

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
David Henry Dumbrell, Robert
Henry Dumbrell, & Linda Susan
Dumbrell
Date: August 2024
Revision A

Application Reference: 4.6.29

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

Ecodoc Reference: 005279539-01



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:	Mr D H Dumbrell, Mrs L Dumbrell & Mr R Dumbrell	URN on LRT:	065
AGENT:	Alistair Cameron (Batcheller Monkhouse)	Relevant Rep Ref:	RR-256
PROPERTY NAME:	Wellens Farm, Steyning Road, Ashurst, Steyning, BN44 3AN 8.7 acres within DCO Order Limits (potentially affected by scheme)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works 09 – Cable Installation Works	PLOT No:	26/13, 26/14
<p>STATUS</p> <p>The Landowner has signed Key Terms with the Applicant for an Option Agreement for an Easement. The Landowner owns pasture land affected by the cable route.</p> <p>The Applicant has consulted with the Landowner since July 2020, through both the statutory consultation process and engagement meetings on site.</p> <p>The Applicant met with the Landowner on site in August 2021, and April 2022 to initially explain the scheme and then regarding re-consultation. The Landowner’s Agent attended a Consultation Event on the 11 November 2022.</p> <p>The Landowner’s Agent raised queries relating to the new proposed trenchless crossing from the South East (TC-14) and where construction access will be taken, which the Applicant provided.</p> <p>The Applicant issued Heads of Terms in March 2023 and revised Heads of Terms on the 25th June 2024.</p> <p>The Applicant has discussed the Heads of Terms at length with the landowner’s agent, and Heads of Terms have now been signed.</p>			
<p>NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS</p> <ul style="list-style-type: none"> • Heads of Terms were issued on 15 March 2023 after the Applicant had provided clarification on the TC-14 trenchless crossing. • The Applicant had email and telephone correspondence with the Landowner requesting feedback on the Heads of Terms from March to May 2023. • The Applicant sent Option and Easement documentation, alongside previously issued letters, to the Landowner’s Agent on 7 November 2023. • The Applicant emailed the Landowner’s Agent in December 2023 and sent the Landowner a Letter in March 2024 regarding feedback on the Heads of Terms. • The Applicant sent revised Heads of Terms on the 25 June 2024 and provided clarification to the Landowner’s Agent on an update to the abandonment clause as well as providing clarification on marker posts and trial pits. • The Applicant emailed the Landowner’s Agent for further feedback in July 2024, and following detailed discussions, agreed Heads of Terms on 9 July 2024. 			
<p>PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1</p> <ul style="list-style-type: none"> • Since CAH1, the Applicant sent a letter on 6 June 2024 to the Landowner to clarify the position in respect of fees for professional advice. • The Applicant issued revised Heads of Terms on 25 June 2024, sent directly to the Landowner and via email to the agent. These had an enhanced commercial offer to progress discussions and reach agreement. • The Applicant has had various discussions via on-line Teams meetings with the Landowner’s Agent regarding the Heads of Terms where the Applicant provided answers to queries in respect of trial pits, marker posts, the calculation of construction access payments, operational access usage and areas for indicative trenchless crossing /HDD locations outside of the 40m working width. • The Applicant had discussions and email correspondence with the Landowner’s agent on 25 June 2024, 1 July 2024 and 3 July 2024. • The Applicant received confirmation that Key Terms are agreed in July 2024. 			
<p>LANDOWNER ENGAGEMENT (2021 to 2024)</p> <ul style="list-style-type: none"> • The Applicant has been in regular correspondence with the Landowner and their agents since March 2021 after earlier contact since July 2020. • Site meetings were initially held in August 2021 and April 2022, where the Landowner shared further concerns.. 			

