

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Artemis Aerospace Limited

Date: August 2024

Revision A

Application Reference: 4.6.78

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

Ecodoc Reference: 005279627-01



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:	Artemis Aerospace Ltd (WSX322304) – The Managing Director of Artemis Aerospace is James Munro Scott. Artemis Aerospace owns the equine paddock land impacted by the proposed cable works Deborah Louise Scott and James Munro Scott (WSX347532) own the adjacent land Title which includes their residential property and the driveway to their residential property	URN on LRT:	131 – Artemis Aerospace Ltd 040 – Jim Scott
AGENT:	Robert Crawford Clark (Henry Adams) (RCC)	Relevant Rep Ref:	RR-157
PROPERTY NAME:	Doves Farm 8.06 acres within the 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 14 – Construction and Operational Access	PLOT No:	Artemis Aerospace 25/7, 25/8, 25/9 Deborah Louise Scott and James Munro Scott 25/6

STATUS

Artemis Aerospace Limited and Deborah Louise Scott & James Munro Scott are related parties. Artemis Aerospace Limited is a company and James Scott is the Managing Director of that company. The Company (Artemis Aerospace Ltd) owns paddock land under Title WSX322304 which is impacted by the proposed cable installation works. Adjacent to the paddock land is a residential dwelling with associated driveway which is owned by Deborah Louise Scott and James Munro Scott under Title WSX347532. James Scott is the point of contact for both land interests. Both land titles (the paddocks and the driveway to the residential dwelling) are used in conjunction with one another, they are used by the same related parties, but owned by separate entities.

As James Scott is the point of contact for both interests, for ease of reference, any reference to 'land interest' or 'landowner' below applies to both Artemis Aerospace Ltd and Deborah Louise Scott & James Munro Scott.

The Applicant has consulted with the land interest since 2021 via the statutory process, undertaken site meetings and has assessed a route amendment (put forward by the Landowner) as part of the negotiations, demonstrating meaningful consultation and engagement. At the Landowner's request, a small area of an additional Land Registry title was also removed from the design.

The Landowner (Mr & Mrs Scott) own a driveway to their residential property and business (Plot 25/7, 25/8 and 25/9) which is proposed to be used as a Rampion 2 construction and operational access. The Land Interest (James Scott) is the Managing Director of a Company, Artemis Aerospace Ltd, which owns the Freehold Title of the paddock land (plot 25/6) which is affected by the proposed Rampion 2 cable route, located to the east of the main residential building.

The Applicant has been awaiting formal comments on the Heads of Terms from the land interest's agent since March 2023 in connection with Artemis Aerospace Ltd and 11 July 2024 in connection with Mr and Mrs Scott's land. The land interest's agent confirmed in October 2023 that the land interest would like to work towards agreement of the Heads of Terms. The Applicant is awaiting feedback on the Heads of Terms from the agent for both land interests.

The draft Option and Easement documentation was sent to the agent on 24 October 2023. The Applicant received feedback from the agent on the Option and Easement documentation on 1 July 2024 to which the Applicant responded on 30 July 2024.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- Heads of Terms were issued on 15 March 2023.

- In **April 2023**, a group of landowners' agents, including Robert Crawford-Clarke, responded collectively with comments on the **Key Terms** included within an excel table.
- In **May 2023**, an updated spreadsheet containing Carter Jonas' comments on behalf of the Applicant on the issues raised was then circulated by Carter Jonas via email, to the same group of agents for comment.
- No further responses were received from the agents specifically relating to the spreadsheet.
- In **June 2023**, Carter Jonas emailed the same group of agents, where it was confirmed that on the basis no response had been received on the issues responded to in May 2023, as set out within the spreadsheet, going forward there would be ongoing dialogue with individual agents in relation to specific land interest's queries.
- Subsequently, Carter Jonas began discussions with the various agents in relation to **landowner-specific details within the Key Terms**.
- The agent confirmed on **23 October 2023** that the Land Interest would like to work collaboratively with the Applicant to agree terms.
- **On 24 October 2023, the Applicant sent the Option and Easement documentation to the land interest's agent.**
- **On 21 December 2023, a 'chaser' email was sent to the agent requesting feedback on the Heads of Terms.**
- **Within the Response to RR-157, further clarity was provided by the Applicant** on the following queries and concerns put forward by the land interest:
 - Engagement and consultation
 - Construction and project timescales
- **On 22 March 2024, a 'chaser' letter was sent to the agent (via email) and the land interest (via post) requesting feedback on the Heads of Terms.**
- **On 12 April 2024, the agent requested additional plans to accompany the Option/ Easement documentation, to which the Applicant responded by seeking additional clarity, on the understanding that the plan within the Heads of Terms document provided in March 2023 was sufficient. Clarity on the revisions required was requested by the Applicant's agent from the land interests agent on 25 April 2024, 29 May 2024 and 30 May 2024.**
- An email was sent to the Land Interest's agent on **3 June 2024** attaching an updated plan to accompany the Terms plan with additional details of the indicative HDD locations (as requested by the Land Interest's agent).

