

**Rampion 2 Wind Farm**  
**Category 4:**  
**Compulsory Acquisition**  
**Land Engagement Reports:**  
**John Patrick O'Rourke & Brenda**  
**Alison O'Rourke**

**Date: August 2024**  
**Revision A**

Application Reference: 4.6.21  
Pursuant to: The Infrastructure Planning (Examination Procedure)  
Rules 2010, Rule 8(1)(c)(i)  
Ecodoc Reference: 005279378-01



## Document revisions

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

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<b>LANDOWNER/ LAND INTEREST NAME:</b>	John Patrick O'Rourke & Brenda Alison O'Rourke	<b>URN on LRT:</b>	051
<b>AGENT:</b>	Rowan Allan (HJ Burt)	<b>Relevant Rep Ref:</b>	RR-177
<b>PROPERTY NAME:</b>	Land on the east side of Wineham Lane 19.35 acres within Order Limits (potentially affected by scheme)	<b>Written Rep Ref:</b>	N/A
<b>LAND INTEREST:</b>	Category 1 and Category 2 Works 13 – Temporary Construction Access Works 19 – Onshore Connection Works	<b>PLOT No:</b>	34/5, 34/15, 34/16, 34/17, 34/37

## STATUS

The Applicant has consulted with the Landowner and their Agent since March 2021. This has included various site meetings and online Teams meetings. The Property was originally impacted by one of the proposed sites for the substation location (known as Wineham Lane North). The Landowner previously outlined their support for the alternative substation location at Oakendene. In July 2022, the Applicant made a decision in respect of the substation, which was communicated in a letter to the Landowner dated 12 July 2022. The result being that the proposed substation design no longer affected the Property. However, the Property remained within the DCO Order Limits as the cable connection works are required to pass through this location to connect to the Bolney substation.

The Landowner owns pasture land affected by onshore connection works (Plots 34/16). In addition, the Landowner has rights over unregistered land (Plots 34/5, 34/15, 34/37) and has additional access rights (Plot 34/17). The Applicant understands that further to the expiry of a historic option, a new option with Welsh Power has recently been signed for a green energy grid stabilisation project. The Applicant understands that Welsh Power are proceeding with preparations for a planning application.

The Applicant understands that the Landowner is objecting to the extent of the Property which is included within the Order Limits, particularly in light of the above development proposals. The Property is located adjacent to the proposed substation connection point at Bolney substation. As detailed within email correspondence from October 2023, the boundary has not been narrowed at this stage due to a number of constraints and uncertainties that relate to the Property, which will impact the final cable routing and connection into NGET Bolney extension.

The Applicant understands that the Landowner does not want to sign Heads of Terms unless the DCO Order Limits are refined in this location. The Applicant has explained that until further engineering surveys and detailed design has been carried out in the vicinity of Bolney substation, the Applicant cannot commit to reducing the Order Limits in this location. The indicative cable route was, at the pre-DCO stage, sited as far north as practicable further to consultation with the Landowner (in order to allow them maximum flexibility to develop the proposed renewable energy development project on the same parcel of land, but to the south). However, a number of further constraints have arisen since this time including the One Planet battery storage scheme. Whilst firm commitments cannot be made at this stage with regard to detailed cable siting the Applicant has communicated to the Landowner and Welsh Power the requirement for the NGET design work (currently in progress), subsequent cable design work by the Applicant and the likely timescales for delivery.

## NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 31 July 2023.**
- **An email chaser was sent to the Landowner's agent in October 2023 and December 2023.**
- The Option and Easement documentation was sent to the Landowner's agent on **13 February 2024.**
- The Applicant sent the **Landowner's Agent an email in February 2024**, requesting feedback on the Heads of Terms.
- The Applicant sent a **Letter in March 2024** to the Landowner and their Agent regarding feedback on the Heads of Terms.
- The Applicant followed this up with an **email in May 2024** to the Landowner's Agent requesting feedback on the Heads of Terms and requesting a meeting.
- **Various site and online teams meeting, with the latest being in June 2024** to work collaboratively on outstanding issues.
- **The Applicant responded to the Landowner's relevant representation (RR-177) on the following points:**
  - The need for the size of the DCO Order Limits in this location to enable successful connection to the Grid.

- The Applicant issued revised **Heads of Terms with a commercial offer** directly to the Landowner via post on **3 July 2024** and to the Landowner's Agent via email.

## PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH1

- The Applicant **sent the Landowner a letter on 6 June 2024** to confirm the project's position in respect of fees for professional advice.
- The Applicant had a **meeting with the Landowner's agent on 12 June 2024 to discuss the main concerns with the Heads of Terms and understand any issues preventing an agreement.**
- **On 14 June 2024** the Applicant **held an online meeting with the Landowner and their agent in order to discuss the project's Heads of Terms and to gain a better understanding of his concerns.**
- The Applicant understands that the Landowner does not want to sign Heads of Terms unless the DCO Order Limits are amended in this location. The Applicant has explained that until engineering surveys and detailed design have been carried out in the vicinity of Bolney substation, the Applicant cannot commit to reducing the Order Limits in this location. Firm commitments to reduce the DCO order limits cannot be made at this stage as flexibility is required for the project at this stage.
- Welsh Power has shared information with the Applicant which the Applicant is taking into consideration when carrying out the interim cable design work which is expected to be issued in September 2024.
- **In addition, the Applicant issued revised Heads of Terms on 3 July 2024 via post direct to the Landowner and via email direct to the agent (on 8 July 2024)** with a commercial offer to progress discussions and reach agreement.

## LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agents since **March 2021**.
- **Site meetings** were initially held in **August 2021 and September 2021**, where the Landowner expressed concerns over the substation and the impact on the Landowner's holding.

## ALTERNATIVE SUBSTATION LOCATION

- The Landowner expressed a desire for the alternative substation location at Oakendene to be taken forwards to the final DCO Order Limits. This proposed location of the substation was removed from the design in **July 2022** meaning the sole impact is now due to the cable corridor.

## IMPACT ON LAND INTEREST

- Details of the onshore cable route as it passes through the Property are shown on Sheet 34 of the Onshore Works Plans – Revision B [PEPD-005]. The Landowner owns pasture land (arranged as two fields currently used for grazing/ haylage) affected by the proposed onshore connection works (Works No. 19), for which a package of Cable Rights and a Cable Restrictive Covenant are sought. The pasture land affected by Works No. 19 comprises Plot 34/16 as shown coloured blue within the Land Plans Onshore – Revision B [PEPD-003].
- The Property is located to the north of the existing Bolney substation and was initially included in the Project consultation (2021) as a potential substation location. Following consultation, the Oakendene substation location was chosen instead, meaning the Property was discounted as a proposed substation location in July 2022. However, the Property remained within the Order Limits given the proposed cable route still needed to pass through the Property from the onshore connection cable to the Bolney substation.
- Pasture land within the Property is potentially affected by the onshore connection cable to the Bolney substation.
- The land is subject to an option with a renewable energy company whom the Applicant understands is preparing for a planning application. The Rampion 2 cable route requirements has the potential to impact on land required for the renewable energy development, however it is considered that most impacts will be temporary construction impacts. The Applicant is using reasonable endeavours to work with the Landowner and Welsh Power where possible.
- As detailed within email correspondence from **October 2023**, the boundary has not been narrowed at this stage due to a number of constraints and uncertainties that affect the Property, including the need for NGET facilitation works.

## IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss.
- **Impacts on the design of Welsh Power's potential energy development or conflict with the energy development**

## PROPOSED MITIGATION

- **Mitigation to be included where possible with crossing points/ accesses/ fencing**
- **Continued conversations and sharing of information between the parties in order to narrow down the extent of land required in due course in order that the Landowner's energy related projects can be planned and developed in the future subject to planning and grid connection agreements etc.**

