

CAH2 meeting statement – Graham Reeve

Good afternoon.

My name is Graham Reeve and we are farmers in Burwell.

I wanted to tell you about our situation with Sunnica. Our farm is to the west of Burwell [REDACTED] [REDACTED] Some of the land we farm is close to the sub-station and Sunnica would like to bring their cables across it.

We have consistently made it clear that we do not want anything to do with Sunnica. Naturally, as farmers, we are appalled at the waste of good food-producing arable land for siting solar panels. However, our issues with Sunnica go far beyond that. Their behaviour towards us has been disgraceful.

It began in a fairly low-key way when, like everyone else in the area, we were sent the glossy brochures announcing their plans. We then had notices planted around our land (and in front of the farm) asking for information from the public as to who occupied the land. We then started receiving vast quantities of mail (often 3 copies of the same bundle of documents in the same post) addressed separately to me, my wife and 'the occupier'. Somehow, they got my mobile phone number and I started receiving calls. I was always polite but consistently replied that we were not interested.

We are not unreasonable and are not opposed to Green energy in general. Before the Sunnica project got going there had already been quite a few proposals for battery storage facilities close to the sub-station. We had agreed to let a local company, Abbey Group, take a small corner of the field closest to the sub-station for batteries – less than 2 acres. The Heads of Terms had been agreed and it was with the solicitors to finalise the contract. Out of the blue, Abbey came to tell me that they were going to have to pull out. [REDACTED] Sunnica had phoned them and told them that, as Sunnica would have National Infrastructure status, their planning application would trump anyone else's. He told them that, even if this was in a couple of years' time and Abbey had already built their facility, they would have to remove it! Whether that would have been true or not, it was enough to scare off Abbey and their backers.

We began to receive documents from Sunnica (again 3 copies of the same bundle) by recorded delivery. We were told that if we didn't agree to allowing Sunnica access to our land then they would obtain a Section 172 order from the courts for compulsory access.

On the morning of 16th December 2020 [REDACTED] half a dozen other guys were on our land when my son walked round with the dogs. He asked them what they thought they were up to and told them that they were not welcome. [REDACTED] said that it is a criminal offence to obstruct a person from exercising power conferred by Section 172 of the 2016 Act and that he knew we had received the documents as they had been sent recorded delivery. Both those statements are true, but they are not linked. It was deliberately misleading to imply that Sunnica had a Section 172 at that time, which is false. Shortly after, we found 2 girls walking up and down the field with scanning equipment on their backs. When I asked what they were doing they said that they were down from Lancashire University doing work for Sunnica. They had been told that they had permission to be there. I explained that they did not, and they moved on.

Another example of Sunnica's misleading use of words is where they describe us as having "continuing negotiations" in various letters. There are no negotiations to continue! I imagine those choice of words are for the benefit of others to imply we are holding out for more money or something. The truth is that we are not interested in dealing with Sunnica at any price. We do not hold a "ransom strip" as there are other routes to the sub-station. In fact, the Soham solar farm have recently agreed a route for their cable that doesn't cross our land. My understanding is that Compulsory Acquisition cannot be granted if alternatives

are available – and they clearly are. Therefore, the Inspectorate should understand that we can, and will, challenge forced acquisition.

I'd like to make one final point. Listening to what I've said so far, anyone might think that this is a personal thing. I cannot deny that I can't stand Sunnica and their methods but I do accept that that in itself isn't really a planning issue! However, I do not deal with people nor companies like them. Our family have never tolerated or given in to bullying. Please understand that if Sunnica behave like this when they don't have any authority, imagine how bad their bullying behaviour would become if they are granted authority to proceed in the future.

Thank you.

The following are in response to the Inspectorate's request for clarification at the meeting.

