

# Rampion 2 Wind Farm

## Category 4: Compulsory Acquisition

### Statement of Reasons Appendices 3 - 7

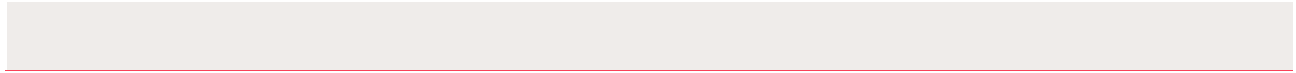
**Date: August 2023**  
**Revision A**

Document Reference: 4.1.3  
Pursuant to: APFP Regulation 5(2)(h)  
Ecodoc Reference: 004892360-01



## Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	08/08/2023	Final for DCO Application	Eversheds Sutherland	RED	RED



## **APPENDIX 3**

### **Land Referencing Method Statement**

#### **1. Summary**

- 1.1 As required by the Planning Act 2008 (the "Planning Act"), Rampion Extension Development Limited ("The Applicant") is required to identify individuals in one or more of the categories set out in Section 44 and 57 for the purposes of consultation and notification under Sections 42 and 56. This includes undertaking "diligent inquiry" to identify parties with an interest in land within Categories 1, 2 and 3.
- 1.1.1 Category 1 includes owners, lessees, tenants (whatever the tenancy period) or occupiers of the land within Order limits.
- 1.1.2 Category 2 includes parties that have an interest in the land or who have the power to sell, convey or release the land within Order limits.
- 1.1.3 Category 3 includes parties that the applicant thinks would be, or might be, entitled to make a relevant claim for compensation under section 10 of the Compulsory Purchase Act 1965 and/or Part 1 of the Land Compensation Act 1973 and/or section 152(3) of the Planning Act, if the Order sought by the application were made and fully implemented.
- 1.1.4 Crown Land.
- 1.1.5 Special Category Land, including land held inalienably by the National Trust, Open Space, and Common Land.
- 1.2 Carter Jonas's Land Referencing team undertook diligent inquiry to identify individuals in one or more of the above categories as set out in sections 44 and 57 of the Planning Act and have included their details in a Book of Reference which accompanies the application for the Order.
- 1.3 The methods for compiling our Book of Reference are set out below.

#### **2. Land Referencing Boundary**

- 2.1 Our preferred strategy is to apply a cautious, inclusive, but proportionate approach to identifying the extent of land to be referenced (referred to as the 'land referencing limits'), to reduce the risk of missing interests from statutory consultation and requiring re-consultation. We worked closely with "The Applicant", the legal advisors and the wider project team to determine this this

area and then applied a robust methodology to identify relevant interests.

- 2.2 We conducted an initial review of the PEIR boundary to establish land referencing limits based upon our experience to ensure it incorporated the entirety of the potential Order 'red line' boundary (capturing all interests under sections 44(1) and 44(2) of the Planning Act). The land referencing limits, which encompassed a wider area than that which would be required for the final Order limits, incorporated areas of potential change, applying a limited buffer in option areas where the design was not yet fixed, to mitigate the risk of adding to the land referencing limits at a later date. The land referencing limits were developed in conjunction with the design team.
- 2.3 The land referencing limits also include those properties that that Carter Jonas consider may have a relevant claim for compensation (under section 44(4) of the Planning Act) for Section 10 Injurious Affection, Part 1 Compensation and under s153(3) of the Planning Act. At the time of the initial review the necessary survey and design information required to identify all parties who may make a relevant claim in respect of the impacts of the project was not available. We therefore undertook a multidisciplinary review comprised of core members of the design, environment, planning, legal, land referencing and property team to determine the land referencing limits/consultation boundary.
- 2.4 The review considered the potential impacts of the project, particularly in relation to physical environmental factors (such as noise, vibration, smell, fumes, smoke, artificial lighting, discharge of any solid or liquid substance onto land etc), geographical factors, design and construction factors, and adopted a cautious but proportionate approach to inform the extent of potential relevant compensation claims. This resulted in the identification of the initial land referencing limits which were used to identify the Category 1, 2 and 3 persons who must be consulted.
- 2.5 As the land referencing limits changed, comparisons and refinements to the land referencing data were undertaken with each revision of the draft boundaries. This was to ensure if any new Land Registry titles were included, full referencing could be undertaken, and all land interests consulted under Section 42. Titles and rights of access that were no longer impacted were removed; these land interests were marked as no longer being impacted by the scheme. A further 'refresh' of titles impacted by the revised limits was undertaken on 10th March 2023, and again approximately two months prior to the submission of the Order application, which includes the Book of Reference. This was to ensure we captured all updates that had been

made available on Land Registry at that time. 'Confirmation schedules' (i.e., correspondence requesting confirmation and notification of any recent changes of interest in land) were sent out to all Category 1 parties that we had identified within the final Proposed Order Limits, to ensure all information we had collected was still correct. This data was processed and included in the final Book of Reference.

- 2.6 As new information continues to come to light post submission of the Order application and throughout examination (through ongoing stakeholder engagement; updates to Land Registry documents; late return of confirmation schedules, etc) we will continue to undertake 'Edition Date' refreshes to our records and maintain a tracked change version of the Book of Reference, which makes all changes/updates clear. This will be submitted to the Examination, along with a 'clean' version at the requested deadlines.

### **3. Desktop Referencing**

#### **3.1 HM Land Registry**

3.1.1 In 2019, using the initial land referencing limits, we began our desktop referencing by conducting a search of the index map (SIM), which was 'refreshed' at key design changes, to identify all Land Registry titles which featured within the refined limits.

3.1.2 Land Registry data was received in the form of a digital shape file (a GIS layer and a pdf). Digital copies of the Official Copy Registers and Title Plans were downloaded and interrogated to identify all relevant freehold, leasehold, mortgagee, beneficiary, other charges, private rights, and restrictive covenant information. This information was extracted and stored in our land referencing database (known as the "LAND System").

3.1.3 From this data, landownership parcels were created. The landownership parcels were drawn to reflect unique ownership information and stored spatially on a GIS application. Where land was not registered, additional parcels were created to complete 'gaps' based on OS mapping and site data. As a result, all land within the identified land referencing limits was parcelled and each parcel was given a unique reference number. Periodic updates were provided by HM Land Registry, and this

ensured that any changes that occurred to title information were captured.

- 3.1.4 Whilst general practice is to obtain Land Registry updates bi-annually, in the early stages of land referencing for a scheme of this nature, additional refreshes of data were then timed to occur prior to key milestones; such as the issue of Statutory S42 Consultation letters in August 2021, and issue of further targeted S 42 Consultation letters in October 2022.

## 3.2 Major Landowners (MLOs)

- 3.2.1 Land interest information was requested from MLOs, including local authorities, statutory undertakers e.g., utilities and other landowners with multiple land ownership interests.
- 3.2.2 Requests for Information (RFIs) were sent to: West Sussex County Council; Arun District Council; Washington Parish Council; Littlehampton Town Council; Horsham District Council; and Chichester District Council. Requests were also made to access the councils' land ownership mapping team for information regarding public highways and private roads, and information about special category land (including open space, commons, fuel and field garden statutory allotments).
- 3.2.3 Information was received in a variety of formats, with West Sussex County Council providing us with shapefile data of the full extent of adopted highways, public footpaths and bridleways for our land referencing limits; and entered into our internal system and our GIS application as appropriate to enable us to accurately produce Order documents i.e., Book of Reference, Land Plans etc. Where necessary, further enquiries were made to address any changes, anomalies, or gaps.
- 3.2.4 Through our supplier, Atkins, we undertook a full utilities apparatus search of the land referencing limits. In May 2023 Atkins provided us with details (shapefile data) of assets held by utilities, including but not limited to UKPN and SGN, and their locations. This data has then fed into the population of the Book of Reference.

## 3.3 Other Desktop Activities

- 3.3.1 Other desktop studies were undertaken using publicly available online mapping (Council websites, Magic Maps), to

check for open spaces and rights of way within the land referencing limits and further research was carried out to identify ownership in relation to such interests. The information obtained through this diligent inquiry was incorporated into the LAND System and our GIS application.

3.3.2 Additional desktop research and checks were undertaken to confirm information received through direct site inquiries and from HM Land Registry. For instance, Companies House searches and Open Corporates searches were undertaken to ensure registered companies' details were verified and updated where necessary; LexusNexus - TraceIQ searches were undertaken to ensure we had confirmed addresses and names of parties where information may have been limited from title documents; RFIs and confirmation schedules were issued and responses/information provided logged and landowner engagement has continued; to ensure we had the correct addresses for service of statutory notices and other correspondence.