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH1

- **Following CAH1 the Applicant sent a letter to the Land Interest to clarify the position in respect of fees for professional advice.**
- A response was received from the land interest's agent on **5 June 2024** with the agent commenting that **'I will be starting the process of meeting clients to go through all these docs and submit comments to you next week so it would be helpful to have all the plans before then'**.
- A response was then received via email from the land interest's agent on **11 June 2024**. *'I am currently in the process of meeting all clients to go through the draft option and easement and the HOTS, so that I can let you have agent level comments and responses thereon.'* Further queries regarding the plans were also raised.
- **The Applicant issued revised Heads of Terms** in respect of the land affected by the proposed cable route (owned by Artemis Aerospace Ltd) **on 3 July 2024** (via post) and to the agent on **8 July 2024**. These Heads of Terms contained an offer to progress discussions and reach agreement. The Applicant is awaiting feedback.
- **On 1 July 2024, the Applicant received word documents with comments included on the Option and Easement documents.** The Applicant responded on these points on 30 July 2024.
- **The email from 1st July 2024 details the first set of formal comments on any of the documents that the Applicant has received from the Landowner's agent. Since the Heads of Terms were issued in March 2023 (in their original format), no formal comments have been received from the Landowner's agent on the Heads of Terms themselves.**
- **The Applicant issued to Mr and Mrs Scott revised Heads of Terms with a commercial offer on 11 July 2024** in respect of the construction and operational access.
- No recent meetings have been held with the landowner's agent, as the Applicant has been awaiting feedback on the Heads of Terms, which has not been forthcoming. The Applicant has requested specific feedback from the landowner's agent in respect of the individual landholding, but this has not yet been received. This approach was clarified to the land interest's agent via spreadsheet in May 2023.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in correspondence with the Landowner and their agent **since February 2021**.
- **Site meetings** were initially held between **May and August 2021** and the Land Interest attended a **consultation event in July 2021**.
- The Land Interest expressed concerns about the impact of the proposed cable installation works on the paddocks, proximity of the proposals to their dwelling and business, and inclusion of a third additional Land Registry title of theirs within the boundary of the cable corridor, which seemed unnecessary.

- Subsequently, the boundary was amended to avoid one of the three Titles originally included within the PEIR boundary and the boundary reduced over the paddock land to reduce the impact on the paddocks. **This was presented at a site meeting in May 2022.**
- **Heads of Terms were issued in March 2023**
- **On 5 June 2023, an email was sent to the landowner and their agent to enquire about an area of unregistered land located at the northern tip of the driveway owned by the landowner.**
- In addition, in conjunction with other landowners an alternative route was suggested at a meeting in August 2021. This route is known as Option C (and is detailed at within the Letter which was included at Appendix 17 within Applicant's Responses to Relevant Representations [REP1 -017] and involved a re-route that would by-pass the land interest's landholding entirely.
- **On 23 October 2023, the land interests agent confirmed they would like to work towards progressing discussions on the Heads of Terms and reach agreement.**
- **Chaser emails were issued to the Land Interests agent in December 2024, March 2024 and April 2024.**

