

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

Land Engagement Reports: Paula Jacqueline Newman

Date: August 2024 Revision A

Application Reference: 4.6.20

Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)

Ecodoc Reference: 005279377-01



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:	Paula Newman	URN on LRT:	048
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	RR-295
PROPERTY NAME:	Swipes Farm 5.94 acre with DCO Order Limits (potentially affected by scheme)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 and Category 2 Works 09 – Cable Installation Works Works 13 – Temporary Construction Access Works 15 – Operational Access	PLOT No:	Freehold 21/22, 21/23 Access Rights 21/6, 21/20, 21/24, 21/25, 21/26, 21/27, 21/41
STATUS			
<p>The Landowner owns a smallholding and lives in an associated agricultural dwelling c.100m from the cable route.</p> <p>The Applicant has consulted with the Landowner and their Agent since January 2021 and assessed and implemented a cable corridor route amendment requested by the Landowner.</p> <p>The Landowner has pasture land which is affected by the cable route (Plots 21/22, 21/23)</p> <p>The Landowner also has access rights over (Plots 21/6, 21/20, 21/24, 21/25, 21/26, 21/27 and 21/41) which are required for construction and operational access respectively. Plot 21/41 provides access to the residential property.</p> <p>The Applicant held site meetings in February 2021 and August 2021. At the first site meeting the Landowner and their agent raised concerns regarding the agricultural workers dwelling which was within the PEIR boundary. The boundary was subsequently amended to avoid the dwelling (which had yet to receive planning permission at that point in time). The Applicant met with the Landowner and their Agent in January 2024 with engineering personnel present and provided clarification on engineering queries.</p> <p>The Applicant has attempted to negotiate a voluntary agreement through offering and explaining mitigation works as well as specific commitments in the Heads of Terms as to the laying of cable as far away from the residential aspect of the Property as practically possible (subject to surveys).</p> <p>The Applicant understands the Landowner does not currently want to progress with discussions and the Applicant is awaiting further feedback from the agent as part of these discussions.</p>			
NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS			
<ul style="list-style-type: none"> • Heads of Terms were issued on 16 March 2023. These were issued reflecting a cable route that had been amended at an early stage (in 2021) to avoid the agricultural workers dwelling. • The Applicant has been in regular contact with the Landowner’s Agent in order to attempt to agree terms. • Feedback was requested from the agent via email in October 2023 and December 2023. • Site meeting in January 2024 with engineering input present. • The Applicant sent the Landowner’s Agent an email in February 2024 and called the Agent in April 2024 regarding feedback on the Heads of Terms and related concerns. • The Applicant sent the Landowner a Letter in March 2024 regarding feedback on the Heads of Terms. • The Applicant responded to the Landowner Relevant Representation (RR-295), including providing answers to queries on the following: <ul style="list-style-type: none"> ○ Maintenance of Access to the property. ○ Impacts and mitigation on Agricultural uses. ○ Compensation and routes to compensation. • The link to the document on the PINS website was shared in June 2024 with both the Landowner and the agent • The Applicant sent updated Heads of Terms on 27 June 2024, to the Agent via email and the Landowner via post. • Various email correspondence and telephone conversations took place on 5, 8 and 9 July 2024. • An online teams call was held with the agent on 8 July 2024 • The Applicant has discussed the Heads of Terms at length with the Landowner’s agent with the latest correspondence being an email on 25 July 2024 summarising the outstanding actions in order to progress discussions. • The Applicant is awaiting a written response from the agent regarding the next steps. 			

