

# Rampion 2 Wind Farm **Category 4:** **Compulsory Acquisition** **Land Engagement Reports:** **Washington Parish Council**

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

Application Reference: 4.6.40

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

Ecodoc Reference: 005279559-01



## Document revisions

---

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

---

<b>LANDOWNER/ LAND INTEREST NAME:</b>	Washington Parish Council	<b>URN on LRT:</b>	084
<b>AGENT:</b>	Guy Streeter (Savills)	<b>Relevant Rep Ref:</b>	RR-413 RR-414
<b>PROPERTY NAME:</b>	Washington Recreation Ground 3.52 acres within DCO Order Limits (potentially affected by scheme)	<b>Other Document References:</b>	PEPD-112 REP2-073 REP3-141 REP5-151
<b>LAND INTEREST:</b>	Category 1 Works 09 – Cable Installation Works HDD Section under Recreation ground	<b>PLOT No:</b>	22/8, 22/9 – Open Space only 22/8 – Allotment Only 22/11 – Unregistered Land

#### STATUS

The Applicant has consulted with the Landowner in its capacity as a Council and as a landowner, over the period 2021 to 2024.

The land affected by the development includes a recreational field and allotments, within Washington Village. This section of the works is identified for a trenchless crossing/ Horizontal Directional Drill (HDD) in order to minimize the impact to the users of the land and to cross the adjacent roads.

This section of the route is proposed to be constructed using HDD methodology. The Property is used as a recreation ground and allotments and is located within the centre of Washington.

The Applicant has consulted with the Landowner since January 2021 and assessed an alternative route proposed by the Landowner in conjunction with other neighbouring landowners, known as the 'Wiston Blue Route'. The latest set of responses explaining why the alternative route was ultimately discounted by the Applicant has been provided within the Applicant's response to the Wiston Estate's Deadline 4 and Deadline 5 Submissions [REP-070] [REP5-122].

The Landowner also expressed concern about the proximity of a construction compound to the village of Washington and in particular traffic and road safety which the Applicant consulted on as part of the first Statutory Consultation.

The Applicant understands that the Landowner has recently appointed a new land agent at Savills, however the Applicant is yet to receive any feedback from the Landowner's agent on the draft Heads of Terms, despite numerous follow up emails. The latest correspondence is an email from the agent (on 25 July 2024) requesting an undertaking for costs.

#### NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- Heads of Terms were issued on **3 March 2023** and the Landowner confirmed that they would like to work collaboratively with the Applicant to agree terms in **February 2024**.
- The Applicant sent the Landowner a Letter in **March 2024** regarding feedback on the Heads of Terms/ concerns over, which was followed up by further email correspondence in **April 2024**.
- An online teams meeting was held in **May 2024** to confirm the Applicant's position on fees for professional advice and an email was sent after the meeting to the Landowner's Agent to confirm the next steps to progress negotiations.
- Applicant sent over **updated Heads of Terms in June 2024**, and is awaiting a response from the Landowner's Agent on the key terms.

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

- The Applicant sent a letter to the Landowner on **6 June 2024** to clarify the position in respect of fees for professional advice.
- Revised Heads of Terms were sent directly to the Landowner (via post) on **the 25 June 2024**. These contained an enhanced commercial offer to progress discussions and reach agreement.
- **Following the email to the Landowner's potential new agent (sent on 14 May 2024), the Applicant sent a follow up email seeking a response on 29 May 2024.**
- **On 28 June 2024 the Applicant received a response from the agent via email** with further questions on fees but no response on the draft Heads of Terms.
- **The Applicant followed up with the Landowner's Agent via telephone and emails on the 8<sup>th</sup> July 2024 and 25<sup>th</sup> July 2024 to confirm their instruction and to get feedback on the revised Heads of Terms.**

## **LANDOWNER ENGAGEMENT (2021 to 2024)**

- The Applicant has been in regular correspondence with the Landowner and their agents since January 2021.
- The Applicant met with the Landowner in **February 2021** during initial non-statutory consultation.
- The Applicant then met 2 Washington Parish Councillors at a Landowner Engagement Meeting in **August 2021**.
- The Applicant has had various email and telecom correspondence over the period since 2021.
- The Applicant responded to the **Washington Parish Council's Relevant Representation (RR-413)** to clarify the following points:
  - Evolution of the design process
  - Details on the Temporary construction compound on Wiston Estate Land north east of Washington
  - Potential environmental effects of the proposals
  - Fees
- An online Teams call was held in May 2024 to understand the Council's concerns regarding fees which had been clarified in an email dated 30 January 2024.

Further detail on Engagement can be found within the Schedule below.