#### **3.4 Observational Site Visits**

3.4.1 Observational site visits were also made as part of the land referencing process, to inform our understanding of the nature and current use of the land within the land referencing limits. Physical features on the ground were recorded, such as infrastructure e.g., highways, railways etc. as well as commercial premises and industrial land. In addition, the site team examined potentially complicated sites e.g., land with multiple ownership / occupancy interests, unregistered land, or land with multiple rights of access. All information obtained was recorded in the LAND System and our GIS application.

#### **4. Contact Referencing**

##### **4.1 Request for Information (RFIs)**

4.1.1 Information obtained through desktop research was supplemented and verified through the use of 'requests for information' ("RFIs"), which included requests for information about a recipient's own interests, associated third party interests and the spatial extent of land or property. Where RFIs were returned with updated information regarding an owner, tenant/lessee, occupier or

other party, the information provided was used to update the LAND System and our GIS application.

- 4.1.2 Where returns to RFIs were not provided (despite having been requested), follow-up site visits were made. Two separate site visits were conducted to seek to make direct contact with the owner or occupier of the property. Recipients of the RFIs were also offered the means to respond to or ask questions about the project via a dedicated project email address and hotline. The land referencing team recorded all correspondence and communication in the LAND System.
- 4.1.3 A final round of confirmation schedules was issued to those who may be impacted by the project in May 2023, requesting that they confirm that the information we held was correct, or if it needed updating, that they provide us with the correct data.

## 4.2 **Contact Site Visits**

- 4.2.1 Contact site visits were undertaken to confirm land ownership and identify the occupation details for properties e.g., leaseholders, tenants, occupiers etc. These site visits were initially targeted at properties where no RFI had been returned by the recipient, however these were also conducted at properties where recipients had returned the RFI, to clarify any gaps in information.
- 4.2.2 The site referencing team also used this opportunity to confirm any information which may have been gathered through desktop referencing methods. During the site visits, where there was no response at a property, a calling card was left in the letterbox detailing the date and time of the attempted visit, along with the telephone number for the land referencing team.
- 4.2.3 This calling card instructed owners / occupiers of the property to call to arrange a suitable time for our site team to visit their property. If no response was received, the property was visited a minimum of two further times to make direct contact with the owner or occupier of the property. On each occasion, a calling card was left at the property encouraging the owner / occupier to respond to the RFI or contact the land referencing team to arrange a visit.



The date and time of all attempted site visits to a property are recorded in the LAND System.

- 4.2.4 Any changes identified from ongoing landowner engagement, was provided to us and we have ensured to update our records, including in the production of the Book of Reference.

#### 4.3 **Unknown Owner – Erection of On-Site Notices**

- 4.3.1 Where land ownership could not be ascertained through desktop or site referencing methods, the land referencing team erected notices on site, requesting information about the ownership of the land to which the notices were affixed. The notices showed the land ownership boundary in question and provided details of how to contact the land referencing team with any relevant information. Any information received was added to the LAND System and our GIS application.

#### 4.4 **Special Category Land**

- 4.4.1 Referencing to identify Special Category Land was undertaken using the online GIS constraint mapping and site visits. Special Category Land for these purposes means land forming part of a common, open space or fuel and field garden allotment (sections 131 or 132 of the Planning Act) and land held inalienably by the National Trust (section 130 of the Planning Act).
- 4.4.2 Carter Jonas reviewed the route via publicly available spatial datasets for areas of common land and we found that there were common land intersects with the current route corridor. A local land charges search was conducted on C.L.21 register which confirmed that this was common land.
- 4.4.3 Furthermore, we conducted a site review and aerial imagery review along the cable route to identify areas of recreation and areas which may be considered open space. From this review we found that the cable route is predominately private agricultural farmland with the beach at Littlehampton (known as Climping Beach) considered to comprise open space.
- 4.4.4 During our desktop referencing process (aerial imagery and spatial data review) and from our site walkover we identified the existence of the Washington Parish Council Village Green, and Washington allotments. The Village Green register was obtained from Washington Parish Council to

confirm this. West Sussex County Council provided us with occupancy lists, identifying the individuals who are allotment holders.

4.4.5 We have reviewed all HMLR titles along the route and identified areas which are owned by and held inalienably by the National Trust.

4.4.6 All areas identified as Special Category Land have been identified and included within Part 5 of the Book of Reference and shown on the Special Category Land Plans included within the Order application.

## 4.5 **Crown Land Referencing**

4.5.1 Crown Land was identified in the first instance through desktop referencing including reference to HMLR titles and The Crown Estate interactive map which is a publicly available resource. We then proceeded to conduct a review of any Bona Vacantia land which is ownerless land as a result of insolvency or a party dying intestate without heir. Where this land type was identified we followed the due process to determine if this land has passed to the Crown via the Treasury Solicitor. This involved contacting Burges Salmon LLP who deal with all unclaimed estate queries and reviewing the Gazette for Bona Vacantia notices. Companies identified as having been dissolved whose interests may have fallen under Bona Vacantia, were issued with s42 Consultation documents and confirmation schedules (addressed to the Bona Vacantia), in order to determine if they have an interest in the unclaimed estates listed that have been identified. A conclusion has been made that the Bona Vacantia does not hold any interest in land impacted by the Order. Any interests in land held by Government departments are also classed as Crown Land and have been included as such.

4.5.2 All areas identified under Crown Land have been identified and included within Part 4 of the Book of Reference and shown on the Crown Land Plans included within the Order application.

## 5. **Data Management**

5.1 All information on land interests within the referencing limits was stored on our dedicated Lands drive and land referencing GIS platform, emails, land referencing spreadsheets and trackers. This included the nature of their interest and contact details. All communication and correspondence with landowner and occupiers

were recorded and uploaded to the LAND System against the relevant party.

## 5.2 This included:

- RFIs and confirmation schedules issued and received by post
- RFIs completed on site
- Date and time of site visits (successful, including information obtained and unsuccessful)
- Incoming and outgoing emails
- Records of telephone conversations
- Incoming and outgoing letters

## 6. **Statutory Notices**

Details of landowner and stakeholder negotiations are stored on the LAND System, which are also stored against all relevant Land Registry titles and plans.

These were uploaded against the relevant land parcel and related to the relevant interest(s). This ensures a clear audit trail of the land ownership investigations and also serves as an instant source for all land and property information.

## 6.1 **Deliverables for DCO Application Submission**

6.1.1 The land referencing information was compiled into a Book of Reference and associated Land Plans, Special Category Land Plans and Crown Land Plans. The Book of Reference is in five parts as prescribed by Regulation 7(1) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

6.1.2 Part 1 lists all Category 1 interests (owners, lessees, tenants and occupiers) and Category 2 interests (parties that have an interest in the land or who have the power to sell, convey or release the land within Order limits)

6.1.3 A person is within Category 3 if, having made diligent enquiry, the Applicant believes that they would be, or might be, entitled to make a relevant claim (as defined in section

57(6) of the 2008 Act) if the Order were to be made and fully implemented.

- 6.1.4 A relevant claim is a claim under section 10 of the Compulsory Acquisition Act 1965, a claim under part 1 of the Land Compensation Act 1973, or a claim under section 152(3) of the 2008 Act for losses resulting from the implementation of the Order and use of the Proposed Development.
- 6.1.5 Part 2 of the Book of Reference contains the names and addresses (if known by the Applicant) of each person whose land interest is not directly affected by the Order (i.e., their interest is outside the Order Limits), but who the Applicant believes may be entitled to make a relevant claim.
- 6.1.6 The Applicant considers that the following persons may also be entitled to make a relevant claim. However, given that their details have already been included in Part 1 of the Book of Reference they have not been repeated in Part 2.
  - (a) Certain Category 1 'Owners' (where they are a category 2 interest elsewhere in the Order Limits).
  - (b) Certain Category 1 'Lessees and Tenants'.
  - (c) Certain Category 2 interests for land within the Order Limits.
- 6.1.7 Part 3 lists all parties entitled to enjoy easements or other private rights over land within Order limits
- 6.1.8 Part 4 lists all Crown interests in land within Order limits
- 6.1.9 Part 5 lists all Special Category Land to be affected within Order limits

## 7. **Conclusion**

- 7.1 A thorough land refencing exercise has been undertaken and the BoR has been compiled in accordance with the "Planning Act", Regulations, Guidance and best practice.

