

# Rampion 2 Wind Farm **Category 4:** **Compulsory Acquisition** **Land Engagement Reports:** **Gillian Mary Nash & Michal Philip** **Nash**

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

Application Reference: 4.6.34  
Pursuant to: The Infrastructure Planning (Examination Procedure)  
Rules 2010, Rule 8(1)(c)(i)  
Ecodoc Reference: 005279553-01



## 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>	Michael Philip Nash and Gilian Mary Nash	<b>URN on LRT:</b>	072
<b>AGENT:</b>	Chris Tipping (Batcheller Monkhouse)	<b>Relevant Rep Ref:</b>	RR-306
<b>PROPERTY NAME:</b>	Brighthams Farm and associated tenancies of R.G.Nash and Sons 40.97 acres within Works No.9 area Tenanted area potentially affected (22.6 acres)	<b>Written Rep Ref:</b>	N/A
<b>LAND INTEREST:</b>	Category 1 and Category 2 Works 09 – Cable Installation Works Works 11 – Temporary Soil Storage Works 13 – Temporary Construction Access Works 14 – Construction and Operational Access Works 15 – Operational Access	<b>PLOT No:</b>	Freehold: 27/28, 28/2, 28/3, 28/4, 28/5, 28/6, 28/7, 28/8, 28/9, 28/10, 28/11, 28/16  Tenanted: 26/15, 27/1, 27/4, 29/8, 29/9, 29/10, 29/14
<b>STATUS</b>			
<p>The Landowner operates a mixed dairy, beef and arable farming business affected by the scheme. The business operates on land owned by the Landowner as well as through tenancies over other plots of land affected by the scheme. The Landowner owns land affected by proposed operational access (Plots 28/6, 28/16), temporary soil storage (Plot 28/3), temporary construction access (Plots 28/5, 28/8, 28/9, 28/11), construction and operational access (Plots 28/4, 28/7, 28/10) and cable installation works (Plots 27/28, 28/2).</p> <p>In addition, the Landowner is a tenant over land affected by the scheme (owned by other parties) through their agricultural business: 10.69 acres of Land at Eatons Farm (Plot 26/15, 27/1, 27/4), 3.17 acres of Land at Shermanbury Grange Plot 29/8) and 8.74 acres of Land at Partridge Green (Plots 29/9, 29/10, 29/14).</p> <p>The Applicant has consulted with the Landowner since February 2021 and assessed alternative routes suggested by the Landowner, including a variation on the construction access and refinement of the cable corridor. The Landowner has worked collaboratively with the Applicant throughout the process.</p> <p>The Landowner appointed a new Agent in April 2024 and the Applicant has been working positively with the Agent in order to progress a voluntary agreement, with Heads of Terms initially sent to the Landowner in July 2023.</p> <p>Following a meeting with the Landowner on site on 18 July 2024, the Applicant introduced the Landowner to an Agricultural Liaison Officer (ALO), who works on other projects with the Applicant, to assist in providing practical examples of steps taken to minimize disturbance to farming of adjacent agricultural land. Feedback received by the Landowner is that the meeting was useful to allay any remaining concerns. The Applicant had a Teams call with the Landowner's agent on 26 July 2024 to discuss the Heads of Terms and followed up with actions on 29 July 2024 via email. The Applicant is not aware of any further concerns by the Landowner and is therefore expecting to receive signed Heads of Terms shortly.</p>			
<b>NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS</b>			
<ul style="list-style-type: none"> <li>As detailed below, cable route re-alignments and amendment of a construction access was consulted upon to demonstrate meaningful consultation and engagement as part of the negotiations to agree the most suitable route. These were consulted upon within a Targeted Consultation in April 2023.</li> <li><b>Heads of Terms were issued on 13 July 2023</b> with the preferred route of the Landowner and the <b>previous agent confirmed that the Landowner would like to work collaboratively</b> with the Applicant to agree terms.</li> <li>The Applicant has sought feedback from the Landowner's previous agent on a number of occasions, including in <b>October 2023</b>. On <b>17 October 2023</b> the Landowner's agent responded requesting feedback on what safeguards can be made to reduce the disruption and land drainage proposals.</li> <li><b>The Applicant held an online Teams meeting with the Landowner and their agent on 14 November 2023</b> to work collaboratively on outstanding issues.</li> <li><b>The meeting notes from the 14 November 2024 were circulated on 20 December 2023</b> where feedback was also sought on the Heads of Terms.</li> <li>On <b>20 December 2023</b>, the Landowner's agent responded to a chaser email confirming that his client would like to work towards progressing discussions on the Heads of Terms and reaching an agreement.</li> </ul>			