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- Subsequently, the route was amended to remove the additional Title, and reduce the total area of the paddocks impacted by the cable route proposals. The new proposals were **presented to the Landowners at a site meeting in May 2022.**
- At a site meeting in May 2021 (as mentioned above) the Land Interest (in conjunction with neighbouring landowners) put forward an alternative route that would bypass their land to the South. This route is known as Option C (and is detailed at within the Letter which was included at Appendix 17 within Applicant's Responses to Relevant Representations [REP1 -017]. The Applicant provided the rationale for why this route had been discounted at the **site visit in May 2022.**

IMPACT ON LAND INTEREST

Artemis Aerospace Ltd

- The Land Interest (Jim Scott) is the **Managing Director of a Company which owns the Freehold Title of paddock land** (plot 25/6) which is affected by the proposed Rampion 2 **cable route, located to the east of the main residential building.**
- The Land Interest owns pasture/ paddock land affected by the proposed Rampion 2 cable route. There is a proposed HDD compound located within the field in order to provide the necessary temporary infrastructure for the construction compound.

James & Deborah Scott

- The Land Interest (Mr & Mrs Scott) **own a driveway to their residential property and business** (Plot 25/7, 25/8 and 25/9) which is proposed to be used as a Rampion 2 **construction and operational** access.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing for the equine paddocks.
- **Temporary use of the driveway for 'light construction access'.**
- **An easement lasting for 99 years to provide access for the Project during the operational stage, which is proposed to be used infrequently for maintenance purposes.**

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/accesses/fencing

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **The landowners agent has sent a detailed response on the Option and Easement documentation via email.**
- **The Applicant responded on these queries on 30 July 2024 and is awaiting a response from the land interest's agent.**
- **The Applicant is also awaiting a response on the Heads of Terms which were first sent in March 2023 and then re-sent with a commercial offer in July 2024.**
- **The Applicant is awaiting specific feedback on the Heads of Terms in respect of the impact on both Artemis Aerospace Ltd and James and Deborah Scott.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent by Carter Jonas (CJ	24/11/2020	Letter
Lucy Tebbutt (LT) emailed Jim Scott (JS) of Artemis Aerospace Ltd (AA) - intro email	18/12/2020	Email
Jim Scott emailed Richard Fearnall (RF) to confirm he had appointed Robert Crawford Clarke (RCC) as advisor. RF responded.	27/01/2021	Email
LT emailed final licence and plan to RCC	10/05/2021	Email
RCC confirms re Artemis signing the licence: Artemis will sign the licence. Requested further engagement from CJ and a site meeting to discuss issues arising, etc.	12/05/2021	Email
LT sent summary of issues to RCC	20/05/2021	Email
RCC responds to LT with updates	21/05/2021	Email
SITE MEETING - RCC and Nigel Abbott (NA) attend	21/05/2021	Site Meeting
RCC emails Jim Scott: Regarding the statutory process and survey access.	25/05/2021	Email
Jim Scott responds to RCC: Concerns over long terms impact on land caused as a consequence of the project. Commitment requested from Carter Jonas Access on private rights of way, extent of working area, programme of works, extent of rights to be acquired and associated liabilities and levels of compensation payable. (26/05/2021	Email
Jim Scott's above concerns are forwarded to NA on 26th May	26/05/2021	Email
S.172 documentation issued via email to RCC. Also sent in the post	27/05/2021	Email
Email from RCC requesting response on issues raised by RCC and JS in correspondence to NA	28/05/2021	Email
RCC chases LT for confirmation on whether s.172 can be withdrawn following answer to queries. Also, forwarded the email chain with the queries from 26/5/21	04/06/2021	Email