## APPENDIX 4

### Category 3 Identification Methodology

#### 1. Introduction

- 1.1 A number of 'Category 3 persons' have been identified within, and in proximity to, the Order Limits. The diligent inquiry process has been completed in relation to these interests to verify the details and contact addresses.
- 1.2 A person is within Category 3 (as defined in section 44(3) of the Planning Act 2008 ("2008 Act")), if, having made diligent inquiry, the Applicant believes that they would be, or might be, entitled to make a 'relevant claim' if the Order were to be made and fully implemented. A 'relevant claim' is defined in section 57(6) of the 2008 Act, as:
  - (a) a claim under section 10 of the Compulsory Purchase Act 1965 (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase);
  - (b) a claim under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by use of public works). The physical factors to include noise, vibration, air quality; or
  - (c) a claim under section 152(3) of the Planning Act 2008. This provision permits a section 10 claim by a person whose land is injuriously affected due to the carrying out of works authorised by a DCO and extends the obligations of Part 1 of the Land Compensation Act 1973 to pay compensation for the physical factors arising from the use of public works to include statutory authorities who are the operators of works authorised by a DCO.
- 1.3 Part 2 of the Book of Reference contains the names and addresses (if known by the Applicant) of each person whose land interest is not directly affected by the Order (i.e. their interest is outside the Order

Limits), but who the Applicant believes may be entitled to make a relevant claim.

- 1.4 The following persons may also be entitled to make a relevant claim. However, given that their details have already been included in Part 1 of the Book of Reference they have not been repeated in Part 2:
  - (a) Certain Category 1 'Owners' (where they are a category 2 interest elsewhere in the Order Limits);
  - (b) Certain Category 1 'Lessees and Tenants'; and
  - (c) Certain Category 2 interests for land within the Order Limits.

## 2. **Approach**

- 2.1 A conservative approach was initially taken to identify potential Category 3 persons.
- 2.2 In respect of potential Section 10 claimants a precautionary approach was adopted to assess the effects of construction activities, including air quality, noise, vibration and potential land contamination. Buffer distances of 5-10m around construction access routes and 100m around known HDD locations, including the landfall area, were set by the Applicant's environmental consultants, WSP. These 'buffers' were considered to be reasonable 'worst case' areas within which receptors may experience 'physical factors'/environmental impacts as a result of the construction of Rampion 2, which may give rise to a section 10 claim.
- 2.3 In relation to potential Part 1 claimants, as the onshore cable infrastructure will be buried underground, potential impacts on land as a result of the operation of Rampion 2 will foreseeably only arise from the proposed new onshore substation at Oakendene, and the extension to the existing substation at Bolney. A similar conservative approach to identifying potential Part I claimants was applied, using a 250m 'buffer zone' around the proposed onshore substation sites only. The Applicant's environmental consultants, WSP, identified this as a reasonable 'worst case' area within which 'physical factors'/environmental impacts, such as air quality, noise and vibration from the future operational use of the substation and substation extension could potentially be experienced.
- 2.4 The initial assessments have been reviewed and updated as the project has evolved, based on the professional judgement of WSP and the Applicant's appointed land surveyors/valuers Carter Jonas on receipt and review of the proposed mitigation to be implemented

during construction, and to be in place around the substation once constructed. More detail is provided below.

### 3. **Section 10 claims where compensation arises from execution of works enabling the scheme**

3.1 On the basis of advice from WSP, reasonable 'worst case' buffer zones/ areas were applied to identify receptors that may potentially be impacted by the possible effects of construction works along the route. The buffers were applied as part of a desktop assessment on the basis of the factors set out below:

3.1.1 **5-10m Buffer Zones (Construction Traffic):** This buffer was used to identify receptors with potential relevant claims relating to vibration effects from construction traffic. The 5-10m is based on experience of measurement and prediction of construction traffic vibration where under worst-case conditions significant effects from vibration may take place. This adopted a very precautionary approach, because such effects may only be likely if the road surface is in poor condition; the receptor property/building structure is in poor condition; and the two are rigidly connected (i.e. there is no separating soft ground between the road and the receptor property/building such as a front garden etc.).

3.1.2 **100m Buffer Zones (HDDs and Landfall):** This buffer was identified to account for potential noise emissions associated with the HDD locations. A very precautionary approach was taken in identifying the 100m buffer based on experience of possible impacts from HDD type sources, but without taking into account any noise survey information or mitigation.

3.2 The buffers used for the assessment were a nominal distance tool used to identify potential receptors. If a receptor was identified within the buffer a review was carried out as to how each type of construction activity might give rise to a claim for injurious affection or depreciation.

3.3 In addition, Carter Jonas carried out an assessment to consider whether any properties outside of the buffers, but still within proximity to construction compounds (including those required in connection with known HDD activities) and construction traffic routes, may be able to make a potential claim as a Category 3 interest. Using professional judgment, Carter Jonas applied a reasonable, yet precautionary approach to this assessment, taking into account how existing local features provide some form of ambient mitigation to the proposals, e.g. busy roads between the receptor property and the scheme proposals. Carter Jonas also

considered the reported conclusions in the PEIR, PEIR SIR and PEIR RSI and the ES, to further identify properties in respect of which someone may be able to make a potential claim. WSP advised that if significant effect thresholds are expected to be exceeded, it is understood that mitigation measures will be implemented.

3.4 Based on the above, few potential Category 3 claimants were identified and no additional receptors were identified outside of the precautionary buffer zones. This is consistent with the conclusions from WSP that with appropriate mitigation measures in place, the effects of air quality, potential land contamination, noise and vibration as a result of the construction activities would not be significant and the use of embedded mitigation measures such as measures to contain spillages and hazardous materials, limitation of construction working hours and the use of acoustic barriers would mean that there is no significant effects.

#### 4. **Part 1 Claims where compensation arises from physical factors as a result of the use and operation of the scheme.**

4.1 As explained above, the potential impacts on land as a result of the operation of Rampion 2 will foreseeably only arise from the proposed onshore substation and extension to the existing National Grid Bolney substation. The only physical factors that could theoretically foreseeably arise from the operation of above ground infrastructure, are air quality, noise and vibration, were reviewed by WSP within the ES and PEIR, concluding that with mitigation in place, the effects would not be significant.

#### 5. **Proposed Substation Sites**

5.1 An initial assessment of potential impacts of the proposed onshore substations was undertaken as part of the initial land referencing exercise, prior to the first statutory consultation in Summer (July-September) 2021. This assessment was made before the location of the onshore substation had been confirmed (i.e. there were three potential sites being considered), and before air quality, noise and vibration and other contour maps or sensitive receptor data relating to the operation of the substation was made available as part of the environmental impact assessment. Given this, Carter Jonas took a precautionary approach and considered potential impacts within a theoretical '**buffer zone**' of **250 metres** around the then proposed onshore substation locations. The 250 metre buffer zone was adopted as the "worst case" envelope within which potential Part 1 claimants may later be identified.

5.2 In September 2022 WSP confirmed that the aforementioned **250m buffer zone** that had been applied was an appropriate measure for use in identifying receptors that could be impacted by the operation



of the proposed new substation, taking into account potential air quality, noise and vibration impacts that could be envisaged. The WSP environmental team confirmed that their assessments had not identified any properties which could be subject to significant impacts from the operation of the onshore substation given the environmental mitigation which will be included within the Order and delivered as part of the Rampion 2 scheme.

- 5.3 WSP concluded that there were no significant effects identified in relation to potential impacts of Rampion 2 on residential receptors; taking into consideration air quality, noise and vibration.

## 6. **Confirmed Substation Location**

- 6.1 In October 2022, following the decision to locate the substation at Oakendene, the 250m buffer was retained around this location.

## 7. **Bolney Substation Extension**

- 7.1 In April 2023, proposed works to the east of the existing Bolney substation (a substation extension) were added to the design proposals within existing Order Limits and consulted upon. The precautionary **250m buffer** zone approved by WSP was again utilised by Carter Jonas to identify potential receptors that may be subject to the impacts of the operational substation extension.
- 7.2 Given the proposals were within existing Order Limits, WSP re-assessed the previous conclusions from Section 22.9 within Chapter 22 of the PEIR (RED, 2021) further to the April 2023 consultation and confirmed that upon taking into account 'physical factors'/ environmental impacts that could be experienced, such as air quality, noise and vibration this work would not be expected to cause any additional likely significant effects on the environment, nor would it affect any additional sensitive receptors beyond those previously reported.
- 7.3 No potential significant impacts were identified in the PEIR, and WSP conclusions outlined that the 'operational noise of the proposed switchgear is unlikely to be audible outside of the substation boundary' and 'unlikely to increase the existing operational noise level of the existing Bolney substation'.
- 7.4 Consequently, given the negligible impacts, no receptors were identified as parties who may be able to make a Part 1 Claim due to proximity.
- 7.5 As set out above, Carter Jonas consider that in respect of the Oakendene substation, with the implementation of appropriate embedded mitigation, there are no parties within or outside of the

proposed Order Limits who may potentially be able to make a Part 1 Claim. The same conclusions were made in respect of the Bolney Extension with added comfort drawn from the pre-existing conditions created by adjacency to the existing substation.