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- A letter was sent to the Landowner on 6 June 2024 to confirm the Applicant's position in relation to recovery of fees for professional advice.
- A meeting was held with the Landowner's agent on 12 June 2024 to discuss outstanding concerns and 'blockers' for progressing with the Heads of Terms'. A number of points were raised which were summarised in an email from the Applicant to the agent on 21 June 2024.
- On 27 June 2024, the revised Heads of Terms were issued to the Landowner's Agent via email (and sent in the post to the Landowner), as well as answers to the outstanding concerns. These include: a response on Electro Magnetic fields (this was originally provided via email on 11 January 2024); a commitment to lay the cable as far from the property as practically possible within the DCO order limits (following surveys); and further clarification on the compensation clause within the Heads of Terms.
- The Applicant spoke with the Landowner's Agent on the phone on 5 July 2024 and had an on-line Teams meeting on 8 July 2024.
- The Applicant understands the Landowner does not want to sign the Heads of Terms due to outstanding concerns of the proximity of the cable corridor to their property.
- The Applicant emailed the agent on 25 July 2024 regarding the outstanding points.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their Agent since January 2021.
- A site meeting was initially held in February 2021 where the Landowner expressed concerns about the proximity of the proposed cable route to their dwelling. The PEIR boundary was subsequently amended to avoid the property (which did not have planning permission at that point in time).
- A further site meeting was held in August 2021.
- Answers to the Landowner's questions were provided via email on 23 June 2023.
- A site meeting was held in January 2024 with the Applicant's engineers present to discuss the project's proposals and consider the cable route. The construction corridor was explained and the DCO order limits viewed on site. Issues such as fencing and grazing management were discussed.

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- The Applicant held site meetings in February 2021 and August 2021. At the first site meeting the Landowner and their agent raised concerns regarding the agricultural workers dwelling which was within the PEIR boundary.
- The boundary was subsequently amended to avoid the dwelling (which had yet to receive planning permission at that point in time), and the decision was presented at a site meeting in August 2021.

IMPACT ON LAND INTEREST

- The Landowner owns pasture land affected by the proposed Rampion 2 cable route, which is part of a small holding, which includes a residential dwelling that is located outside of the Order limits.
- The driveway to the Landowner's residential dwelling will be temporarily severed by the cable construction

IMPLICATIONS OF IMPACT

- Temporary loss of grazing, potential route to claim via a disturbance claim.
- Possible temporary severance of land.
- Access to property impacted.

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/ accesses/ fencing.
- Accommodation works as discussed in detail at a site meeting in January 2024.
- Maintenance of access to the property as outlined in the Applicant's response to RR-295.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Applicant understands the Landowner does not want to sign the Heads of Terms over concerns of the proximity of the cable corridor to her property.
- The Applicant is awaiting further feedback/ evidence from the Landowner's agent.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Paula Newman (PN) sent an enquiry through to the R2 website passed to Chris Tomlinson	21/01/2021	Email
Lucy Tebbutt (LT) phoned PN	22/01/2021	Email
LT emailed PN confirming instruction on behalf of Rampion Extension Development Limited (RED). Proposed meeting to go over issues arising and project details to be issued	22/01/2021	Email
PN requested that the documentation is sent by post to her new address as confirmed on the phone earlier	22/01/2021	Email
LT sends email to PN: Proposed meeting with Richard Fearnall (RF) and requirements with ecological surveys required	17/02/2021	Email
PN confirms via email to LT that site visit acceptable, and that Rowan Allan RA will attend	18/02/2021	Email
Site Meeting (PN, RF & LT attended):	25/02/2021	Site Meeting
PN emails following meeting with queries: Cable route alignment, programme and scope of works, impact / reinstatement and compensation	26/02/2021	Email
Follow up email to PN	01/03/2021	Email
LT responded to PN queries: Cable route alignment, programme and scope of works, impact / reinstatement and compensation and outlined request for survey requirements and license	09/03/2021	Email
LT emails PN to chase re the survey licence being signed	26/03/2021	Email
RA confirmed he is considering the licence following the planned agents meeting	26/03/2021	Email
LT requested confirmation of appointment from RA	28/04/2021	Email
Rowan Allan confirms in writing that he is acting for Paula Newman	28/04/2021	Email
LT sends updated survey licence draft to RA with associated message	10/05/2021	Email
RA requested updated plan	11/05/2021	Email
LT forwards new plan to RA	12/05/2021	Email
LT received scanned copy of licence from RA	14/05/2021	Email
Information on surveys sent over to RA and PN - Phase 1, Arboricultural and breeding birds	21/05/2021	Email
Fully engrossed licence sent to PN and RA	27/05/2021	Email
LT emails RA and PN re upcoming surveys and updated access instructions	28/05/2021	Email
LT emails RA and PN re upcoming surveys	02/06/2021	Email
LT emails RA and PN re upcoming surveys	08/06/2021	Email
LT emails RA and PN re upcoming surveys	17/06/2021	Email
PN requests that only the dates are sent	19/06/2021	Email
LT advises PN that tree surveys have been delayed	21/06/2021	Email
Email correspondence with RA to arrange access for a site meeting	23/08/2021	Email