<p>LT provides answers to Jim Scott's queries as set out in the email of the 26/5/2021 on access on private rights of way, extent of working area, programme of works, extent of rights to be acquired and associated liabilities and levels of compensation payable. Details passed across to the Applicant in advance of the Formal Consultation.</p> <p>The survey Statutory Notice served on 27/05/2021 is still in place, with access possible from 11/06/2021. It is our priority to agree a signed licence with landowners where possible.</p>	07/06/2021	Email
<p>Follow up email from LT to RCC regarding s.172 - with associated documentation attached. Requirement to undertake environmental surveys in connection with the Rampion 2 project. Details of Notice under s172 of the Housing and Planning Act 2016 served on 11 June 2021, referred to in correspondence dated 27 May 2021.</p>	07/06/2021	Email
<p>Request for Information reminder letter sent by CJ</p>	10/06/2021	Letter
<p>Jim Scott emails LT: request when access will be required and do not intend to unnecessarily obstruct required surveys.</p>	10/06/2021	Email
<p>Section 42 letter sent</p>	14/07/2021	Letter
<p>Landowner Surgery - 4pm – Rampion representatives met with Mr Scott.</p>	22/07/2021	Landowner Surgery
<p>Site Meeting - Simon Mole, Eleri Wilce and Jim Scott of RWE attended - notes on file</p>	23/07/2021	Site Meeting
<p>Jim Scott emails Eleri Wilce: Meeting more useful than expected. Details of proposed works requested so required discussions can take place in advance of works to mitigate impact.</p>	26/07/2021	Email
<p>Eleri Wilce responds to JS's email and JS responds</p>	28/07/2021	Email
<p>SITE MEETING - Naren attends, Eleri Wilce, RCC, LT and Darren from Wood Simon Kilham attended with RCC</p>	11/08/2021	Site Meeting
<p>Site meeting notes sent to RCC</p>	24/09/2021	Email
<p>Email from LT to JS re upcoming geophysical surveys</p>	20/10/2021	Email
<p>Email from RCC to LT: Jim Scott is not prepared to grant any survey access.</p>	26/10/2021	Email
<p>Email chain between RCC and LT re a statutory S172 notice for survey access is in place. LT re sends the documentation on 26th Oct 21</p>	26/10/2021	Email

Email from JS re Upcoming Geophysical surveys: Update on survey access requirements requested	20/12/2021	Email
LT emails JS re upcoming geophysical surveys: programme for geophysical surveys have been delayed. Remaining surveys proposed through to the end of February 2022. Surveyors will contact you 24 hours before the intend to arrive.	11/01/2022	Email
LT emails JS re upcoming surveys and provides an up to date licence	23/03/2022	Email
JS confirms via email that he does not want to sign a licence	05/04/2022	Email
LT emails JS about a site meeting to discuss the responses from the consultation and findings which will inform the upcoming consultation. JS responds on same day requesting timescales. LT responds. Further responses from RCC to LT on 16/05/2021	10/05/2022	Email
SITE MEETING - LT, WG and RCC attended Explained current proposals / minor changes on the land	16/05/2022	Site Meeting
LT emails JS re new survey licence and upcoming EDNA surveys	18/05/2022	Email
Email response from JS, LT responds saying that the previous EDNA surveys were inconclusive	19/05/2022	Email
Email to JS re survey access for geophysical surveys	13/06/2022	Email
LT emails JS re bat surveys	16/06/2022	Email
JS confirms via email he is happy for surveys to take place	17/06/2022	Email
Email from JS to LT re surveys and requesting meeting notes	17/06/2022	Email
RCC chases for meeting notes	15/06/2022	Email
LT emails JS re upcoming surveys and attached the meeting notes	17/06/2022	Email
JS requests a copy of the latest route map	21/06/2022	Email
JS sends a chaser email	25/07/2022	Email
Will Gullett (WG) Responds to JS	25/07/2022	Email
LT emails JS regarding maps and bat surveys	03/08/2022	Email
LT emails RCC re Bat surveys, JS responds and LT responds again re geophysical surveys	02/09/2022	Email
Section 42 letter sent	14/10/2022	Letter
LT emails JS to check if consultation documents arrived and to request access for geophys surveys	26/10/2022	Email
JS confirms receipt of email and that he is happy	28/10/2022	Email
Survey licence not pursued for renewal with AA as he is allowing verbal access		
LT emails JS re noise surveys	14/02/2023	Email
JS replies and requests reasoning behind noise surveys	14/02/2023	Email
LT replies that they are to measure baseline noise levels - especially when HDD is nearby	15/02/2023	Email
RCC requests clarification of location of Noise equipment	20/02/2023	Email
LT responds that the location has been chosen by the ecologists to best understand base line noise levels	20/02/2023	Email