## 8. **Conclusion**

- 8.1 Following the processes described above, Carter Jonas undertook diligent enquiries to identify potential Category 3 persons that have interests within and outside the Order Limits. Those persons were consulted pursuant to section 44 of the 2008 Act. Some of those persons are now no longer considered to be affected by the potential impacts of the construction and operation of the Proposed Development so as to be able to make a relevant claim.
- 8.2 We therefore conclude that there are a limited number of Category 3 interests who may have a claim under Part 1 and Section 10.
- 8.3 The interests of potential Section 10 claimants are located within the 'buffer zones' within and outside the Order Limits around known HDD pits, site compounds and proposed construction traffic/ access routes. As explained above, Part 2 of the Book of Reference contains the names and addresses (if known by the Applicant) of each person whose land interest is not directly affected by the Order (i.e. their interest is outside the Order Limits), but who the Applicant believes may be entitled to make a relevant claim. The details of those persons whose interests are within the Order Limits, and who we consider may be entitled to make a section 10 claim, are included in Part 1 of the Book of Reference so have not been replicated in Part 2.
- 8.4 The interests of potential Part 1 claimants are located within the buffer zones around the proposed substation and extension, within the Order Limits. . Those persons with interests within the Order Limits who we consider may be able to make a Part 1 claim, are already included in Part 1 of the Book of Reference so they have not been repeated in Part 2.
- 8.5 With mitigation, there aren't considered to be any potential Part 1 claimants with interests outside the Order Limits so it was not necessary to include any details in Part 2.

## APPENDIX 5

### 'Packages' of rights and covenants

#### Underground Cable Connection Rights

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Work Nos. 5 and 6, including to—

- (a) lay down, install, construct, string out, erect, adjust, alter, retain, operate, use, maintain, repair, renew, upgrade, inspect, remove and replace electricity cable circuits in, under, over and/or on the land, or seabed or in ducts beneath the land or seabed (including the removal of materials including spoil) to connect offshore cable circuits to onshore cable circuits, together with such telemetry and fibre-optic lines, ducting, and other apparatus, equipment and protection measures ancillary to the purposes of transmitting electricity along such electricity cables (collectively referred to as the "underground connection cables");
- (b) effect access to offshore apparatus and carry out works for the purposes of the construction, installation, operation, maintenance and decommissioning of the parts of the authorised project that communicate between the onshore and offshore elements of the authorised project;
- (c) install, retain, connect, maintain, and use apparatus to connect onshore transmission apparatus to offshore transmission apparatus;
- (d) benefit from continuous vertical and lateral support for the authorised development;
- (e) retain and use or permit the cables to transmit and distribute any matters or thing the transmission of which is not prohibited by law through, to and from the land;
- (f) remove vegetation which now or hereafter may be standing on the land or other land which would, if not removed, obstruct or interfere with the working of the cables;
- (g) excavate materials below ground or sea bed level, including soils, and to store and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order;
- (h) store and stockpile soil, materials and equipment (including excavated material);

- (i) place and use plant, machinery, equipment, structures and temporary structures on the sea bed for the purposes of the installation, construction, maintenance, repairing, renewing, upgrading, inspecting, removal and replacing of the cables;
- (j) make such investigations in, on or under the land including the sea bed as required, including archaeological investigations;
- (k) lay down, install, construct, adjust, alter, re-lay, replace, retain, maintain, protect and remove pipes, cables, conduits or other utility apparatus (including the pipes, cables or conduits or other apparatus of statutory undertakers);
- (l) carry out horizontal directional drilling or any other trenchless method of installing the cables and associated cable ducts, the effects of which are within those assessed in the environmental statement, including crossing beneath sea defences including walls and groynes, and to create, use and remove drilling launch and exit pits;
- (m) carry out such works required by the Order, a planning permission and/or consent now or to be granted over the land in accordance with any necessary licences relating to protected species and/or wildlife (which for the avoidance of doubt includes newts);
- (n) lay down, install, use, retain, maintain and inspect underground cables, telephone signalling and fibre-optic cables and ancillary equipment, associated works and other conducting media together with conduits or pipes for containing the same in and under the land;
- (o) remove any works carried out and reinstate the sea bed thereafter; and  
such other rights as may be necessary to facilitate any onshore and offshore Further Works, as defined in Schedule 1 to the Order, that may be required.

### **Underground Cable Connection Restrictive Covenant**

A restrictive covenant over the land for the benefit of the remainder of the Order land to—

- (a) prevent anything to be done by way of excavation of any kind exceeding 0.3 metres in depth from the surface of the sea bed or land or any activities which increase or decrease sea bed or land cover or change the composition of the sea bed or land in any manner whatsoever, without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed, if the proposed activity would not cause damage to the relevant part of the authorised development nor make it

materially more difficult to access or maintain the authorised development, with such consent being subject to such reasonable conditions as the undertaker may require);

- (b) prevent anything being done which may interfere with the free flow and passage of electricity or telecommunications through the cables or support for the authorised development; and
- (c) prevent anything being done in or on the land or any part thereof which will, or which the owner can reasonably foresee may, interfere with the exercise of the other rights set out in this schedule, or the use of the authorised development or in any way render the authorised development or any part thereof in breach of any statute or regulation for the time being in force and applicable thereto.

### **Onshore Connection Rights**

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Work No. 7, including to—

- (a) lay down, install, construct, erect, adjust, alter, retain, operate, use, maintain, repair, renew, upgrade, inspect, remove and replace electricity cable circuits and associated cable ducts in, under, over and/or on the land (including the removal of materials including spoil) to connect offshore cable circuits to onshore cable circuits, together with such telemetry and fibre-optic lines, ducting, cable markers and other apparatus, equipment and protection measures ancillary to the purposes of transmitting electricity along such electricity cables (collectively referred to as the “onshore connection cables”);
- (b) adjust, alter, remove, replace, create, retain and use tunnels under sea defences including walls and groynes;
- (c) effect access to offshore apparatus and carry out works for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the parts of the authorised project that communicate between the onshore and offshore elements of the authorised project;
- (d) install, retain, connect, maintain, and use apparatus to connect onshore transmission apparatus to offshore transmission apparatus;
- (e) enter, be on, and break up the surface of, the land and remain with or without plant, vehicles, machinery, apparatus and equipment which is ancillary to the purposes of transmitting electricity along the cables;

- (f) benefit from continuous vertical and lateral support for the authorised development;
- (g) retain and use or permit the cables to transmit and distribute any matters or thing the transmission of which is not prohibited by law through, to and from the land;
- (h) pass and re-pass with or without vehicles, plant, machinery, apparatus, equipment and personnel, including creating, using and removing haul roads;
- (i) place and use plant, machinery, equipment, structures and temporary structures within the land for the purposes of the installation, construction, maintenance, repairing, renewing, upgrading, inspecting, removal and replacing of the cables;
- (j) erect, use and remove fencing, gates, walls, barriers or other means of enclosure, and create use and remove secure working areas and compounds including trenchless installation technique compounds and working areas;
- (k) construct, lay down, use and remove temporary access roads including any necessary temporary bridging, culverting or diversion of water courses and drains during any period during which construction, maintenance, repair or renewal is being carried out;
- (l) effect access to the highway;
- (m) make such investigations in, on or under the land as required, including archaeological investigations;
- (n) install, retain and maintain cable marker posts to identify the location of the cables (subject to an obligation to minimise interference with future use and operations within the land);
- (o) fell, lop, cut, coppice, uproot or remove trees, hedges, shrubs or other vegetation which now or hereafter may be standing on the land or other land which would if not felled, lopped, cut or removed obstruct or interfere with the working of the cables;
- (p) remove and discharge water from the land and to lay down, install, construct, create, adjust, alter, use, retain, maintain, repair, renew, upgrade, refurbish, reconstruct, improve, inspect, cleanse, remove, and protect pre- and post-development drainage schemes on the land or reinstate or modify the existing land drainage scheme on the land and thereafter cleanse and maintain, alter, adjust, replace, improve or extend culverts;
- (q) lay down, install, construct, adjust, alter, re-lay, replace, retain, maintain, protect and remove pipes, cables, conduits or other utility apparatus (including the pipes, cables or conduits or other apparatus of statutory undertakers);

- (r) remove fences within the land during any period during which construction, maintenance, repair, renewal or decommissioning is being carried out (subject to erection of any temporary stock-proof fencing as is reasonably required and the re-instating of the original fences following the exercise of the rights);
  - (s) excavate materials below ground level, including soils, and to store and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order;
  - (t) store and stockpile soil, materials and equipment (including excavated material);
  - (u) carry out horizontal directional drilling or any other trenchless method of installing the cables and associated cable ducts, the effects of which are within those assessed in the environmental statement;
  - (v) lay out, use and remove temporary paths for public use;
  - (w) carry out, install, execute, implement, retain, repair, improve, renew, relocate, maintain and protect landscaping, environmental or ecological mitigation or enhancement works or measures;
  - (x) carry out such works (together with associated fencing) required by the Order, a planning permission and/or consent now or to be granted over the land in accordance with any necessary licences relating to protected species and/or wildlife (which for the avoidance of doubt includes newts);
  - (y) lay down, install, retain, use, maintain and inspect underground cables, telephone signalling and fibre-optic cables and ancillary equipment, associated works and other conducting media together with conduits or pipes for containing the same in and under the land;
  - (z) remove any works carried out and reinstate the land thereafter, including planting and replanting any trees, hedges, shrubs or other vegetation;
- and such other rights as may be necessary to facilitate any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

### **Transition Joint Bay Rights**

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Work No. 8, including to-

- (a) create, use and remove drilling launch and exit pits; and
- (b) erect, install, adjust, alter, retain, operate, use, maintain, repair, renew, upgrade, inspect, protect, remove and replace transition joint bays (including the removal of materials including spoil).