## **OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT**

- **The Applicant understands that the Affected Party is objecting to the extent of the Property included within the Order Limits. The Property is located adjacent to the proposed substation connection point. As detailed within email correspondence from October 2023, the boundary has not been narrowed at this stage due to a number of constraints and uncertainties which affect the Property, including the need for NGET facilitation works**
- **The Applicant understands that the Landowner does not want to sign Heads of Terms unless the DCO Order Limits are amended in this location. The Applicant has explained that until engineering surveys and detailed design has been carried out in the vicinity of Bolney substation, the Applicant cannot commit to reducing the Order Limits in this location.**
- **It is anticipated that further sharing of information between the parties could result in agreed arrangements for both proposed developments. The Applicant will seek to secure agreement to a mutually acceptable arrangements further to the interim cable design work in September 2024.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent	24/11/2020	Letter
Richard Fearnall (RF) spoke to John O'Rourke (JO) on the phone.	08/03/2021	Telecom
RF emails JO with survey licence documents attached and details of upcoming surveys	09/03/2021	Email
Informed by JO that he will not allow surveys and is about to commit to an exclusivity agreement with Welsh Power	19/04/2021	Other
Rowan Allan (RA) confirms in writing that he is acting for Mr O'Rourke	28/04/2021	Email
Survey licence sent to RA in the post	10/05/2021	Via Land Agent
JO confirms via email to Emily Village (EV) of Carter Jonas that he cannot sign a licence as is bound by an exclusivity agreement	12/05/2021	Email
Lucy Tebbutt (LT) sends s.172 notice and plans to RA re Mr O'Rourke	15/05/2021	Email
Follow up email - s.172 notice sent to RA re Mr O'Rourke	26/05/2021	Email
Mr O'Rourke confirms receipt of s.172 notice and confirms he is discussing it with his solicitor	27/05/2021	Email
Comments received from RA re the licence for Mr O'Rourke having received feedback from solicitor	27/05/2021	Email
Revised licence and plan sent to MR O'Rourke	28/05/2021	Email
RA email LT detailing that Messrs O'Rourke are waiting to hear back from their solicitor but are going to allow verbal access	01/06/2021	Email
LT sends details of upcoming surveys to RA	01/06/2021	Email
Email from Chris Wickins (CW) at Welsh Power (WP) detailing that there is an exclusivity agreement in place - also saying they would be happy to vary that agreement	04/06/2021	Email
RA emails LT detailing that WP have queried a line on the survey licence plan and have requested a joint meeting	07/06/2021	Email
LT replies confirming that all lines are indicative on the plans	07/06/2021	Email
RA requests a site meeting on 16/06/2021	08/06/2021	Email
RA chases LT to see availability for a meeting - LT responds suggesting a team meeting the following day	15/06/2021	Email
<b>TEAMS CALL - with WP and O'Rourke - Agenda: Intros, Nature of the Surveys, indicative substation and cable route locations, exclusivity agreement</b>	16/06/2021	Online Teams Meeting
Email from CW detailing what one of their grid stability schemes would look like and attaching their exclusivity plan.	16/06/2021	Email
James D'Alessandro (JDA) responds to CW	17/06/2021	Email
LT sends updated licence and plans to WP and JO	23/06/2021	Email
Letter to the Land interest confirming the substation decision as Oakendene removing JO from substation location discussions.	12/07/2021	Letter

LT sends summary of surveys to Mr O'Rourke.	14/07/2021	Email
Statutory Letter - section 42	14/07/2021	Letter
Rhian Williams from WP sends additions to the licence agreement	16/07/2021	Email
Email from CW re the project - general queries	29/07/2021	Email
LT responds to CW with explanation as to why substation location was dropped and attaching all relevant consultation material – Meeting offered	05/08/2021	Email
CW responds to LT email requesting explanation why cable route north of the ancient woodland dropped from the consultation plans.	05/08/2021	Email
LT requests an explanation from RWE for why this route was dropped - via email	06/08/2021	Email
Chris Wickins emails confirming attendance at the meeting - LT responds	10/08/2021	Email
<b>SITE MEETING – LT and Simon Mole (SM) - Chris Wickins and Mr O'Rourke and David Palmer the WP (Ceo and head of development)</b>	11/08/2021	Site Meeting
LT emails Mr O'Rourke following site meeting and with attached details of upcoming surveys	24/08/2021	Email
LT emails Mr O'Rourke with details of upcoming surveys	02/09/2021	Email
LT emails Eleri Wilce of WRE with details of Messrs O'Rourke plans to develop electricity storage on site Query possibility to align cable route alongside the proposed battery storage.	07/09/2021	Email
LT emails Mr O'Rourke about upcoming surveys	07/09/2021	Email
LT emails Mr O'Rourke about upcoming surveys	16/09/2021	Email
David Palmer from WP sends their response to consultation to LT	16/09/2021	Email
LT sends engagement notes to Mr O'Rourke as well as JDA and Simon Mole	17/09/2021	Email
<b>SITE MEETING – JDA, SM and Nick Waple attended - JO and RA queried cable route alignment and RWE confirmed decision based on proposed development by third parties for a solar array.</b>	20/09/2021	Site Meeting
LT emails O'Rourke re upcoming surveys who confirmed access consent in writing	11/10/2021	Email
LT sends updated survey list to JO	13/10/2021	Email
LT emails Mr O'Rourke re upcoming surveys and a teams meeting on 15/11/21	09/11/2021	Email
Mr O'Rourke responds to LT asking for meeting details	12/11/2021	Email
<b>TEAMS CALL - UPDATE ON progress</b>	<b>15/11/2021</b>	<b>Online Teams Meeting</b>
Email to O'Rourke with updated licence attached.	23/03/2022	Email
Rowan Allan responds to survey licence and email and suggests a catch up	23/03/2022	Email
Letter, email and phone call to Mr O'Rourke announcing the substation decision	12/07/2022	Letter
LT emails Mr O'Rourke regarding the substation announcement, setting up a meeting and upcoming surveys.	03/08/2022	Email