It seemed to come as some surprise at the meeting that there are alternative routes available to Sunnica. I presume the inspectorate had been led to believe that that was not the case. The solar farm project at North Angle Soham, which is being developed by Cambridgeshire County Council, also need to bring their generated electricity to the Burwell sub-station. They have taken a rather different approach to agreeing a route with landowners than Sunnica have. They have sought agreement and, where that has not been possible, amended their route accordingly. Importantly, they have not tried threats (possibly because they wouldn't get compulsory powers anyway due to their size) and seem to have been able to achieve a satisfactory outcome. I think that if you speak to the lady representing CCC, [REDACTED], she will confirm that they are not coming over my land and, equally important for me, she will confirm that I have been very friendly and helpful despite their knowing that I do not support their project in principle. (You can reach her at [REDACTED])

On the subject of alternative routes for Sunnica, it may interest the Inspectorate to learn that an additional electricity supply was required at Mildenhall recently to support its growth. A new cable from Burwell substation all the way to Mildenhall was laid which didn't go over any arable land. Instead, it was laid in a trench in the road following the highways route through Burwell to Fordham to Freckenham to Chippenham and, finally, to Mildenhall. This route is basically the Sunnica route in reverse.

There seemed to be quite a lot of emphasis being placed on the matter of how much Sunnica can do under the threat of "Section 172". [REDACTED] tried to imply that a warrant was not needed unless we physically prevented Sunnica from coming on to our land, for example by using locks and gates. I could perhaps understand how that might apply to buildings and premises in towns and villages but surely not to open farmland. [REDACTED] stated that we had "NEVER wished to co-operate or engage with the project". Therefore, there was never any doubt that [REDACTED] would not be welcome to come on to our land so a locked gate wasn't really relevant.

One last point relates to the timeline of the Section 172. As I said at the meeting, [REDACTED] et al were confronted on our land on 16th December 2020 when he gave our son a load of spiel about the "criminal offence" and "recorded delivery" described in my statement above. However, the Section 172 Notice was sent to us dated 6th March 2021 stating that "22 March 2021 is the first day on which Sunnica...intends to access" my land and I recall [REDACTED] saying that they hadn't actually received anything back from the courts anyway. It seems that [REDACTED] issued the notice himself some three months after he had turned up. That surely shows that the earlier access had been illegal.

I did not realise that I was supposed to physically stop him that day! This sort of thing does not seem at all consistent with what I know of British law.

SUNNICA LIMITED

HOUSING AND PLANNING ACT 2016

NOTICE TO ENTER AND SURVEY LAND PURSUANT TO SECTIONS 172 AND 174

To: Graham David Reeve


Notice of intention to enter and survey land

SUNNICA LIMITED (Company number 08826077) of 2 Crossways Business Centre, Bicester Road, Kingswood, Aylesbury, HP18 0RA ("Sunnica"), holds an Electricity Generation licence pursuant to Section 6 of the Electricity Act 1989 and has powers to compulsorily acquire land under Schedule 3 of the Electricity Act 1989. It is an acquiring authority for the purposes of section 172 of the Housing and Planning Act 2016 ("the 2016 Act").

Sunnica hereby gives notice, under section 172 of the 2016 Act, that **22 March 2021** is the first day on which Sunnica, or its servants or agents, intends to access and survey the land which is owned or occupied by you, and which is shown lined green on the plan enclosed with this notice ("the Land"). Sunnica requires entry to the Land in connection with a proposal to acquire an interest in, or a right over land, arising from the proposed Sunnica Energy Farm. The Schedule to this notice includes details of the surveys proposed.

Entry to the Land will be carried out without a warrant. If entry to the Land is refused, a warrant will be sought pursuant to section 173 of the 2016 Act.

Sunnica draws your attention to the provisions of section 177 of the 2016 Act which state that it is an offence to obstruct a person in the exercise of the power conferred by section 172 of the 2016 Act.

Under section 176 of the 2016 Act a person interested in the Land is entitled to compensation for any damage caused as a result of the exercise of the power conferred on Sunnica by section 172 of the 2016 Act. Any dispute relating to compensation can be referred to the Upper Tribunal by reference made by either party to the dispute.

Sunnica draws your attention to the Code of Practice which applies where powers of entry are exercised. A copy of that document is available at the following URL:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/383079/Code_of_Practice_-_Powers_of_Entry__web_.pdf

Signed for and on behalf of Sunnica:



Luke Murray
Sunnica Limited

Date: 6 March 2021

Address: Sunnica Ltd, 2 Crossways Business Centre Bicester Road, Kingswood, Aylesbury, England, HP18 0RA

Reference: 20210306-126-2222933-S172

This document is important since it affects your land and confers on Sunnica certain rights over it. You are therefore urged to retain this Notice.