### **Cable Rights**

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Works Nos. 8, 9 and 19, including to—

- (a) lay down, install, construct, string out, erect, adjust, alter, retain, operate, use, maintain, repair, renew, upgrade, inspect, remove and replace electricity cables (including the removal of materials including spoil) in, under, over and/or on the land, together with such telemetry and fibre-optic lines, ducting, jointing bays, chambers, manholes, manhole covers, cable marker posts and other apparatus, equipment and protection measures ancillary to the purposes of transmitting electricity along such electricity cables (collectively referred to as the "cables");
- (b) enter, be on, and break up the surface of, the land and remain with or without plant, vehicles, machinery, apparatus and equipment which is ancillary to the purposes of transmitting electricity along the cables;
- (c) benefit from continuous vertical and lateral support for the authorised development;
- (d) retain and use or permit the cables to transmit and distribute any matters or thing the transmission of which is not prohibited by law through, to and from the land;
- (e) pass and re-pass with or without vehicles, plant, machinery, apparatus, equipment and personnel, including creating, using and removing haul roads;
- (f) construct and install and thereafter use the land for all necessary purposes for the commissioning, construction, repair, testing, maintenance and decommissioning of the cables and any electric cables in, on or under other land including (but not limited to) the following:
  - (i) creation and use of facilities, and carrying out activities in connection with the cables or other work carried out in accordance with the rights;
  - (ii) installation and use of portakabins/portaloos;
  - (iii) storage of plant and equipment;



- (iv) creation and use of construction compounds and consolidation sites;
- (v) installation and use of additional service lines or cables;
- (g) place and use plant, machinery, equipment, structures and temporary structures within the land for the purposes of the installation, construction, maintenance, repairing, renewing, upgrading, inspecting, removal and replacing of the cables;
- (h) erect, use and remove fencing, gates, walls, barriers or other means of enclosure, and create, use and remove secure working areas and compounds including trenchless installation technique compounds and working areas;
- (j) construct, lay down, use and remove temporary access roads including any necessary temporary bridging, culverting or diversion of water courses and drains during any period during which construction, maintenance, repair or renewal is being carried out;
- (k) effect access to the highway;
- (l) make such investigations in, on or under the land as required, including archaeological investigations;
- (m) install, retain and maintain cable marker posts to identify the location of the cables (subject to an obligation to minimise interference with future use and operations within the land);
- (n) fell, lop, cut, coppice uproot or remove trees, hedges, shrubs or other vegetation which now or hereafter may be standing on the land or other land which would if not felled, lopped, cut or removed obstruct or interfere with the working of the cables;
- (o) remove and discharge water from the land and to lay down, install, construct, create, adjust, alter, use, retain, maintain, repair, renew, upgrade, refurbish, reconstruct, improve, inspect, cleanse, remove, and protect pre- and post-development drainage schemes on the land or reinstate or modify the existing land drainage scheme on the land and thereafter cleanse and maintain, alter, adjust, replace, improve or extend culverts;
- (p) lay down, install, construct, adjust, alter, re-lay, replace, retain, maintain, protect and remove pipes, cables, conduits or other utility apparatus (including the pipes, cables or conduits or other apparatus of statutory undertakers);
- (q) remove fences within the land during any period during which construction, maintenance, repair or renewal or decommissioning is being carried out (subject to erection of any temporary stock-proof fencing as is reasonably required and the

re-instating of the original fences following the exercise of the rights);

- (r) store and stockpile soil, materials and equipment (including excavated material);
- (s) excavate materials below ground level, including soils, and to store and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order;
- (t) carry out open cut trenching or horizontal directional drilling or any other trenchless method of installing the cables the effects of which are within those assessed in the environmental statement, and create, use and remove launch and exit pits and associated cable ducts;
- (u) lay out, use and remove temporary paths for public use;
- (v) carry out, install, execute, implement, retain, repair, improve, renew, relocate, maintain and protect landscaping, environmental or ecological mitigation or enhancement works or measures;
- (w) carry out such works (together with associated fencing) required by the Order, a planning permission and/or consent now or to be granted over the land in accordance with any necessary licences relating to protected species and/or wildlife (which for the avoidance of doubt includes newts);
- (x) lay down, install, retain, use, maintain and inspect underground cables, telephone signalling and fibre-optic cables and ancillary equipment, associated works and other conducting media together with conduits or pipes for containing the same in and under the land;
- (y) remove any works carried out and reinstate the land thereafter, including planting and replanting any trees, hedges, shrubs or other vegetation;
- (z) remove any works carried out and reinstate the land thereafter, including planting and replanting any trees, hedges, shrubs or other vegetation; and

such other rights as may be necessary to facilitate any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

### **Cable Restrictive Covenant**

A restrictive covenant over the land for the benefit of the remainder of the Order land to—

(a) prevent anything being done in or on the land or any part thereof for the purpose of:

- i. the erection of any buildings; or
- ii. the construction, erection or works of any kind requiring foundations, footings or other supporting structures,

without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed building, erection, construction or works would not cause damage to the relevant part of the authorised development nor make it materially more difficult to access or maintain the authorised development);

(b) prevent anything to be done by way of hard surfacing of the land with concrete of any kind or with any other material or surface whatsoever without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed surfacing would not cause damage to the relevant part of the authorised development nor make it materially more difficult to access or maintain the authorised development) provided that the undertaker acknowledges that:

- i. the laying of new hard core access tracks does not require the consent of the undertaker where no manhole, access chamber or other access point serving the authorised development is located on the surface of the land; and
- ii. the maintenance or repair of pre-existing hard surfacing, hard core surfaces or tracks with the same or equivalent surface or material does not require the consent of the undertaker where no manhole, access chamber or other access point serving the authorised development is located on the surface of the land;

(c) prevent anything to be done by way of excavation of any kind or agricultural practices exceeding 0.9 metres in depth from:

- i. the surface of the land; or
- ii. the true cleaned bottom of the open drain, ditch, watercourse or river; or
- iii. any activities which increase or decrease ground cover or soil levels or change the composition of the land in any manner whatsoever,

without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed, if the proposed activity would not cause damage to the relevant part of the authorised development nor make it materially more difficult to access or maintain the authorised development, with such

consent being subject to such reasonable conditions as the undertaker may require);

- (d) prevent the planting or growing within the land of any trees, shrubs or underwood without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood would not cause damage to the relevant part of the authorised development nor make it materially more difficult to maintain or to access the relevant part of the authorised development) provided that the growing within the land of any pre-existing trees, shrubs or underwood do not require the consent of the undertaker;
- (e) prevent anything being done which may interfere with the free flow and passage of electricity or telecommunications through the cables or support for the authorised development;
- (f) prevent any activity which would in the reasonable opinion of the undertaker result in the disturbance of ecological mitigation areas or areas of habitat creation including any ploughing or grazing, during the period within which the undertaker is bound by any consent to maintain that ecological mitigation areas or areas of habitat creation, without the prior written consent of the undertaker; and

prevent anything being done in or on the land or any part thereof which will, or which the owner can reasonably foresee may, interfere with the exercise of the other rights set out in this schedule, or the use of the authorised development or in any way render the authorised development or any part thereof in breach of any statute or regulation for the time being in force and applicable thereto.

