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Sent: 10 July 2019 11:25

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Subject: EN010085 Cleve Hill Solar Park Responses to ExQ1 - Appendix 12 Error

Hefin,

Please find attached an updated revision B of Appendix 12 - Updates to Appendix **A** of the Statement of Reasons [REP2- 018] of The Applicant's Responses to the ExA's First Written Questions – ExQ1 document [REP2-006].

Appendix 12 was titled "Updates to Appendix **B** of the Statement of Reasons" in error, this has been corrected to "Updates to Appendix **A**..." in the attached updated version.

Table 1.2 in the introduction to The Applicant's Responses to the ExA's First Written Questions – ExQ1 document [REP2-006] also refers incorrectly to "Updates to Appendix B...", but the answer to ExQ1 1.2.7 correctly refers to updates to Appendix A, therefore the ExQ1 response document [REP2-006] has not been updated and resubmitted.

My apologies for any confusion caused.

Kind regards,

Mike

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CLEVE HILL SOLAR PARK

RESPONSES TO THE EXA'S WRITTEN QUESTIONS - APPENDICES **Appendix 12 - Updates to Appendix A of The Statement of Reasons**

July 2019
Revision B

Document Reference: 10.1.1
Submitted: Deadline 3

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CLEVE HILL
SOLAR PARK

Update of Appendix A of Statement of Reasons

Summary of negotiations with landowners and occupiers					
Plot Nos.	Work Nos.	Compulsory Acquisition of Freehold or Rights (including restrictions)	Reason for acquisition	Owner / occupier	Status of Negotiations
1/04, 1/05, 2/04, 3/04, 3/05, 3/09, 4/07, 5/01, 5/02, 5/03	1, 2, 3, 4, 6	Freehold	Land for Solar Array, Energy Storage Facility, Electrical Connection, HMA and access	Martin Roland Goodman, Charles Roland Goodman, Robert Martin Goodman	<p>CHSPL has been liaising with the Goodman family, its agents and lawyers for over 3 years and an Option Agreement was entered into on 17 October 2016 securing the land and rights needed for the majority of the Project Site.</p> <p>Principal terms for an agreement to secure additional land required for the HMA are agreed with the drafting of legal documents well advanced. A meeting with each party's property and legal representatives was held on 12th June 2019, and the expectation is that the agreement will be completed in advance of the close of the Examination.</p>
1/03, 1/07, 1/08, 2/02, 2/03, 3/03, 3/03A, 3/03B, 4/02 and 4/03	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights		
3/06A	6	Freehold	Access	Matthew James Attwood, Lilian Joyce Attwood, Michael Christopher Attwood and Kevin Dennis Attwood	CHSPL has been liaising with the Attwood family for over 3 years.
4/04	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights		<p>A meeting took place in September 2018 to discuss the access rights required for the Project.</p> <p>A meeting was held with the affected landowner and their surveyor on 17th June 2019, to review the Heads of Terms issued by CHSPL. It is anticipated that the Heads of Terms will be agreed soon and a subsequent agreement entered</p>

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					into for the rights required for the Project prior to the close of Examination.
1/06, 1/09, 1/10 4/01	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	Badlesmere Ltd & Private Trust Corporation Ltd	<p>CHSPL has been in contact with the landowner since May 2018. A meeting took place in September 2018 and Heads of Terms were issued on 7 November 2018.</p> <p>Follow up emails were issued by CHSPL's agents on:</p> <p>22 November 2018; 15 March 2019; 25 April 2019; 11 June 2019.</p> <p>The landowner's agent responded on 14 June 2019 and a telephone call was held on 17 June 2019. Further correspondence from CHPSL was sent on 17 June 2019.</p> <p>CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement.</p>
1/02, 2/06, 2/07, 2/09, 2/10, 2/11, 2/13, 2/15,	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference	Faversham Oyster Fishery Company	<p>CHSPL has been in contact with the landowner since December 2017. A meeting took place in August 2018 and Heads of Terms</p>

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2/17, 2/19, 2/21, 2/23, 2/24, 2/25, 2/27, 3/01, 3/01A, 3/01B			with access and maintenance rights		were issued on 8 November 2018. Following meetings and correspondence between the parties' respective advisers, Heads of Terms were agreed and signed on 4 June 2019. Solicitors have been appointed and commenced drafting the agreement. CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement.
4/05, 4/06	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	Barry Henderson and Lilian Joan Henderson	CHSPL has been in contact with the landowner since July 2018. Heads of Terms were issued on 8 November 2018. No response has been received from the landowner despite follow up emails being sent by CHSPL's agent on 11 November 2018, 15 March 2019, 25 April 2019 and 11 June 2019. CHSPL has offered to meet with the Hendersons and has encouraged the affected landowners to procure suitable professional advice (the reasonable cost of which CHSPL would pay for). CHSPL will continue to try to engage with the affected landowners with the objective of securing a voluntary agreement.
1/01, 1/02, 1/03,	9	Rights	Rights to access and maintain flood defences	Kent Wildlife Trust	CHSPL has been in contact with the landowner since May 2018. A