- As a result of the inclusion of a trenchless crossing to the south of the land title (TC-14) and a design change to the north of the land holding (MR-09), the proposed cable route boundary was amended and consulted upon in the October- Nov 2022 consultation. **This design change resulted in reduced severance to the Property** and the requirement for a trenchless crossing / HDD compound to be located on the land holding.
- The Landowner's Agent attended a **Consultation Event in November 2022** to discuss the trenchless crossing (TC-14).
- The Applicant engaged with the Landowner's Agent on the Heads of Terms documentation since they were issued in **March 2023 until November 2023**.
- In **November 2023 the Applicant provided Option and Easement Documentation to the Landowner's Agent** at their request.
- The Applicant requested **comments on the Heads of Terms from the Landowner's Agent in December 2023 and via a Letter to the Landowner in March 2024**.
- The Applicant circulated revised Heads of Terms on the 25th June 2024.
- The Applicant provided clarification on a number of points and clarified the position on payments in an email in July 2024.
- The Applicant received agreed Heads of Terms in July 2024.

IMPACT ON LAND INTEREST

- The Landowner owns pasture land affected by the proposed Rampion 2 cable route utilised for silage and grazing.
- **This section of the cable route will be subject to a trenchless crossing in part** and there will be a requirement for a temporary trenchless crossing compound to be located on the landholding for a section of the construction.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss, potential route to claim via a disturbance claim for the occupier of the land.

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/ accesses/ fencing
- Route to a compensation claim in respect of the occupier of the land – likely for crop loss and disturbance

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **No further issues**
- **The Landowner has signed Heads of Terms for an Option Agreement for an Easement with the Applicant.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Email from the Dumbrells stating that they do not want surveys being undertaken on their land and they deny access	25/07/2020	Email
Introductory project letter from Carter Jonas Referencing.	24/11/2020	Letter
Lucy Tebbutt (LT) emails Alistair Cameron (AC) re the Dumbrells survey licence	19/03/2021	Email
Will Gullett (WG) emails AC the finalised survey access licence, accompanying plan and associated documentation.	13/05/2021	Email
LT emails AC re the Dumbrells survey licence	16/05/2021	Email
WG responds to AC email and attaches a revised licence with minor amendments requested by AC	17/05/2021	Email
AC returned signed licence with payment form to WG	19/05/2021	Email
LT emails AC re the Dumbrells surveys	07/06/2021	Email
WG emails the Dumbrells informing them that there are delays to the scheduled surveys and he will revert once the new dates are confirmed	21/06/2021	Email
WG responds to an email from Mrs Dumbrell detailing the scope of the survey required	22/06/2021	Email
s.42 Letter posted to Interested Parties	14/07/2021	Letter
WG sends a follow up email following telephone call with Dumbrells, providing dates of hedgerow, habitat and wildlife surveys	05/08/2021	Email
Site Meeting - WG & Dumbrells Meeting with David Dumbrell (DD) and Lynn Dumbrell (LD). •Intro meeting to outline project and confirm timescales. •REDACT •Field used for hay or silage •REDACT.	26/08/2021	Site Meeting
WG sends follow up email thanking the Dumbrells for the site visit and informs Mrs Dumbrell of surveys the ecologists wish to conduct	01/09/2021	Email
WG emails the Dumbrells re soil and geophysical surveys	30/09/2021	Email
WG emails the Dumbrells re delayed surveys and asks for their response in respects of the access instructions	07/10/2021	Email
Correspondence between WG and the Dumbrells re surveys and access instructions	15/10/2021	Email
WG emails the Dumbrells re soil and geophysical surveys	22/02/2022	Email
WG emails re scheduled surveys and explains what the ecologists will be doing on the land	01/03/2022	Email
WG emails re bat survey	16/03/2022	Email
Email correspondence with Dumbrells re additional PEIR area.	04/04/2022	Email
WG emails the Dumbrells requesting to rearrange date for site meeting to 25th April	13/04/2022	Email