JO suggests meeting mid September and confirmed access for bat surveys	05/08/2022	Email
LT emails with another date for meetings and requests confirmation for further surveys	09/08/2022	Email
LT sends a chaser email re meetings and requests further access for surveys	22/08/2022	Email
Mr O'Rourke confirms surveys consent and the proposed date for the meeting	24/08/2022	Email
<b>TEAMS MEETING - Peter Woodcock, Mark Henry, JDA, RA, CW, David Palmer</b>	30/09/2022	Online Teams Meeting
Welsh Power issue consultation response - the same document as previously submitted in 2021	30/09/2022	Email
Statutory Letter - section 42	14/10/2022	Letter
Letter to JO regarding consultation	26/04/2023	Letter
Call - Liz Evans from Welsh Power messages re the consultation direct to RWE tracker	27/04/2023	Other
Liz Evans emails the Rampion 2 RWE email address: Chasing queries raised in relation to land for proposed grid stability development, alignment of the proposed cable route and extent of consultation against proposed suggested alternative options	04/05/2023	Email
LT gives Liz Evans a call re her consultation response and the proposals	05/05/2023	Telecom
Email response from Liz Evans: a proposed grid stability facility connecting to Bolney Substation. requesting further information on the proposed alignment of the cable route through the land parcel	11/05/2023	Email
LT responds to Liz Evans email to arrange a teams meeting to discuss everything	15/05/2023	Email
<b>TEAMS CALL with Liz Evans, Mr O'Rourke, David Palmer, Vicky Portwain (VP)</b>	16/05/2023	Online Teams Meeting
Liz Evans emailed LT with query	17/05/2023	Email
LT respond to Liz Evans email to include recap of meeting relating to Welsh Power Timescales/ Design and Carter Jonas Actions and Government guidance Welsh Power Action	30/05/2023	Email
LT emails Mr O'Rourke re land bordering his title to the east.	23/06/2023	Email
<b>Key Terms Issued</b>	31/07/2023	Email
Chaser email from Liz Evans at WP with a reminder of the queries	11/08/2023	Email
Email to landowner detailing that the DCO has now been submitted	14/08/2023	Email
LT contacts JO and attaches email from Liz Evans re her requests	22/09/2023	Email
Statutory Letter - Section 56	25/09/2023	Letter
JO confirms in writing he is happy for us to share the plan with WP	29/09/2023	Email
<b>TEAMS CALL with Mr O'Rourke and Rowan Allan to understand the current progress - see Notes on file</b>	02/10/2023	Online Teams Meeting
Brief phone call with Liz Evans, Confirmed waiting connection agreement.	09/10/2023	Telecom
Email to Liz Evans from Welsh Power with O'Rourke in cc with answer to queries and DCO boundary	17/10/2023	Email



LT sent table of key terms to RA and requested comments	31/10/2023	Email
LT issued chaser to RA regarding HoT comments	20/12/2023	Email
LT issued chaser to RA about HoT	13/02/2024	Email
LT issued chaser Letter Sent	22/03/2024	Letter
Email to Landowner requesting feedback on HoTs and Teams call- Date suggested 5th June	30/05/2024	Email
Email from Landowner confirming would liaise with RA on meeting date	01/06/2024	Email
Email from RA suggesting meeting dates	04/06/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Email from Landowner suggesting morning of the 13th June for meeting date	06/06/2024	Email
Email from RA confirming date for meeting	08/06/2024	Email
LT issued chaser to RA regarding HoT comments	10/06/2024	Email
Online Teams meeting with Rowan Allan, John O'Rourke, Lucy Tebbutt and Vicky Portwain	14/06/2024	Online Teams Meeting
LT sent table of actions to RA	21/06/2024	Email
LT requests update from RA re HoT	27/06/2024	Email
Revised Key Terms Sent Via Post	03/07/2024	Letter
Revised Key Terms emailed to the RA	08/07/2024	Email
Online Teams meeting with RA to discuss HoT	08/07/2024	Online Teams Meeting
Email correspondence from RA	09/07/2024	Email/ Telecom
Online Teams meeting with RA 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

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.