

Rampion 2 Wind Farm **Category 4: Compulsory Acquisition**

Land Engagement Reports: Unique Pub Properties Limited

**Date: August 2024
Revision A**

Application Reference: 4.6.12
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279143-01



Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	01/08/2024	Deadline 6	Carter Jonas	RED	RED

LANDOWNER/ LAND INTEREST NAME:	Unique Pub Properties Limited	URN on LRT:	012
AGENT:	N/A	Relevant Rep Ref:	RR-368
PROPERTY NAME:	Land at the Fountain Inn Pub, Ashurst	Written Rep Ref:	N/A
LAND INTEREST:	Work No.13 Temporary construction access (Visibility splay)	PLOT No:	27/13, 27/14
STATUS			
<p>The Property forms part a small part of the car park and vegetated area adjacent to the highway attached to The Fountain Inn Public house. No engineering works are required over the Property, however, maintenance of visibility from the construction access A-48 is required for highway safety reasons.</p> <p>In September 2023, a representative for the Landowner contacted the Applicant in response to the public consultation. The Applicant has explained the requirement for the Property to be kept clear for access visibility purposes and has been in regular contact with the Landowner's agent since September 2023.</p> <p>The Landowner expressed a preference for a voluntary agreement and therefore a commercial offer for a voluntary agreement was sent to the Landowner via email in March 2024. The Applicant followed up with an email requesting a response in April 2024, May 2024 and July 2024. The Applicant has chased on numerous occasions and is currently awaiting feedback.</p> <p>Since CAH1, a letter confirming the Applicant's position in respect of fees for professional advice was sent (on 3 July 2024) and a chaser email was sent to the Landowner requesting feedback from them on the offer provided.</p>			
NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS			
<ul style="list-style-type: none"> • The Landowner contacted the Applicant on 2 October 2023 stating that they would like to enter into a voluntary agreement and that a licence would be preferred. • A response to the landowner's relevant representation (RR-368) was provided on the following points: <ul style="list-style-type: none"> ○ Context of the impact (whilst no engineering works are required over the Plot, maintenance of the visibility from the construction access A-48 is required for highways safety reasons). ○ Traffic Considerations and the Outline Construction Traffic Management Plan • A commercial offer for a licence to run for the length of the Proposed Development construction period was sent by email in March 2024. • No response on the commercial offer has been received. 			
PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH1			
<ul style="list-style-type: none"> • On 30 May 2024, the Applicant emailed the Landowner to pursue feedback on the commercial offer • The Applicant wrote to the landowner confirming the Applicant's position on fees on 3 July 2024. • A further email was sent to the Landowner to request confirmation of the Landowner's position on 6 July 2024. 			
LANDOWNER ENGAGEMENT (2021 to 2024)			
<p>Further to receipt of the Applicant's DCO submission letter in September 2023, the Landowner contacted the Applicant to request confirmation of the Property subject to the notification. The Applicant confirmed the requirement for land at the Fountain Public house in Ashurst on the 2 October 2023 and outlined the project requirements as follows: <i>"The way in which the property is affected, is that there is a slight overlap with a proposed visibility splay. Therefore, the intention is to have no material impact to the property itself, but perhaps some trimming back of the hedgerow bordering the road, in order to improve visibility for a proposed construction access."</i></p> <p>Further to the email above, the Landowner's representative stated an hourly rate of £250/ hour for negotiation of the licence with no overall estimate put forward in October 23. Further questions were raised by the representative regarding the construction access and images showing the location of the access were provided in response</p> <p>On 15 March 2024 the Applicant emailed the Landowner setting out its proposal for a temporary licence containing a commitment for the Landowner to not build on the tarmac area/ hedgerow for the construction period. The Applicant</p>			

explained that it would be looking at a licence period of 5 years with a 2-year extension. A payment offer for the licence and fee contributions were set out by the Applicant.

The Applicant emailed the Landowner at the end of **April 2024** requesting availability for a call to discuss the Proposed Development and commercial terms. Proposed dates of **30 April 2024 and 1 May 2024** were put forward but no response was received and no meeting was arranged.

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- No alternatives have been proposed by or to the Applicant

IMPACT ON LAND INTEREST

- Land used as a car park and hedgerow is proposed to be used as a visibility splay for a construction access exiting onto the highway north of the Fountain public house.

IMPLICATIONS OF IMPACT

- Land required to be ‘kept clear’ of built structures and new trees but no impact on existing operations.