Email from JS to LT:Proposed location of noise surveys on southern boundary where likely most affected by the sight and sound of the proposed works. Request key terms from the Applicant	10/03/2023	Email
LT responds to JS email from 10th about passing on information and location of the noise monitoring equipment	10/03/2023	Email
JS replies:Location of noise level equipment accepted and key terms awaited.	10/03/2023	Email
Email to JS re noise surveys	13/03/2023	Email
JS outlines in an email to LT awaiting contact from LT	13/03/2023	Email
Key terms provided by Email to Jim Scott of Artemis Aerospace (with agent RCC cc'd in)	15/03/2023	Email
Query from RCC as to why JS has been given terms first	15/03/2023	Email
JS confirms receipt of the key terms	15/03/2023	Email
<p>Carter Jonas has sought to engage in meaningful negotiations with the Land Interests which have included: -</p> <ul style="list-style-type: none"> • In April 2023, a group of agents, to include Robert Crawford-Clarke, responded collectively with comments on the Key Terms included within an excel table. • In May 2023, an updated spreadsheet with Carter Jonas comments on the issues raised was then circulated by Carter Jonas via email, to the same group of agents for comment. • No further responses were received from the agents specifically relating to the spreadsheet. • In June 2023, Carter Jonas emailed the same group of agents, where it was confirmed that on the basis no response had been received on the issued responded to in May 2023, as set out within the spreadsheet, going forward there would be ongoing dialogue with individual agents in relation to specific landowner queries. • Subsequently, Carter Jonas began discussions with various agents in relation to landowner specific details within the Key Terms. 		
Email to landowner notifying them that the DCO has been submitted from LT	14/08/2023	Email
NA sent email to landowner re DCO acceptance	08/09/2023	Email
Section 56 Letter sent	25/09/2023	Letter
Email was sent to the land interest's agent requesting confirmation on whether one of his other clients would like to work towards a	17/10/2023	Email

voluntary agreement in principle based on the proposed route, prior to sending the documentation.		
Conversation between VP/ LT and RCC requesting confirmation from RCC that his clients would like to work towards progressing a voluntary agreement. This followed the email sent on 17/10/2023 to another of his client's which put the request for confirmation in writing.	20/10/2023	Telecom
RCC emails LT - confirming that AA wants to work towards agreeing Key Terms: Following recent conversations with LT and Vicky Portwain (VP) draft option and easement documentation awaited to enable response on the heads of terms Question over timing of issuing of draft documents and Applicant reasoning. JS is prepared to work towards agreeing the heads of terms and signing the option and easement in principle	23/10/2023	Email
LT sends option and easement documentation to RCC and feedback sought.	24/10/2023	Email
LT sends a chaser email to RCC and confrims awaiting feedback on the key terms.	21/12/2023	Email
RCC responds to LT's email - saying he is awaiting feedback from VP and NA about fees for reviewing before he can progress	22/12/2023	Email
Chaser Letter Sent	22/03/2024	Letter
Chaser letter sent to RCC via email	25/03/2024	Email
RCC requested plans for all landowners, LT requested clarification on 25/04/2024 then chaser on 29/05/2024	12/04/2024	Email
LT responded re plan	25.04.2024	Email

RCC sends clarification, LT sends holding email	29/05/2024	Email
Conversations between RWE, LT and RCC regarding plans between 29/05 and 11/06	29.05.2024 - 11.06.2024	Email
Email to Land Interest' Agent attaching amended plan to accompany the HOTs	03/06/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Agent confirms via email that he is <i>'currently in the process of meeting all clients to go through the draft option and easement and the HOTs' so I can let you have agent level comments and responses thereon</i> .	11.06.2024	Email
The land interest's agent sent over tracked changes documents with general comments on the Option and Easement documentation, but no specific feedback was received in respect of the land interest on the Heads of Terms	01/07/2024	Email
Revised Key Terms Sent Via Post	03 & 11/07/2024	Letter
Applicant responds to the land interest's agent with feedback on the comments within the Option and Easement documentation.	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.