Vattenfall Wind Power Ltd

Thanet Extension Offshore Wind Farm

Appendix 31 to Deadline 6 Submission:
Landowner Update Table

Relevant Examination Deadline: 6

Submitted by Vattenfall Wind Power Ltd

Date: May 2019

Revision F

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Landowner Agreements 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	Thanet District Councils ownership of part of the intertidal zone became apparent as a result of the ongoing diligent enquiries by the Applicant in November 2018. 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. 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. The Applicant is now engaged in discussions with the landowner with a view to concluding a contract as soon as possible for an option to grant an easement to lay cables through this section of the intertidal zone..
Unknown landowners	00/02 00/05	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	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. 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.
The Kent Wildlife Trust	00/03 00/10 01/01 01/02 01/05 01/06 01/11 01/15 01/20 01/25 01/30 01/35 01/40 01/50 01/60 01/65 01/75	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. 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.	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 on the proposals from Kent Wildlife Trust although they have had several informal meetings with their property agents the BTF Partnership. The Applicant understands that Kent Wildlife Trust's decision not to engage in discussions for an Option to Grant an Easement is due to their other objections to the project although they have not directly objected to the compulsory acquisition of new rights in land affecting their freehold and leasehold interests. 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 directly with them.

			The Applicant continues to seek to re-engage KWT in discussions with a view to concluding an Option Agreement.
The National Trust for Places of Historic Interest or Natural Beauty	00/05 00/10 00/15 01/01 01/02 01/05 01/06	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	The Applicant, in its initial DCO application, had excluded the interest of the National Trust from the scope of its application for powers of compulsory acquisition. However, in the course of the DCO examination The Applicant decided to bring the interest of the National Trust into the scope of its application for powers of compulsory acquisition. If the National Trust maintains its objection to the compulsory acquisition of its land, then the Order would become, when made, subject to Special Parliamentary procedure. The Applicant and the National Trust are making progress towards agreeing Heads of Terms for an Option to Grant an Easement but they have not yet been settled. The Applicant and the National Trust will work to conclude an Option Agreement as soon as possible. The intention is that the Option Agreement would have the effect of prohibiting the Applicant from exercising its powers of compulsory acquisition under the draft DCO in respect of the interests of the National Trust and the National Trust would simultaneously withdraw its objection to the draft DCO application (and therefore withdraw its objection to the proposed compulsory acquisition of its land,

			hence avoiding the need for Special Parliamentary Procedure).
Kent County Council	01/10 01/11 01/15 01/20 01/25 01/30 01/35 01/40 01/45 01/50 01/55 01/60 01/65 01/70	Acquisition of New Rights - Rights of Easement in respect of the cable route and rights of temporary occupation in respect of a construction compound.	The Applicant has made an offer for an Option to Grant an Easement. The landowner appointed an agent in early December 2018 and commercial agreement was reached between the parties on 17 April 2019. The parties are working positively towards concluded heads of terms and an option contract.
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 02/35 02/40 02/55 02/60 02/61 02/65 02/70 02/75 02/80 02/85	Permanent acquisition of freehold. Acquisition of new rights (rights of easement) Temporary Rights. (in respect of construction compounds)	The Applicant and Ramac Holdings (Trading) Ltd ("Ramac") have been negotiating an option agreement in order to grant the Applicant the necessary rights in land to be able to deliver it's Scheme as it affects Ramac's land in order to avoid the need for the use of powers of compulsory acquisition. The option will give the Applicant the rights to draw down: • A 50 year lease for the substation site • A 3 year lease for the substation construction compound • An easement for the incoming cable windfarm electricity export circuits.