### **Operational Access Rights**

All rights necessary for the purposes of the operation, maintenance and decommissioning of the authorised development, including to—

- (a) pass and re-pass with or without vehicles, plant, machinery, apparatus, personnel, equipment and materials;
- (b) make such investigations in, on or under the land as are necessary for the purpose of enabling the right to pass and re-pass;
- (c) enter, be on, and break up the surface of, the land;
- (d) upgrade, surface, resurface, use and repair the land for the purposes of enabling the right to pass and re-pass to adjoining land, including creating visibility splays;

- (e) erect, use, repair and remove temporary bridges and supporting or protective structures for the purposes of gaining access to adjoining land;
- (f) remove and discharge water from the land and to lay down, install, construct, create, adjust, alter, use, retain, maintain, repair, renew, upgrade, refurbish, reconstruct, improve, inspect, cleanse, remove, and protect drainage schemes and associated management measures on the land;
- (g) fell, lop, cut, coppice, uproot and remove trees, hedges, shrubs or other vegetation which now or hereafter may be present on the land for the purpose of enabling the right to pass and re-pass to adjoining land;
- (h) erect, repair and remove temporary fencing and reinstate the land thereafter;
- (i) remove any works carried out to facilitate the right to pass and re-pass and reinstate the land thereafter, including planting and replanting any trees, hedges, shrubs or other vegetation; and such other rights as may be necessary to facilitate any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

### **Construction and Operational Access Rights**

All rights necessary for the purposes of the construction, installation, operation, maintenance and decommissioning of the authorised development, including to—

- (a) pass and re-pass with or without vehicles, plant, machinery, apparatus, personnel, equipment and materials;
- (b) make such investigations in, on or under the land as are necessary for the purpose of enabling the right to pass and re-pass;
- (c) enter, be on, and break up the surface of, the land;
- (d) upgrade, surface, resurface, use and repair the land for the purposes of enabling the right to pass and re-pass to adjoining land, including creating visibility splays;
- (e) erect, use, repair and remove temporary bridges and supporting or protective structures for the purposes of gaining access to adjoining land;
- (f) remove and discharge water from the land and to lay down, install, construct, create, adjust, alter, use, retain, maintain, repair, renew, upgrade, refurbish, reconstruct, improve, inspect, cleanse, remove, and protect drainage schemes and associated management measures on the on the land;

- (g) fell, lop, cut, coppice, uproot and remove trees, hedges, shrubs or other vegetation which now or hereafter may be present on the land for the purpose of enabling the right to pass and re-pass to adjoining land;
  - (h) erect, repair and remove temporary fencing and reinstate the land thereafter;
  - (i) remove any works carried out to facilitate the right to pass and re-pass and reinstate the land thereafter including planting and replanting any trees, hedges, shrubs or other vegetation; and
- such other rights as may be necessary to facilitate any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

### **Onshore Substation Access Road Rights**

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Work No. 18, including to—

- (a) pass and re-pass with or without vehicles, plant, machinery, apparatus, personnel, equipment and materials;
- (b) make such investigations in, on or under the land as are necessary the purpose of creating an access road;
- (c) enter, be on, and break up the surface of, the land;
- (d) lay-down, surface, resurface, retain, use, repair, upgrade and remove an access road for the purposes of enabling the right to pass and re-pass, including creating visibility splays;
- (e) remove and discharge water from the land and to lay down, install, construct, create, adjust, alter, use, retain, maintain, repair, renew, upgrade, refurbish, reconstruct, improve, inspect, cleanse, remove, and protect drainage schemes and associated management measures on the on the land;
- (f) fell, lop, cut, coppice, uproot and remove trees, hedges, shrubs or other vegetation which now or hereafter may be present on the land for the purpose of enabling the creation and use of an access road and the right to pass and re-pass;
- (g) erect, repair, operate, retain, replace and remove fencing, gates, barriers, or other such security measures and equipment;
- (h) effect access to the highway;
- (i) remove the access road and any ancillary works carried out to facilitate the right to pass and re-pass and reinstate the land thereafter, including planting and replanting any trees, hedges, shrubs or other vegetation;

- (j) lay down, install, construct, adjust, alter, re-lay, replace, retain, maintain, protect and remove pipes, cables, conduits or other utility apparatus (including the pipes, cables or conduits or other apparatus of statutory undertakers);
  - (k) benefit from continuous vertical and lateral support for the access road;
  - (l) prevent anything being done in, on or under the land which will, or which the owner can reasonably foresee may, interfere with the exercise of the rights set out in (a) to (j) above; and
- such other rights as may be necessary to facilitate any Further Works, as defined in Schedule 1 to the Order, as may be required.

### **Landscape and Environmental Mitigation Rights**

All rights necessary for the purposes of the construction, installation, retention, operation, maintenance and decommissioning of the authorised development comprising Work No. 17, including to—

- (a) enter and be on the land and remain with or without vehicles, material, apparatus, equipment and personnel, to plant, install, execute, implement, retain, repair, improve, renew, relocate re-plant, inspect, prune, and remove trees, shrubs, hedgerows, seeding and other landscaping, environmental and ecological mitigation or enhancement and management measures including fencing, together with the right to retain, maintain, inspect and replant or replace such trees, shrubs, landscaping and environmental or ecological mitigation or enhancement measures including fencing and temporary works, habitat creation and the installation of temporary barriers for the protection of fauna;
- (b) carry out such works (together with associated fencing) required by the Order, a planning permission and/or consent now or to be granted over the land in accordance with any necessary licences relating to protected species and/or make such investigations in, on or under the land as required;
- (c) remove any works or measures carried out and reinstate the land; and

such other rights as may be necessary to facilitate any onshore Further Works, as defined in Schedule 1 of the Order, that may be required.

### **Landscaping and Environmental Mitigation Restrictive Covenant**

A restrictive covenant over the land for the benefit of the remainder of the Order land to prevent any activity which would in the reasonable opinion of the undertaker result in the disturbance of landscaping, environmental or ecological mitigation or enhancement areas or areas of habitat creation including any ploughing or grazing, during the period within which the undertaker is bound by any consent to maintain that landscaping, environmental or ecological mitigation or enhancement area or area of habitat creation, without the prior written consent of the undertaker.

Temporary use as a construction compound and for access to facilitate construction of the authorised development, including any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

Temporary use for the storage of excavated materials including but not limited to soil, to facilitate construction of the authorised development, including any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

Temporary use for non-intrusive works for duct and cable installation preparation and stringing out, to facilitate construction of the authorised development, including any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.

Temporary use for access, including effecting access to highways and the creation of visibility splays, to facilitate construction of the authorised development, including any onshore Further Works, as defined in Schedule 1 to the Order, that may be required.



## APPENDIX 6

### Land, rights and apparatus owned by statutory undertakers

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Neos Networks Limited	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the rights can be acquired without serious detriment to the carrying on of Neos Networks Limited's operations.  The Applicant is not intending to extinguish any rights belonging to	Neos Networks Limited has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands Neos Networks will be relying on. However, if Neo Networks has specific requirements, this can be progressed in due course following submission of the Application.
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	2/3, 33/19, 34/5, 34/9, 34/25, 34/31, 34/34		
				Land to be Used Temporarily	34/15, 34/32, 34/37		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Portsmouth Water Limited	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	S127 - The Applicant considers that the rights can be acquired without serious detriment to the carrying on of Portsmouth Water's undertaking.  The Applicant is not intending to extinguish any rights belonging to Portsmouth Water Limited.	Portsmouth Water has apparatus within the Order Limits.  The Applicant has made contact with Portsmouth Water's legal representatives in June 2023 in order to discuss the cable route crossings and interfaces. Portsmouth Water confirmed on 20 June that it was content to rely on the general protective provisions in the draft DCO which will apply to water and sewerage undertakers.
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	1a/1, 1a/2, 1b/1, 1b/2, 1b/3, 1b/4, 1b/5, 1/1, 1/2, 1/4, 1/13, 1/14, 1/21, 2/33, 3/1, 3/2		
				Land to be Used Temporarily	1/19, 1/22, 2/19,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
OCU Group Limited	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Unknown	Land to be Acquired	None	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the rights can be acquired without serious detriment to the carrying on of OCU Group Limited's operations.  The Applicant is not intending to extinguish any rights belonging to OCU Group Limited.	OCU Group Limited has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands OCU Group Limited will be relying on. However, if OCU Group Limited has specific requirements, this can be progressed in due course following submission of the Application .
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	3/14, 3/23		
				Land to be Used Temporarily			

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Cityfibre Limited	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the rights can be acquired without serious detriment to the carrying on of Cityfibre Limited's operations.  The Applicant is not intending to extinguish any rights belonging to Cityfibre Limited.	Cityfibre Limited has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands Cityfibre Limited will be relying on. However, if Cityfibre Limited has specific requirements, this can be progressed in due course following submission of the Application.
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	2/3		
				Land to be Used Temporarily			