- On **20 December 2023**, the Applicant sent the Option and Easement documentation to the Landowner's agent.
- Within the **response to RR-306**, the Applicant provided further clarity on issues relating to the following points:
  - The Works areas within the DCO Order Limits impacting the farm.
  - Compensation and routes to claim
  - Accommodation works including fencing and access points.
  - Maintaining access to the Farm during construction
  - Land drainage queries
  - Traffic management proposals and the Construction Traffic Management Plan
  - Noise consideration and the Code of Construction Practice
- The Applicant sent the **Landowner a Letter in March 2024** regarding feedback on the Heads of Terms.
- The Landowner's Agent retired in **March/April 2024**, and the Applicant has been working with the new agent to review the Heads of Terms and work towards agreement.
- The Applicant met with the new Agent online **on 27 March 2024** and subsequently sent over **latest meeting notes regarding the Landowner (with the prior agent) on 2 April 2024**.
- **On 10 April 2024, the Heads of Terms (originally sent in July 2023) were sent to the Landowner's new agent.**
- **The Applicant has had various discussions via on-line teams meetings with the agent regarding the Heads of Terms for the Landowner.**

Further engagement has taken place during June, May and July 2024 as detailed below.

#### PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- A **Letter was sent to the Landowner on 6 June 2024** to confirm the project's position in relation to fees for professional advice.
- The **Applicant issued revised Heads of Terms on 25 June 2024**, both directly to the Landowner via post and via email to the agent. These Heads of Terms have a **commercial offer** to progress discussions and reach agreement.
- **On 6 June 2024 an online Teams meeting** was held with the agent to discuss the Heads of Terms and any outstanding 'blockers' to progressing the agreements.
- **On 10 June 2024**, the Applicant sent a follow up email summarising the main points discussed at the meeting on 6 June 2024.
- The Applicant met briefly with the Landowner on **12 June 2024**, on site but at another landowner's property where he is a tenant.
- **On 21 June 2024 the Landowner requested some maps and commented that he would be in touch regarding his thoughts on preferred crossing points and fencing specification.** This was provided on 18 July 2024 via email, although the Applicant understands a more detailed map is due to be provided.
- **The Applicant issued revised Heads of Terms on 25 June 2024, sent directly to the Landowner (via post) and via email to the agent (25 June 2024). These had a commercial offer to progress discussions and reach agreement.**
- The Applicant responded on **25 June 2024** with the associated documentation and the request of an engineering site visit. The Applicant has had a number of meetings with the Landowner's agent, to discuss the general form of the Heads of Terms and specific points in relation to the Landowner's Holding.
- **On 1 July 2024, an online teams meeting was held with the Landowner's agent to discuss outstanding 'blockers' and how their recent meetings with the Landowner had progressed.**
- This included a meeting on the **1 July 2024** to which the Applicant has responded on the following points: siting the cable to the east of the Order Limits (subject to surveys), reinstatement commitments, and the role of the Agricultural Liaison Officer.
- **Following a meeting with the Landowner on site on 18 July 2024 with an Agricultural Liaison Officer to answer all queries raised by the Landowner, and Teams call with the agent on 26 July 2024 to discuss the updated terms, the Applicant is hopeful to receive signed terms shortly.**

#### LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agents since April 2021.
- This has included numerous site meetings and online Teams call with the Landowner and their agent as demonstrated within this document.
- This has included reviewing two design alterations.

Further detail on engagement can be found within the schedule below.

## ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- **Site meetings** were initially held in **February 2021**, where the Landowner expressed concerns about the cable route intersecting with a slurry pit (and associated infrastructure) that was under construction on their land. Subsequently, the route was amended to avoid this area.

## ALTERNATIVE CONSTRUCTION ACCESS – REVIEWED AT THE LANDOWNERS REQUEST

- At a **December 2022 site meeting**, the Landowner expressed concern about the route of the construction access on their land.
- The Landowner was collaborative and worked with the Applicant to agree on a variation to the existing route which was **put forward for consultation in April 2023**. The construction access was subsequently amended within the refined design proposals.