			The agreement is being negotiated alongside a tripartite arrangement with the Secretary of State for Housing, Communities and Local Government/ Ministry of Justice/ Borderforce which provides for the necessary arrangements to move their lease area, and the Applicant is also negotiating with BCA Trading Limited whose rights granted under a lease from Ramac had to be varied to enable access to the site construction of the scheme. The contracts are being negotiated following agreement being reached in principle. There are however a number of drafting points and issues that are still being discussed and debated between the parties. The parties are jointly working towards a target date for completion of contracts of 11 June 2019. If that position is reached, it is the intention of Ramac to withdraw their objections to the Applicant's DCO application. In the event that contracts are agreed and complete after 11 June 2019 it is still the intention of Ramac to withdraw their objections following completion. The Applicant and Ramac will however use their best endeavours to ensure any contracts are agreed and completed by 11 June 2019. Until that point Ramac wish to make it clear to the Examining Authority that their objections to the DCO application remain and Ramac are filing further submissions and evidence at Deadline 6 in respect of the Applicant's case (mindful that the Examining Authority have made clear it will only have regard to any legally binding completed commercial agreements).

			The Applicant and Ramac will update the Examining Authority at all future deadlines on the progress towards conclusion of contracts.
BCA Fleet Solutions 2 Limited	02/30 02/35 02/ 40	Acquisition of new rights (Rights of Easement)	The Applicant is engaged 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. The Applicant is confident that the occupiers concerns are well understood and can be accommodated to minimise impacts during the construction. The Applicants activities are likely to affect the operations of BCA and this is being dealt with by way of a compensation agreement which is also being negotiated.
Secretary of State for Communities, Housing and Local Government c/o The Ministry of Justice (Borderforce)	02/60 02/61 02/75	Permanent Acquisition	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. 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. Borderforce use the land for vehicle and vessel storage. 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. 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 11 June 2019. The tripartite agreement will set out the practical and logistical arrangements for the relocation of Borderforce to the replacement land.
Crostline Limited	02/65 02/70 02/75 (access only) 02/85	Permanent Acquisition	Further diligent enquiry by the Applicant and a Written Representation from this organisation has confirmed that as of September 2018 they became the tenant, on a 5 year lease, of 3 blocks of land and buildings within the affected land parcels in the ownership of Ramac. The Applicant met with the tenant following the Compulsory Acquisition Hearing on 18 April 2019 and with the consent of RAMAC has undertaken to provide them with information about the arrangements the Applicant envisages making with RAMAC and the Ministry of Justice to ensure, insofar as is possible, the continuity of their business by reconfiguring the

			pattern of occupation within the Ramac property.
Philip Griffiths - P&G Scaffolding Limited	02/65 02/70 02/75 02/85	Permanent Acquisition	This occupier enjoys short term rights to occupy land owned by RAMAC Holdings at the will of the landowner. Upon conclusion of contracts with the landowner the Applicant will engage in a process of consultation with this occupier in order to keep them informed about any impacts on their interests as a license holder.
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. 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. 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 which will take effect once the option holder takes ownership.
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)	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. 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. The landowner appointed new agents at the end of March 2019 and the Applicant has re-commenced discussions with the landowners new representatives.
National Grid Electricity Transmission plc.	02/130	Acquisition of new rights (rights of easement)	Protective Provisions and Side Agreement are agreed and completed as of 23 May 2019. The Protective Provisions are included in the dDCO. A withdrawal letter from NGET was sent to PINS on 23 May 2019.

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Unknown landowners	00/02 00/05	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	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. 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.
The Kent Wildlife Trust	00/03 00/10 01/01 01/02 01/05 01/06 01/11 01/15 01/20 01/25 01/30	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. Acquisition of New Rights - Rights of Easement in respect	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 on the proposals from Kent Wildlife Trust although they have had several informal meetings with their property agents the BTF Partnership. The Applicant understands that Kent Wildlife Trust's decision not to engage in discussions for an Option to Grant an Easement is due to their other objections to the project although they have not directly