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Virgin Media Limited	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the rights can be acquired without serious detriment to the carrying on of Virgin Media Limited's operations  The Applicant is not intending to extinguish any rights belonging to Virgin Media Limited.	Virgin Media Limited has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands Virgin Media will be relying on. However, if Virgin Media has specific requirements, this can be progressed in due course following submission of the Application.
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	2/3		
				Land to be Used Temporarily	2/17, 2/18, 34/37		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Openreach Limited (BT)	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	34/28, 34/29, 34/30	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the rights can be acquired without serious detriment to the carrying on of Openreach Limited's operations.  The Applicant is not intending to extinguish any rights belonging to Openreach Limited (BT)	Openreach (BT) has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands Openreach Limited (BT) will be relying on. However, if Openreach Limited (BT) has specific requirements, this can be progressed in due course following submission of the Application.
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	1/13, 1/14, 1/21, 2/3, 3/14, 3/15, 3/17, 3/18, 3/19, 3/21, 3/22, 4/14, 4/15, 4/25, 4/26, 5/3, 5/4, 5/7, 5/11, 5/12, 5/13,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		



Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					32/14, 33/2, 33/3, 33/5 33/9, 33/16, 33/17, 33/19, 33/23, 34/3, 34/4, 34/5, 34/10, 34/11, 34/12, 34/24, 34/25, 34/26, 34/27, 34/31, 34/34		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
				Land to be Used Temporarily	1/19, 1/20, 1/22, 2/1, 2/18, 2/19, 4/12, 4/20, 7/8, 7/9, 7/10, 7/11, 7/14, 12/8, 12/14, 16/2, 16/3, 16/4, 17/2, 21/11, 21/13, 21/16, 21/17, 21/19,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					21/30, 21/35, 21/37, 22/7, 22/28, 22/29, 22/31, 23/4, 23/5, 23/10, 23/14, 26/8, 27/13, 28/5, 28/11, 28/13, 29/14, 29/15, 29/16, 30/6, 30/8, 30/9, 30/10, 31/6,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					33/4, 33/12, 33/13, 33/21, 33/22, 34/15, 34/32, 34/35, 34/36, 34/37		
Vodafone Limited	Electronic Communications Code Operator	Part 1, Part 2 & Part 3	Yes	Land to be Acquired Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	34/29, 34/30 2/3, 3/23, 33/19, 34/5, 34/25, 34/33, 34/34	S127 - Not a statutory undertaker so section 127 is not engaged. In any event, the Applicant considers that the land and rights can be acquired without	Vodafone Limited has apparatus within the Order Limits.  The Applicant has included protective provisions for the benefit of Electronic Communications Code Operators in the draft DCO which it understands Vodafone Limited

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
UK Power Networks (Operations) Limited	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	33/9, 34/28, 34/29, 34/30	S127 - The Applicant considers that the land and rights can be acquired without serious detriment to the carrying on of UK Power Networks (Operations) Limited undertaking	Contact has been made with UK Power Networks in July 2021 to discuss the project and potential interfaces with the cable route proposal.  Contact with respect to progressing negotiation of protective provisions was made in June 2022 by the Applicant's solicitors to agree a costs
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	3/14, 3/17, 3/18, 3/21, 3/23, 6/4, 6/5, 7/1,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					7/2, 7/5, 7/12, 7/23, 7/28, 7/29, 10/6, 11/8, 11/11, 12/4, 12/5, 13/4, 13/8, 17/3, 17/9, 17/10, 19/9, 21/5, 21/7, 21/9, 21/22, 21/23, 21/24, 21/39,	The Applicant is not intending to extinguish any rights belonging to UK Power Networks (Operations) Limited	undertaking to further progress negotiations.  UK Power Networks has requested a side agreement to set out the arrangements which will apply in respect of works undertaken in proximity to their assets. The agreement is largely in an agreed form as at 24 July 2023.



Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
				Land to be Used Temporarily	12/8, 16/2, 21/11, 21/14, 21/16, 21/17, 21/20, 21/35, 21/37, 29/16, 30/6, 30/8, 30/9, 33/4, 33/8, 33/12, 33/21, 33/22, 34/15, 34/37		
Southern Water Services Limited	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	s127 - The Applicant considers that the rights can be acquired without	The Applicant contacted Southern Water in November 2022 with respect to the project proposals and has discussed the
				Acquisition of Rights by the	1/18, 1/21,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
				Creation of New Rights or the Imposition of Restrictive Covenants	2/12, 2/14, 3/18, 3/19, 3/20, 3/21, 4/15, 4/16, 5/7, 5/8, 5/11, 6/2, 8/2, 9/1, 9/2, 9/3, 11/4, 11/5, 11/7, 11/8, 12/5, 13/5, 13/6, 14/1,	serious detriment to the carrying on of Southern Water Services Limited's undertaking.  The Applicant is not intending to extinguish any rights belonging to Southern Water Services Limited	project with them on an ongoing basis.  Further contact has been made with Southern Water Services with regard to progressing negotiation of protective provisions in July 2023 and a contact established within Southern Water's legal department to move this matter forward.

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					14/2, 14/3, 17/10, 19/6, 20/14, 21/7, 21/9, 21/28, 21/29, 21/41, 22/7, 22/8, 22/9, 22/11, 22/12, 22/13, 22/14, 22/18, 22/22, 22/23, 22/24, 22/25, 22/27, 22/30,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					22/34, 23/8, 23/9, 23/16, 23/18, 23/19, 24/2, 24/3, 24/5, 25/5, 25/10, 25/12, 26/2, 26/13, 27/1, 27/2, 27/26, 27/28, 28/2, 28/19, 28/20, 28/22, 28/23, 29/7,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					29/10, 29/11, 29/12, 29/17, 29/21, 30/5, 31/15, 32/14, 33/14, 33/15, 33/16, 33/19, 33/20, 33/23, 33/26, 34/5, 34/25		
				Land to be Used Temporarily	1/19, 1/22, 2/9, 2/10, 2/11, 2/16, 2/18,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					4/10, 4/11, 4/12, 4/18, 4/19, 12/6, 12/7, 12/8, 12/10, 12/11, 16/2, 21/11, 21/13, 21/16, 21/17, 21/30, 21/35, 22/16, 22/17, 22/21, 22/31, 22/32, 22/33, 23/5,		



Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					23/6, 23/10, 23/13, 23/14, 23/15, 24/7, 26/8, 27/4, 27/8, 27/9, 27/12, 27/13, 28/13, 29/16, 30/6, 30/9, 33/4, 33/22, 34/6 34/15, 34/32, 34/37		
Scottish and		Part 1, Part 2		Land to be Acquired	None	s127 - The Applicant considers	The Applicant has made contact with Scottish and Southern

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Southern Energy Power Distribution Limited	Statutory Undertaker	& Part 3		Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	1/14, 1/15, 1/24, 1/25, 2/21, 4/6, 4/9, 4/25, 5/12, 5/13, 5/14, 6/2, 6/6	that the rights can be acquired without serious detriment to the carrying on of Scottish and Southern Energy Power Distribution Limited's undertaking.  The Applicant is not intending to extinguish any rights belonging to Scottish and Southern Energy Power Distribution Limited	Energy with regard to progressing negotiation of protective provisions in July 2023.
				Land to be Used Temporarily	1/19, 1/22, 1/23, 2/1, 4/10, 4/11, 4/17, 4/18, 4/20, 4/21		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Southern Gas Networks	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	None	s127 - The Applicant considers that the rights can be acquired without serious detriment to the carrying on of Southern Gas Networks' undertaking.  The Applicant is not intending to extinguish any rights belonging to Southern Gas Networks	Contact was made with Southern Gas Networks in December 2021 to discuss the Applicant's proposed cable route and interfaces with Southern Gas Networks pipeline assets.  Various meetings have taken place since December 2021 between Southern Gas Networks and the Applicant's engineers to discuss the on shore cable route alignments and engineering requirements for crossings of gas pipelines and assets.  Contact has been made with Southern Gas Networks with regard to progressing negotiation of protective provisions in July 2023
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	2/21, 2/39, 4/16, 5/7, 5/8, 5/11, 9/2, 15/2, 17/10, 19/2, 19/7, 19/8, 20/7, 20/8, 20/9, 20/10, 20/14, 21/1, 21/2, 21/3, 21/4, 21/6,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					21/29, 21/41, 21/42, 22/2, 23/2, 23/3, 23/7, 24/4, 24/10, 27/16, 28/2, 28/18, 28/19, 28/20		
				Land to be Used Temporarily	4/10, 4/11, 4/18, 21/21, 21/30, 21/34, 21/35, 23/4, 29/16		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
National Grid Electricity	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	33/9, 34/28, 34/29, 34/30	S127 - The Applicant considers that the rights can be acquired without serious detriment to the carrying on of National Grid Electricity's undertaking.  The Applicant is not intending to extinguish any rights belonging to National Grid Electricity.	Initial contact was made with National Grid Electricity in July 2021 with respect to the proposals for the onshore cable connections required in the vicinity of Bolney Substation.  The Applicant has made contact with the undertaker's legal representatives in order to progress the agreement of any necessary protective provisions and to progress discussions to acquire the rights required as they affect any non operational land at Bolney Substation
				Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	14/6, 15/1, 16/1, 17/1, 17/2, 17/3, 18/5, 18/9, 19/1, 32/2, 32/5, 32/15, 32/16, 33/1, 33/2, 33/10, 33/14, 33/15, 33/16, 34/16,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
					34/19, 34/20, 34/21, 34/22, 34/23, 34/24, 34/25, 34/26, 34/27, 34/31, 34/33, 34/34		
				Land to be Used Temporarily	33/5, 33/7, 33/8, 33/12, 33/13, 34/15, 34/32, 34/35, 34/37		
		Part 1, Part 2	No - Access	Land to be Acquired	None	S127 - The Applicant considers	Carter Jonas contacted the Environment Agency with