## IMPACT ON LAND INTEREST

- Details of the onshore cable route as it passes through the Landowner's land holding are shown on Sheet 27 and 28 of the Onshore Works Plans – Revision B [PEPD-005].
- The Landowner owns and operates a mixed dairy, beef and arable farming business located to the east of Bines Green (B2135), with the entrance to the farm directly from Bines Green. The eastern section of the farm's pasture land is affected by the proposed cable (Works No.9 – Cable Installation works (including construction and operational access)), for which a package of Cable Rights and a Cable Restrictive Covenant are sought. The area of the farm affected by Works No.9 includes Plots 27/28 and 28/2 shown coloured blue on the Land Plans Onshore – Revision B [PEPD-003], extending to in the region of 17% of the total area.
- There is a proposed construction access (Works No. 13 – Temporary construction access) that affects part of the existing driveway (the entrance to the farm), part of an existing track, and agricultural land within the farm, for which Construction Access Rights are sought. The area of the farm affected by Works No.13 includes Plots 28/5, 28/11, 28/9, 28/8 shown coloured green on the Land Plans Onshore – Revision B [PEPD-003].
- There is also a proposed soil storage area (Works No. 11 – Temporary soil storage) affecting agricultural land, for which temporary possession powers are sought. The area of the farm affected by Works No.11 includes Plot 28/3 shown coloured green on the Land Plans Onshore – Revision B [PEPD-003].
- A proposed construction and operational access (Works No. 14 – Construction and operational access) affecting agricultural land and an existing track, for which Construction and Operational Access Rights are sought.
- The area of the farm affected by Works No.14 includes Plot 28/4 and 28/7 shown coloured green on the Land Plans Onshore – Revision B [PEPD-003].
- There are a number of dwellings and businesses located on the farm which are accessed from the B2135 (from the existing farm entrance) along the driveway into the farm. These dwellings and businesses are located outside of the Order Limits. The proposed operational access uses the existing entrance and follows the main driveway into the farm, entering the farmyard, before turning southwards to reach the cable.
- The construction access also utilises the existing entrance into the farm, using a proportion of the main driveway, before turning southwards.

## IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss during the construction of the project

## PROPOSED MITIGATION

- **Suitable Agricultural crossing points will be installed in line with the Applicants commitments register to ensure access into the remaining areas of the field and to ensure a suitable continued access to the dairy farm business and dwellings onsite.**
- **Construction management plan covers the mitigation of access to other parts of the farm.**
- **Agricultural liaison officer (ALO) to assist throughout the process for management of the crossing points**

## OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **Following a meeting with the Landowner on site on 18 July 2024** all remaining concerns from the Landowner were answered and therefore the Applicant is not aware of any further outstanding concerns preventing completion of the voluntary agreement.
- **The Applicant had an online Teams meeting with the Landowner's agent on 26 July 2024 which was followed upon with actions on the 29 July 2024, confirming that the Landowner's agent would follow up with a letter (as discussed on the call) and would recommend the Landowner sign the Heads of Terms.**
- **The Applicant is hopeful to receive signed Heads of Terms shortly.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Bethan Dennis (BD) of Carter Jonas (CJ) phone call with Phil Nash	23/11/2020	Telecom
Email chain between BD, Phil Nash (PN) and David Blake (DB) about the information pack and liaising to organise a meeting	23/11/2020	Email
Introductory project letter from Carter Jonas Land Referencing.	24/11/2020	Letter
Helen Clouting (HC) sends email with details regarding the site meeting.	17/02/2021	Email
Site meeting – Richard Fearnall (RF) & Mr Nash	18/02/2021	Site Meeting
Nigel Abbott (NA) emails DB about survey access licence agreements and plans.	26/02/2021	Email
NA sends DB a chaser email about licences	04/03/2021	Email
NA emails DB chasing signed licences	11/03/2021	Email
NA sends DB another chaser email about the licences	15/03/2021	Email
NA asks DB to agree to a licence in principle	25/03/2021	Email
DB emails back refusing to agree to the licence	25/03/2021	Email
NA asks HC and DB to confirm which clients they are acting for	30/04/2021	Email
NA requests the Nash's sign the finalised survey licences	07/05/2021	Email
NA sends the Landowner Payment form to the Nash's to request they sign the licences	10/05/2021	Email
NA sends revised plans to DB	25/05/2021	Email
NA responds to an email from DB informing him that as soon as the licences are signed, Rampion will withdraw the statutory notices	28/05/2021	Email
NA emails Messrs Nash providing a copy of the notice, plans and a schedule	28/05/2021	Email
NA sends another email to Messrs Nash stating they are eager to agree to an access licence and want to avoid having to use statutory powers	07/06/2021	Email
NA replies to an email from PN	09/06/2021	Email
NA emails PN about surveys	04/08/2021	Email
NA emails PN about upcoming surveys	07/10/2021	Email
NA emails about another upcoming survey	18/10/2021	Email
NA responds to an email from HC regarding forms for payment for fees	26/11/2021	Email
HC submits copies of fee notes and payment documents to NA for Messrs Nash	01/12/2021	Email
NA sends email regarding upcoming surveys to which PN responds	02/03/2022	Email
NA sends an email to PN regarding access for surveys	31/03/2022	Email
NA sends email regarding survey access and provides details of ecological surveyors	06/05/2022	Email
NA emails Phil Nash re upcoming EDNA surveys	17/05/2022	Email
Email chain between NA, PN, HC and DB organising site visit to provide an update on Rampion	17/05/2022	Email
Site Meeting - WG & NA and Messrs Nash - project update and changes.	27/05/2022	Site Meeting
NA emails PN requesting access for survey	01/06/2022	Email
Will Gullett (WG) emails re upcoming geophysical surveys	08/06/2022	Email