	01/35 01/40 01/50 01/60 01/65 01/75	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.	objected to the compulsory acquisition of new rights in land affecting their freehold and leasehold interests. 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 directly with them. The Applicant continues to seek to re-engage KWT in discussions with a view to concluding an Option Agreement.
The National Trust for Places of Historic Interest or Natural Beauty	00/05 00/10 00/15 01/01 01/02 01/05 01/06	Acquisition of New Rights - Rights of Easement in respect of part of the foreshore	After further discussion between the Applicant and the National Trust the parties have agreed in principle to negotiate and enter into an Option Agreement. The Option Agreement would require NT to withdraw their objection to the compulsory acquisition of their interest upon exchange of contracts. In turn Vattenfall would agree to exclude the interests of the National Trust from the scope of their application for powers of compulsory purchase. The parties intend to conclude negotiations prior to the close of the examination. The parties have met again following Compulsory Acquisition Hearing 2 and continue to negotiate terms with a view to concluding a commercial agreement by deadline 6.

Kent County Council	01/10 01/11 01/15 01/20 01/25 01/30 01/35 01/40 01/45 01/50 01/55 01/60 01/65 01/70	Acquisition of New Rights - Rights of Easement in respect of the cable route and rights of temporary occupation in respect of a construction compound.	The Applicant has made an offer for an Option to Grant an Easement. The landowner appointed an agent in early December 2018 and commercial agreement was reached between the parties on 17 April 2019. Both parties have a clear understanding of each others positions and are working positively towards a concluded agreement.
RAMAC Holdings Limited	01/80 01/85 01/90 01/95 01/100 01/105 01/110 01/115 02/05 02/10	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

	02/15 02/20 02/25 02/30 02/35 02/40 02/55 02/60 02/61 02/65 02/70 02/75 02/80 02/85		The agreement includes rights of easement for the incoming cable circuits through the landowners property at The Bay Point Club. The parties have agreed an effective date for the start of the Option Agreement of 1 March 2018 and are working to conclude contracts as soon as possible with the intent being to do so during May 2019.
BCA Fleet Solutions 2 Limited	02/30 02/35 02/ 40	Acquisition of new rights (Rights of Easement)	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. The Applicant is confident that the occupiers concerns are well understood and can be accommodated to minimise impacts during the construction. The Applicants activities are likely to affect the

			operations of BCA and this is being dealt with by way of a compensation agreement which is also being negotiated.
Secretary of State for Communities, Housing and Local Government c/o The Ministry of Justice (Borderforce)	02/60 02/61 02/75	Permanent Acquisition	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. 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. Borderforce use the land for vehicle and vessel storage. 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. 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 end May 2019. The tripartite agreement will set out the practical and logistical arrangements for the relocation of Borderforce to the replacement land.
Crostline Limited	02/65 02/70 02/75 (access only) 02/85	Permanent Acquisition	Further diligent enquiry by the Applicant and a Written Representation from this organisation has confirmed that as of September 2018 they became the tenant, on a 5 year lease, of 3 blocks of land and buildings within the affected land parcels in the ownership of Ramac. The Applicant met with the tenant following the Compulsory Acquisition Hearing on 18 April 2019 and with the consent of RAMAC has undertaken to provide them with information about the arrangements the Applicant envisages making with RAMAC and the Ministry of Justice to ensure, insofar as is possible, the continuity of their business by reconfiguring the pattern of occupation within the Ramac property.
Philip Griffiths - P&G Scaffolding Limited	02/65 02/70 02/75 02/85	Permanent Acquisition	This occupier enjoys short term rights to occupy land owned by RAMAC Holdings at the will of the landowner.

			Upon conclusion of contracts with the landowner the Applicant will engage in a process of consultation with this occupier in order to keep them informed about any impacts on their interests as a license holder.
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. 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. 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 which will take effect once the option holder takes ownership.
Richborough A Limited	02/120 02/121 02/122 02/123 02/124 02/125	Acquisition of new rights (rights of easement)	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.

	02/130 02/135 02/140		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. The landowner appointed new agents at the end of March 2019 and the Applicant has re-commenced discussions with the landowners new representatives.
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. The Applicant is relying on the provisions of the connection agreement and is not seeking any further rights in land from NGET. The Applicant is however seeking to acquire new rights of easement from the freehold landowner, Richborough A Limited. 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. Those discussions are well progressed and expected to conclude by deadline 6.