo assets at Pegwell Bay Country Park.		
		01/105, 01/115, 01/125,	Cable proximity at Pegwell Bay Country Park.		
		02/120, 02/121, 02/122, 02/123, 02/130	Heavy vehicles crossing Nemo assets at Bay Point Club sports pitches		

Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

Company	Utility	Plot No.	Crossings / Proximity of interest	Works Required	Status of Discussions
Thanet OFTO Limited	Electricity	02/100, 02/115, 02/121, 02/122, 02/123, 02/130	Thanet 1 cables connecting to the UKPN substation within Richborough Energy Park. Possible crossing here depending on the route of the cables from the project substation to the NGET Richborough substation.	Protection / Crossing	<p>The Applicant is in discussions with Thanet OFTO Ltd. about the terms of a private proximity agreement. Draft agreements have been exchanged and the negotiations on the drafting points are ongoing. Conclusion of the agreement is expected before the close of examination.</p> <p>The Applicant and Thanet OFTO Ltd are currently discussing working proximity guidelines.</p>

Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

<p>National Grid Gas Holdings One PLC &amp; National Grid Electricity Transmission PLC (National Grid)</p>	<p>Electricity</p>	<p>02/120, 02/121, 02/122, 02/123, 02/130</p>	<p>Possible crossing/proximity with future NGET cables with the Thanet Extension 400KV cable linking the project substation to NGETs 400KV Richborough Substation within Richborough Energy Park</p>	<p>Protection/ possible crossing</p>	<p>The Applicant and NGET have agreed the terms of a connection agreement for the proposed Thanet Extension Offshore Windfarm project with the point of connection being NGETs 400KV Richborough Substation.</p> <p>The applicant understands that NGET plan to install a 132 KV cable linking UKPNs 132KV substation with the NGET 400KV substation.</p> <p>In our response to the Examiners first question number 1.7.1 we have explained the approach that the Applicant is taking to the management of that interface involving all relevant options.</p> <p>The Applicant has included Protective Provisions in respect of National Grid's assets in the draft DCO and these have been discussed with National Grid. Comments were received from National Grid on 7 January 2019, and the Applicant is considering these.</p> <p>The Applicant and National Grid continue to liaise on the terms of the protective provisions with a view to concluding the agreement prior to the close of the examination.</p>
	<p>Water</p>	<p>01/40, 01/50,</p>	<p>Routing cables through Richborough Energy Park.</p>	<p>Protection / crossing</p>	

Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

Company	Utility	Plot No.	Crossings / Proximity of interest	Works Required	Status of Discussions
Southern Water Limited		02/120, 02/121, 02/122, 02/123, 02/130	Heaving vehicles crossing Southern Water assets at Pegwell Bay Country Park.		<p>The Applicant has been in discussions with Southern Water to understand the location of the Statutory Undertakers assets.</p> <p>The Applicant has sought to discuss then nature of the interaction between Southern Waters current infrastructure and the Applicants proposed infrastructure on a number of occasions and a copy of the protective provisions proposed within the DCO has been provided to them. Southern Water have provided information about the location of their assets but have yet to respond.</p> <p>Protective Provisions for water undertakers are included in Schedule 8, Part 1 of the draft DCO and provide adequate protection for Southern Water Limited's assets.</p>
BT Limited	Telecoms	01/80, 01/85, 01/105, 02/120,	<p>Routing cables through Richborough Energy Park.</p> <p>Cable crossing BT assets at The Baypoint Club.</p>	Protection / crossing	BT Limited were contacted in July 2018 regarding the Applicants proposals and interactions with BTs infrastructure. BT have yet to respond to the offer of discussions. A

Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

Company	Utility	Plot No.	Crossings / Proximity of interest	Works Required	Status of Discussions
		02/121, 02/122, 02/123, 02/130	Potential heavy vehicle crossing BT assets at The Baypoint Club.		<p>copy of the protective provisions from the proposed draft DCO were provided to BT. No response was received and the undertaker has made no representations/ objections to the proposed DCO.</p> <p>The Applicant has included Protective Provisions included in respect of Communications Code operators in Schedule 8, Part 2 of the draft DCO which adequately protect the interests of BT Limited.</p>
UK Power Networks (Operations) Limited	Electricity	01/40, 01/50, 01/115,	Potential Cable crossing UKPN assets at Richborough Energy Park.	Protection / crossing	<p>The Applicant is engaged in an ongoing process of dialogue with UKPN along with the other stakeholders at Richborough Energy Park in order to optimise cable routeing in that area.</p> <p>UKPN's apparatus will be protected by the Electricity Undertakers Protective Provisions at Schedule 8 of the draft DCO. These are not specific to UKPN but will operate to protect UKPN's apparatus.</p>
		01/120, 02/20,	Overhead lines at the entrances to the temporary works areas.		
		02/35, 02/40,	Potential crossing at the private road to the south of BCA.		
		02/75, 02/80, 02/95, 02/100,	Potential crossing of UKPN assets using heavy vehicles at the private road to the south of BCA.		
		02/105, 02/110,	Potential crossing of UKPN assets at Richborough Port.		

Thanet Extension Offshore Wind Farm  
Commercial Agreements Update Table

Company	Utility	Plot No.	Crossings / Proximity of interest	Works Required	Status of Discussions
		02/115, 02/120, 02/121, 02/122, 02/123, 02/130	Potential crossing of UKPN assets using heavy vehicles at Richborough Port and at Richborough Energy Park		The Applicant will liaise with UKPN in line with the Protective Provisions to ensure that any interaction between the Applicants proposed infrastructure and UKPNs infrastructure is undertaken safely and in a manner that protects the integrity of both parties assets.
Scotia Gas Networks	Gas	01/45, 01/55	Crossing of SGN's asset in Sandwich Road using heavy vehicles.	Protection / crossing	<p>The applicant and SGN are engaged in an ongoing process of dialogue about the protective provisions for gas distribution undertakers which are proposed at Schedule 8 of the draft DCO.</p> <p>The discussions are currently focused on the notice period that SGN are seeking in respect of commencement of the Applicants construction works.</p> <p>At present neither the Applicant or SGN anticipate there being a need for any separate commercial agreement over and above the protective provisions contained for gas distribution undertakers within the draft DCO</p> <p>SGN have not submitted a representation.</p>