Email from HC regarding signing a licence for survey access	15/06/2022	Email
WG emails PN to confirm a query about the EA sluice:	27/09/2022	Email
Correspondence with Phil Nash re Environment Agency sluice gates and EA access rights	03/10/2022	Email
Consultation response received from Michael Nash	14/11/2022	Consultation Response
Consultation response received: Response are comments included within the paper flyer put out at consultation event	23/11/2022	Letter
Call with Mr Nash's agent Helen Clouting re recent consultation response and objection re construction access route.	23/11/2022	Telecom
Agent Batcheller Monkhouse submitted a consultation response on behalf of Messrs Nash	01/11/2022	Letter
Site Meeting - LT & WG and Messrs Nash - meeting regarding access concerns and consultation response.	01/12/2022	Site Meeting
Email from WG to PN following site visit. Impacts to farming business discussed. Request for project engineers site visit to review cable route and accesses, flooding, the slurry lagoon and pinch point.	02/12/2022	Email
PN confirms the site meeting for 5th Dec	05/12/2022	Email
Email from WG to HC: The consultation response / access route objection was subject to review following meeting	06/12/2022	Email
Site Meeting - WG & Mark Henry meeting Phil Nash re engineering visit. Helen Clouting attended Design change - re access route	07/12/2022	Site Meeting
Email from HC to WG: on access route alignment.	09/12/2022	Email
Call with Helen Clouting re recent consultation response and specifically the Sussex Barn.	22/12/2022	Telecom
Call with Helen Clouting re enforcement order on track. Requesting clients preference as to routing.	09/01/2023	Telecom
WG emails Helen Clouting: project aware of access enforcement notice (Ref EN/22/0411) pending. Construction and Operational Access alternative routes	11/01/2023	Email
WG emails HC re survey licence	13/01/2023	Email
Email from HC to WG: Clarification on preferred Construction and Operational access routes and utilisation of Brightams Farm as a project 'case study'.	16/01/2023	Email
Email from WG to HC re chasing for licence	17/01/2023	Email
Email correspondence re licence renewal. Licence received from Helen Clouting. WG requests completed payment form	03/03/2023	Email
Call with Phil Nash re survey access. Payment details sent over by HC via email.	20/03/2023	Telecom
WG emails HC regarding access for newt survey.	14/04/2023	Email
HC emails WG the bank form and payment information for Messrs Nash.	20/04/2023	Email
WG responds to HC saying that the payment will be sent.	21/04/2023	Email

WG emails HC the signed licences and informs her that the payment has been sent.	26/04/2023	Email
Call with Phil re survey access and email to him and HC re survey and signed licence	26/04/2023	Telecom
WG emails PN with HC and DB regarding rescheduling geophysical surveys	26/04/2023	Email
<p>Consultation response – From Batchellor Monkhouse: Letter received from latest consultation from Messrs Nash - Changes to construction and operational accesses as a response to the April 2023 consultation.</p> <p><b>1) The use of the existing access for construction (green on Targeted Works Plans)</b> The use of this track as opposed to the main farm track is supported. As raised in previous correspondence, and we emphasise once again, it is critical that construction traffic does not use the main farm access. This is imperative, both on safety grounds and the impact it would have on day-to-day farm operations, where large farm machinery regularly uses the main access.</p> <p><b>2) Amended operational access (pink and blue on Targeted Works Plans)</b>  The area denoted pink, and blue is accepted as the route to be used for operational access. There is an existing track here, and use of this will minimise damage and disturbance. However, for the reasons stated above, it is reiterated that the area outlined pink is to be used for operational access purposes only.</p> <p><b>3) Amended combined construction and operational access (blue on Targeted Works Plan)</b> Likewise, this route utilises existing tracks and mitigates the conflict in use, between construction traffic and farm vehicles and is therefore accepted as a preferred alternative.</p>	17/05/2023	Consultation Response
NA emails PN requesting confirmation of land occupation – farming partnership	19/06/2023	Email
PN replies to NA email: Details of farming partnership provided. Land owned and farmed under Farm Business Tenancies run by farming partnership.	19/06/2023	Email
NA asks PN to confirm all owners and users of the farm and track	12/07/2023	Email
NA emails the Key Terms pack to PN	13/07/2023	Email
Email from Phil Nash with clarity on all owners and users of the farm and track	14/07/2023	Email
HC emails NA requesting relevant paperwork for the payment received by Messrs Nash for records	18/07/2023	Email
Email to Messrs Nash detailing that the DCO has been submitted	14/08/2023	Email
NA emails PN to inform him that the DCO was accepted for examination by the Planning Inspectorate	08/09/2023	Email