PROPOSED MITIGATION

- **No mitigation required except potential voluntary agreement to confirm requirements.**

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **No engagement from the Landowner since the issuing of commercial offer.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent	08/12/2020	Letter
RFI reminder letter sent	10/06/2021	Letter
Statutory letter - section 42	14/07/2021	Letter
Statutory letter - section 42	14/10/2022	Letter
Statutory letter - section 56	25/09/2023	Letter
<p>Email response to consultation sent to Chris Tomlinson: Good afternoon We have received the attached in the post. Please could you confirm the address and postcode of the affected properties where Unique Pub Properties Ltd has an interest. Kind regards Emmanuel White - Stonegate Group (Letter they attached was addressed to Unique Pub Properties)</p>	28/09/2023	Email
<p>LT responded to Emmanuel: By way of introduction, I work for Carter Jonas and am one of the advising agents on the Rampion 2 project. I believe the property you are referring to is called the Fountain Pub, located in Ashurst, Steyning – Title WSX149019. The way in which the property is affected, is that there is a slight overlap with a proposed visibility splay. Therefore, the intention is to have no material impact to the property itself, but perhaps some trimming back of the hedgerow bordering the road, in order to improve visibility for a proposed construction access. The screenshot below details the property boundary (turquoise) and the way in which are project boundary (outlined in red) affects the title.</p>	02/10/2023	Email
<p>Emmanuel responds: cc ing in Sam Curson Thanks for the below. My colleague cc'd looks, after this site. Kind regards Emmanuel</p>	02/10/2023	Email
<p>Email from Piers Collacott (Gateley Hamer) Emmanuel White from Stonegate has passed your email on as I support them on these sort of matters. On the face of it this does not sound a particularly significant matter, but you will appreciate that there is not much that can be deduced from the description and the screen snip you have included in your email below. I have already (I did this on Friday) looked over the Land and Works Plans (copies attached) and now in the context of your comments I have looked at this on Streetview. Taking all this into consideration I think a quick call would be helpful (the publican should also be on the call as they may have questions) but before we speak can you clarify the construction vehicle route that this CA power is required for and from where it is felt that there is a highway visibility issue that requires the vegetation to be trimmed back etc. Also can you give consideration to whether the pubs signage will be impacted. To my mind you should be looking to agree a licence agreement with us and then this plot can be remove from the DCO.</p>	02/10/2023	Email

Finally, I would like to agree a professional fee undertaking with you and in regard to this the hourly rate that I charge (which is a national rate that I work to for this client and I have agreed with a colleague of yours – Alexandra Kitchener – for a similar matter) will be REDACTED + VAT, please confirm this is accepted.		
Section 56 letter sent out again	03/10/2023	Letter
Emmanuel sent further correspondence	05/10/2023	Email
LT emails Piers and Emmanuel: with Sam curson in cc Thank you for your emails and thank you for your time on the phone earlier today. The Rampion 2 project is an extension of the existing windfarm on the south coast and the DCO has now been submitted. Further details can be found on the DCO submissionpage Rampion 2 Offshore Wind Farm - Project Information (planninginspectorate.gov.uk) The proposals indicate an overlap with the title for a proposed visibility splay or potentially highway works such as traffic calming measures. There is a proposed construction access for the project, which is visible in the screenshot below, further to the north of your title, hence the need for the visibility splay. We can organise a Teams call to discuss further if that would be beneficial.	18/10/2023	Email
Email from Piers: Very happy to attend a short call. Sam, have you managed to touch base with the publican yet? My sense is that they are likely to be the most impacted by this rather than Stonegate but a call will help establish the position. Can I suggest speaking with them and getting a few times and dates from them and I shall work around their availability.	18/10/2023	Email
LT has phone call with Piers Collacott to explain the current status of the proeject	18/10/2023	Telecom
LT requested Teams call to discuss next steps	11/01/2024	Email
LT sent details of licence and requested call	15/03/2024	Email
Further chaser from LT	25/04/2024	Email
PC requests to be taken off correspondence until instruction	25/04/2024	Email
Further chaser from LT	30/05/2024	Email
Agent's Fees Clarification Letter Sent Via Post	03/07/2024	Letter
Further chaser from LT	06/07/2024	Email

All engagement correspondence referred to within this Land Engagement Report can be provided upon request. Please note: there may have to be redactions in order to comply with confidentiality between parties and GDPR legislation.