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
Environment Agency	Statutory Undertaker	& Part 3	Rights to Apparatus Only.	Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	1b/3, 1b/4, 1b/5, 1/5, 1/6, 1/7, 1/8, 1/9, 1/10, 1/11, 1/12, 1/13, 1/14, 1/16, 1/17, 1/18, 1/24, 2/2, 2/4, 2/5, 2/6, 2/7, 2/8, 2/12,	that the rights can be acquired without serious detriment to the carrying on of the Environment Agency's undertaking.  The Applicant is not intending to extinguish any rights belonging to the Environment Agency.	<p>respects to how proposals would affect rights of access to Environment Agency operated assets (flood defense structures in the Arun Valley) in July 2021.</p> <p>The Environment Agency has confirmed in July 2022 those areas of land within Order Limits where it requires unimpeded access to be maintained or re-provided if necessary.</p> <p>The Applicant has made contact with the undertakers' legal representatives in order to progress the agreement of any necessary protective provisions and on 10 July 2023 it was confirmed that the Environment Agency did not consider protective provisions would be required at this stage, although this would be reviewed and</p>

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
			Land to be Used Temporarily	1/23, 1/25, 2/1, 2/9, 2/10, 2/11, 7/9, 7/10			
Network Rail		Part 1, Part 2	Yes	Land to be Acquired	None	S127 and s138 - The Applicant	Carter Jonas contacted Network Rail in November 2022 with



Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
	Statutory Undertaker	& Part 3		Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	3/4, 3/18, 3/23, 3/24	considers that the rights can be acquired without serious detriment to the carrying on of Network Rail's Undertaking	regard to progressing a Property Agreement for the rights required by the Applicant within Order Limited and progression of the Asset Protection Agreements for the rail crossings as they affect the Applicant's proposals..
				Land to be Used Temporarily		The Applicant is not intending to extinguish any rights belonging to Network Rail.	Network Rail has appointed solicitors to agree a costs undertaking with the Applicant and to progress negotiations of Network Rail's standard Protective Provisions.  The Applicant continues to discuss the engineering requirements with Network Rail with the intention to conclude the Agreements required.
National Highways		Part 1, Part 2	Yes	Land to be Acquired	None	S127 - The Applicant considers	Carter Jonas contacted National Highways in November 2022 to

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation
				Type of acquisition/use	Plot Number		
	Statutory Undertaker	& Part 3		Acquisition of Rights by the Creation of New Rights or the Imposition of Restrictive Covenants	7/3, 7/5, 7/6, 7/12, 7/13	that the rights can be acquired without serious detriment to the carrying on National Highways Undertaking.	discuss the proposed cable route as it affected the A27 and the A27 By- Pass Proposals at Arundel. and to progress with Protective Provisions.
				Land to be Used Temporarily	7/7, 7/8, 7/9, 7/14, 7/15, 7/16, 7/17, 7/18, 7/19	The Applicant Is not intending to extinguish any rights belonging to National Highways.	National Highways has confirmed that they have no current concerns about the principle of the Applicant's proposed development.  The Applicant's solicitor has been engaged to make contact with National Highways to progress protection provisions in July 2023.
South Eastern Power Networks plc (UK Power	Statutory Undertaker	Part 1, Part 2 & Part 3	Yes	Land to be Acquired	34/30	S127 - The Applicant considers that the land and rights can be acquired without serious detriment	Contact has been made with South Eastern Power Networks plc (UK Power Networks) in July 2021 to discuss the project and potential interfaces with the cable route proposal.
				Acquisition of Rights by the Creation of New Rights or the	21/42, 22/2, 25/2, 34/19,		

Name	Operator or Undertaker	Type of Interest	Apparatus	Type of acquisition/use relating to specified Plot(s)		Engagement of Section 127 or S138	Status of Negotiation	
				Type of acquisition/use	Plot Number			
Networks )				Imposition of Restrictive Covenants	34/20, 34/31	to the carrying on of South Eastern Power Networks and UK Power Networks (Operations) Limited undertaking	Contact with respect to progressing negotiation of protective provisions was made in July 2022 by the Applicant's solicitors to ascertain its requirements for protection of its interests and apparatus.	
				Land to be Used Temporarily	12/8			The Applicant is not intending to extinguish any rights belonging to South Eastern Power Networks (Operations) Limited.

## APPENDIX 7

### Special Category Land and Crown Land Interests

Number on Plan (1)	Special Category/ Crown Interest (2)						Relevant PA 2008 Provisions (3)	Acquisition of Rights ("AR") or Temporary Possession (TP") (4)
	National Trust	Common Land	Open Space	Allotments	Crown Land	Crown Interest		
1a/1			<b>X</b>		<b>X</b>		Section 132, Section 135(1), Section 135 (2)	AR
1a/2			<b>X</b>		<b>X</b>		Section 132, Section 135(1), Section 135 (2)	AR
1b/1			<b>X</b>		<b>X</b>		Section 132, Section 135(1), Section 135 (2)	AR
1b/2			<b>X</b>		<b>X</b>		Section 132, Section 135(1), Section 135 (2)	AR
1b/3			<b>X</b>				Section 132	AR
1b/4			<b>X</b>				Section 132	AR
1b/5			<b>X</b>				Section 132	AR
1b/6			<b>X</b>				Section 132	AR

Number on Plan (1)	Special Category/ Crown Interest (2)						Relevant PA 2008 Provisions (3)	Acquisition of Rights ("AR") or Temporary Possession (TP") (4)
	National Trust	Common Land	Open Space	Allotments	Crown Land	Crown Interest		
1/1			X		X		Section 132, Section 135(1), Section 135 (2)	AR
1/2			X		X		Section 132, Section 135(1), Section 135 (2)	AR
1/3			X		X		Section 132, Section 135(1), Section 135 (2)	AR
1/4			X		X		Section 132, Section 135(1), Section 135 (2)	AR
1/5			X				Section 132	AR
1/6			X				Section 132	AR
7/30						X	Section 135(2)	AR
7/31						X	Section 135(2)	AR
7/32						X	Section 135(2)	AR
8/1						X	Section 135(2)	AR
11/4						X	Section 135(2)	AR
11/5						X	Section 135(2)	AR

Number on Plan (1)	Special Category/ Crown Interest (2)						Relevant PA 2008 Provisions (3)	Acquisition of Rights ("AR") or Temporary Possession (TP") (4)
	National Trust	Common Land	Open Space	Allotments	Crown Land	Crown Interest		
11/7						X	Section 135(2)	AR
11/8						X	Section 135(2)	AR
19/6						X	Section 135(2)	AR
21/30	X						Section 130	TP
21/32	X					X	Section 130, Section 135(2)	TP
21/33	X					X	Section 130, Section 135(2)	TP
21/36	X					X	Section 130, Section 135(2)	TP
21/37	X					X	Section 130, Section 135(2)	TP
22/7	X		X			X	Section 130, Section 132, Section 135(2)	AR
22/8			X	X			Section 132	AR
22/9			X				Section 132	AR

Number on Plan (1)	Special Category/ Crown Interest (2)						Relevant PA 2008 Provisions (3)	Acquisition of Rights ("AR") or Temporary Possession (TP") (4)
	National Trust	Common Land	Open Space	Allotments	Crown Land	Crown Interest		
27/6		X					Section 132	TP
27/9		X					Section 132	TP
27/10		X					Section 132	AR
27/11		X					Section 132	TP
27/12		X					Section 132	TP
27/24		X					Section 132	AR
27/25		X					Section 132	AR
27/26		X					Section 132	AR
33/18						X	Section 135(2)	AR