Email chain between LT, PN, DB, Nicola Crichton-Brown (NCB) organising site meeting	11/09/2023	Email
Lucy Tebbutt (LT) emails PN: Seeking clarification on contact details for owners and users of the farm and track	14/09/2023	Email
LT emails PN requesting further clarification on contact details	29/09/2023	Email
Various email correspondence with David Blake about a site meeting at Messrs Nash	03/10/2023	Email
NCB emails LT. confirming spoke with PN facilitating survey.	10/10/2023	Email
LT chases Phil Nash for further clarification on contact details	17/10/2023	Email
Email correspondence from DB: Messrs Nash raising concerns about construction phase impact on farm, access arrangements and land drainage. - Mitigation	17/10/2023	Email
Email from PN: Raised concern over project impact on business operations	17/10/2023	Email
Email to David Blake re trying to get confirmation on whether they would like to progress Key terms	18/10/2023	Email
LT speak to PN on the phone	18/10/2023	Telecom
LT asks PN if he has availability for a meeting	19/10/2023	Email
TEAMS CALL - NASH - DB and HC attended	14/11/2023	Online Teams Meeting
LT emails PN and BM - with meeting notes	06/12/2023	Email
DB responds confirming will speak to PN shortly	06/12/2023	Email
LT sends chaser email to DB with summary of Messrs Nash issues and attaches option and easement documentation	20/12/2023	Email
LT sends an email to DB and PN re the key terms option and easement documents	21/12/2023	Email
Online teams meeting with the newly appointed agent Chris Tipping (CT) to introduce the project.	27/03/2024	Online Teams Meeting
LT emails the previous Nash meeting notes to the CT.	02/04/2024	Email
Heads of Terms circulated to CT	10/04/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
LT and GDR Virtual Meeting with CT discussing Messrs Nash issues	06/06/2024	Online Teams Meeting
LT emails CT & Archie Cheevers (AC) on actions and a summary of discussions being - Advanced compensation - Badger set – LT to revert on methodology - Indicative plan (please see attached) - Diagram of crossing points (LT to revert) - Works programme - LT to revert PINS website summarises project proposals to involve an ALO during constructions	10/06/2024	Email
PN emails LT requested maps	21/06/2024	Email
LT sends email to PN regarding maps, site visit and update HOTs	25/06/2024	Email
Revised HOTs Package Sent Via Post	25/06/2024	Letter
Digital Revised HOTs Package Sent to CT	25/06/2024	Email
Phone call with LT, CT and AC	01/07/2024	Online Teams Meeting
LT sends follow up email to CT and AC on updates and action points	02/07/2024	Email

LT emails Chris Tipping to arrange a meeting with PN on 18th July	03/07/2024	Email
LT emails PN and Chris Tipping regarding a meeting arranged with an Agricultural Liaison Officer (ALO)	08/07/2024	Email
Site Meeting at Brighthams Farm with an ALO present	18/07/2024	Site Meeting
Email received from Phil Nash with a map attached indicating preferred crossing points (4 were requested) as well as preferred fencing requirements and outlining the more difficult periods of the year for them with regards to the business.	18/07/2024	Email
Online teams meeting with CT to discuss the positive feedback following the meeting with the ALO and review next steps	26/07/2024	Online Teams Meeting
LT emails Chris Tipping with a summary of outstanding actions in order to reach a voluntary agreement. The Applicant understands CT will advise Messrs Nash with reference signing of the Heads of Terms and anticipates an agreement shortly.	29/07/2024	Email
A brief online Teams meeting was held with the agent	31/07/2024	Online Teams Meeting

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.