Site Meeting (LT & RWE attended)	26/08/2021	Site Meeting
LT emails PN re upcoming surveys and PN responds	07/09/2021	Email
LT sends site meeting notes to Rowan Allan	24/09/2021	Email
LT emails PN re geophysical surveys	19/10/2021	Email
LT emails PN regarding surveys	31/01/2022	Email
LT emails PN about survey delays	17/02/2022	Email
LT emails PN about surveys - hedgerow	24/02/2022	Email
WG requested surveys	14/03/2022	Email
LT emails PN re Phase 1 surveys	08/04/2022	Email
Courtesy Call prior to consultation	13/10/2022	Telecom
Formal Representation as a response to the Consultation received via email from Rowan Allan. LT FORWARDS TO RAMPION TRACTIVITY	25/11/2022	Consultation Response
KEY TERMS ISSUED	16/03/2023	Key Terms Issued
LT re-sends PN key terms to RA	11/04/2023	Email
PN sends over some further questions to LT	30/04/2023	Email
LT sends key terms to PN again	04/05/2023	Email
PN chases answers to the questions	12/06/2023	Email
LT sends a holding email	12/06/2023	Email
LT sends answers to PNs questions:	23/06/2023	Email
PN emails LT with additional questions	29/06/2023	Email
LT forwards the previous email thread/ answers to questions to RA	29/06/2023	Email
Email to the PN outlining that the DCO has been submitted	14/08/2023	Email
Nigel Abbott sends email to PN re the DCO acceptance by PINS	Oct-23	Email
LT emails RA with engagement notes	31/10/2023	Email
LT sends an email to PN to arrange a site meeting and chase the key terms:	20/12/2023	Email
RA responds with site meeting dates	20/12/2023	Email
LT will send a further response	20/12/2023	Email
LT chases RA on the queries/ actions remaining re Key Terms comments and option/ easement	20/12/2023	Email
Site Meeting	08/01/2024	Site Meeting
Email from VP to RA discussing electro magnetic field issues	11/01/2024	Email
LT emails RA chasing Key Terms comments	13/02/2024	Email
LT emailed HoT letter to RA on 25/03	22/03/2024	Letter
Call with PN regarding HoT	25/04/2024	Telecom
LT sent email outlining phone call to PN	25/04/2024	Email
LT requests meeting to discuss HoT	31/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
PN requests LT to contact RA	09/06/2024	Email
LT sent table of outstanding queries to RA	10/06/2024	Email
LT confirms she is meeting RA to PN	10/06/2024	Email
LT meeting with RA	12/06/2024	Meeting at agent's office
LT sent table of proposed actions to RA	21/06/2024	Email
Revised Key Terms Package Sent Via Post	25/06/2024	Letter
Email to RA with Revised Key Terms Attached	27/06/2024	Email
Email to RA and PN with Vicky Portwain email and gave answers to queries	27/06/2024	Email

LT emails RA and PN requesting meeting	01/07/2024	Email
PN sent alternative meeting time	01/07/2024	Email
PN emails requesting to reschedule call	04/07/2024	Email
LT confirms she has spoken to RA	04/07/2024	Email
Email from RA confirming they have met PN	05/07/2024	Email
Online Teams meeting with RA to discuss Heads of Terms followed by various emails on 9 July 2024 to agree points within the Heads of Terms	08/07/2024	Online Teams Meeting Followed by Emails
Email correspondence from RA	09/07/2024	Email/ Telecom
Online Teams meeting with agent to discuss the Heads of Terms in a general form and understand outstanding 'blockers'	24/07/2024	Online Teams Meeting
Email from LT to RA with comments regarding the Heads of Terms and summarising next actions	25/07/2024	Email
Online Teams meeting to discuss the Heads of Terms and outstanding actions between TL & RA	30/07/2024	Online Teams Meeting
LT emails RA with a follow up note of the actions from the meeting earlier in the day	30/07/2024	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.