Site Meeting - WG, LT & Dumbrells regarding additional area of land and re-consultation. Re-route –REDACT NB - AC did not attend	25/04/2022	Site Meeting
WG emails the Dumbrells thanking them for the site visit and informs them of some upcoming surveys	06/05/2022	Email
WG attached the new 6 month survey licence and asks Mrs Dumbrell to return when convenient	08/08/2022	Email
s.42 Letter posted to Dumbrells	14/10/2022	Letter
Conversation with DD about consultation material and surveys. DD consented to surveys continuing on a verbal basis.	26/10/2022	Telecom
WG sends follow up email to phone call with DD	26/10/2022	Email
CONSULTATION EVENT – Harry Broadbent-Combe (HBC) & AC attended on behalf of their clients and discussed the Dumbrells	11/11/2022	Consultation Event
Correspondence with AC regarding consultation and PEIR boundary changes 1/ With regard to the new proposed trenchless crossing into Dumbrell’s land from the South East (TC-14), confirmation requested from where access will be taken for construction of the trenchless crossing and main open cut section 2/ Assumption that trenchless crossing will negate impact on the wooded area adjoining the road to the north 3/ Why are extended sections of the public highway included within the order limits- as below?	22/11/2022	Email
LT responds to HBC email on 22/11/2022	29/11/2022	Email
Email response from LT to HBC - with answers: 1 & 2/ The proposals are to trenchless cross underneath the B2135, meaning that any hedgerow/ treeline bordering the road is unlikely to have to be modified. I would imagine that access would be from the north or south, along the cable route/open cut trenching. There is a proposed construction access to the north, affecting a separate title, therefore this may be a likely route. 3/ Visibility splays.	29/11/2022	Email
Correspondence from Dec 2022- Jan 2023 between WG and AC re the licence and payment details forms. The licence is agreed with the landowner	06/12/2022	Email
WG responds to AC confirming that the licence fee was paid on 17th January	03/02/2022	Email
KEY TERMS ISSUED inc via post as requested by landowner - also sent via email to AC	15/03/2023	Email
Correspondence between WG and LD. WG confirmed hardcopies to be issued as requested	15/03/2023	Email
WG sends chaser email to Dumbrells/AC re Key Terms	20/04/2023	Email
Email correspondence re survey access with LD	26/04/2023	Email

Email from AC to WG. AC states that they have a number of concerns re the key terms and request drafts of the option agreement and easement	19/05/2023	Email
Phone call to Dumbrells detailing that the DCO has been submitted	14/08/2023	Telecom
Letter posted to Dumbrells detailing that the DCO has been submitted	14/08/2023	Letter
s.56 Letter posted	25/09/2023	Letter
LT sends Option and Easement documentation to AC - along with the letters that were issued.	07/11/2023	Email
AC confirms receipt of the documents and says he will revert in due course	07/11/2023	Email
LT sends chaser email to AC - action points for him to revert on any queries specific to the Dumbrells key terms	21/12/2023	Email
Chaser Letter Sent	22/03/2024	Letter
LT sends digital copies of the letters posted on 22/03/2024 to AC	25/03/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
LT sends the amended HoTs for the Dumbrells	13/06/2024	Email
Call between LT, AC and Rob Miller of Rampion 2	21/06/2024	Online Teams Meeting
Revised Key Terms Package Sent Via Post	25/06/2024	Letter
Email to AC with attached revised key terms - Providing updating abandonment clause edit - Providing clarification on Marker posts and trial pits	25/06/2024	Email
LT emails AC the written responses to queries raised for Dumbrell and other landowners	25/06/2024	Email
LT emails AC a summary of actions for both parties and highlights that she is awaiting feedback from AC re the updated offer sent to the Dumbrells	01/07/2024	Email
Email to AC associated with form of the Head of Terms	02/07/2024	Email
Email from AC responding to LT	03/07/2024	Email
LT responds to an email from AC:	04/07/2024	Email
Phone call between LT and AC	08/07/2024	Telecom
LT sends follow up email to AC attaching revised Heads of Terms, following discussions.	08/07/2024	Email
Key Terms agreed AC sends revised key terms for the Dumbrells which have been approved by the Dumbrells	09/07/2024	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.