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2/01, 2/02, 2/03, 2/05, 2/06, 2/07, 2/08, 2/09, 2/10, 2/11, 2/12, 2/13, 2/14, 2/15, 2/16, 2/17, 2/18, 2/19, 2/20, 2/21, 2/22, 2/23, 2/24, 2/25, 2/26, 2/27, 2/28, 3/01, 3/01A, 3/01B, 3/02, 3/02A, 3/02B, 3/03, 3/03A, 3/03B			and restrictive covenants to prevent interference with access and maintenance rights		<p>meeting took place in September 2018 and discussions are ongoing.</p> <p>Heads of Terms were submitted to Kent Wildlife Trust (KWT) on 6 December 2018 and a meeting between both parties and their respective representatives took place on 30 January 2019. CHSPL is working collaboratively with KWT on wide range of issues, including a Statement of Common Ground, but is yet to receive comments on the Heads of Terms. It is the intention of both parties to progress negotiations on the land rights sought in advance of the close of Examination.</p> <p>CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement.</p>
3/10	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	Natural England	<p>CHSPL has been meeting with and engaged in discussions with Natural England for almost 2 years and CHSPL and Natural England have agreed a Statement of Common Ground regarding the Project.</p> <p>A telephone meeting was held between the parties on 13 June 2019 and Heads of Terms were issued on the same date. Follow up correspondence was sent on 20 June 2019 and CHSPL is waiting for comments from Natural England.</p>

Summary of negotiations with landowners and occupiers					
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					CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement
3/12, 3/13	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	Seasalter Chalet Owners Association	<p>CHSPL has been in contact with the landowner since May 2018. Meetings were held in July 2018 and September 2018.</p> <p>Heads of Terms were issued on 8 November 2018.</p> <p>A undertaking has been provided for the landowner's legal fees.</p> <p>Positive discussions with the landowner are ongoing with final Heads of Terms with the landowner's solicitor for review.</p> <p>CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement.</p>
1/05, 1/07, 1/09, 4/02	9	Rights	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	Kent Wildfowlers & Conservation Association	<p>CHSPL has been in contact with the landowner since May 2018. A meeting was held in August 2018. Heads of Terms were issued on 8 November 2018.</p> <p>Following a number of meetings and correspondence between the parties' respective advisers, Heads of Terms</p>

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					<p>were agreed and signed on 4 June 2019. Solicitors have been appointed and commenced drafting the agreement.</p> <p>CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement</p>
1/02, 2/05, 2/06, 2/08, 2/10, 2/12, 2/14, 2/16, 2/18, 2/20, 2/22, 2/24, 2/26, 2/28, 3/01, 3/01A, 3/01B	9	Rights (excluding interests held by the Crown)	Rights to access and maintain flood defences and restrictive covenants to prevent interference with access and maintenance rights	The Crown Estate Commissioners	<p>CHSPL has been in contact with the landowner since May 2018. A meeting was held in July 2018 and negotiations are ongoing.</p> <p>Meetings were held on 10 December 2018 and 21 June 2019.</p> <p>CHSPL is hopeful that the necessary rights can be acquired by voluntary agreement.</p>
3/05 (subsoil)	8, 7	Freehold	Land for HMA and access	Orsted London Array II Limited, E.ON Climate & Renewables UK London Array Ltd, Masdar Energy UK Ltd and Boreas (Investment) Ltd	<p>CHSPL has been liaising with London Array Limited (who is acting on behalf of the landowners) in respect of this land and the current status of negotiations is set out in Appendix B.</p> <p>It is noted that Orsted II London Array Limited also has interests in the following plots:</p>
3/06, 3/06B, 3/07, 3/07A, 3/07B, 3/08, 3/08A	5, 6 and 7	Rights	Rights of access and rights for the Electrical Connection and restrictive covenants to prevent interference with the Electrical Connection and access rights		

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					<p>1/04, 1/05, 1/07, 1/08, 2/04, 3/01, 3/02, 3/03, 3/04, 3/09, 3/11, 4/02, 4/03, 4/07, 5/01, 5/02 and 5/03.</p> <p>The Applicant provided the Examining Authority with an update on the status of the discussions with London Array Limited on 21 June 2019.</p>