## **ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST**

- The Landowner proposed an alternative route in conjunction with other neighbouring Landowners. The Applicant considered this suggested alternative amongst others and deemed this not appropriate due to technical engineering and environmental grounds. Specifically in relation to the pinch point of the proposed route crossing a gas pipeline in the vicinity of ancient woodland. With impact on hedgerows, due to the need of a track forming the South Downs Way to be widened, also a factor.
- The Applicant met the Landowner on the **4<sup>th</sup> July 2022** and then the Applicant communicated the rationale and decision making process for not progressing the route to consultation at a **Parish Council meeting on the 21<sup>st</sup> November 2022**.

## **IMPACT ON LAND INTEREST**

- The Landowner owns land which forms a recreation ground and allotments that is affected by the proposed cable route. This section of the route is proposed to be constructed using HDD methodology.
- The Landowner is also concerned about the proximity of a construction compound to the village of Washington and in particular traffic and road safety.

## **IMPLICATIONS OF IMPACT**

- **There will be no temporary impacts during the construction works on the Property as the Applicant proposes use of a HDD Methodology to drill underneath the land and the adjacent highways which will have no impact to the surface of the affected land.**

The Applicant will require an easement over the Property to be in place post construction which will place some restrictions on the use of the land to ensure the protection of the Applicant's cable, but this would not affect any of the current or proposed future uses of the Property.

## **PROPOSED MITIGATION**

- **The land will be subject to a trenchless crossing, limiting all impacts to surface users of the land, and therefore no additional mitigation is required.**

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

- The Applicant has attempted to agree on the Landowner's professional agent's fees. However, the Landowner's new Land Agent responded on 25th July 2024, asking for a fee undertaking. The undertaking is significantly higher than requested by all other land agents of the same level, even those dealing with longer and more complicated sections of the works and therefore the Applicant has requested further justification for the fee undertaking sought by the Landowners agent. The Applicant therefore expects that it will not receive feedback on the draft Heads of Terms until the fee matter has been resolved.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter posted to Washington Parish Council (WPC) by the Carter Jonas (CJ) Land Referencing team	24/11/2020	Letter
Phone call between Richard Fearnall (RF) and the Clerk to the Parish Council	14/01/2021	Telecom
Richard Fearnall of Carter Jonas emails the Clerk thanking her for the phone call and directs her where queries can be logged.	14/01/2021	Email
Correspondence between the Clerk, RF and Chris Tomlinson organising an in person meeting	25/01/2021	Email
<b>The Applicant met with 9 Washington Parish Councillors and a schools rep on 1st Feb 2021 during non-stat consultation</b>	01/02/2021	Site Meeting
Email from CJ to the Clerk making introduction and discussing surveys	21/04/2021	Email
The Clerk replies and requests that Councillors are all cc'd into future correspondence	26/04/2021	Email
The Clerk sent minutes to CJ	27/04/2021	Email
Email summary of queries raised by WPC sent by Emily Village (EV) of CJ to Jenn Bryden (JB) of RWE	17/05/2021	Email
Agreement that EV was going to follow up queries with the Clerk	19/05/2021	Email
JB engages directly with the Clerk.	25/05/2021	Email
Correspondence between the Clerk and EV who requests survey access	14/06/2021	Email
s.42 letter posted	14/07/2021	Letter
The Clerk confirms landowner engagement meeting arrangement	31/08/2021	Email
<b>Landowner engagement meeting - 6pm - meeting in car park of Village Hall. Two Councillors also attended.</b>	02/09/2021	Engagement Meeting
Lucy Tebbutt (LT) emails the Clerk requesting details of the allotment tenants at Washington	25/10/2021	Email
The Clerk responds with tenancy details attached.	27/10/2021	Email
EV emails the Clerk asking if the councillors had received the responses to the queries they raised	20/01/2022	Email
EV chases the Clerk for a response	26/01/2022	Email
Email from EV to the Clerk requesting a site meeting (also sent on 4th May). The Clerk responds saying it is best for the licence to be discussed in the Council Meeting dated 4th July	03/06/2022	Email
Meeting at Council, Chris Tomlinson attended	04/07/2022	Engagement Meeting
s.42 letter sent	14/10/2022	Letter
<b>Site Meeting/ Presentation - Mark Henry and Nick Coombes of RWE presented to the Council</b>	<b>07/11/2022</b>	<b>Engagement Meeting</b>
Email from the Clerk to the Applicant	09/11/2022	Email
Nick Coombes confirms with the Clerk attendance at the council meeting	17/11/2022	Email
<b>Meeting with WPC at the Village Hall. James D'Alessandro (JDA) and LT attended with a presentation</b>	21/11/2022	Other

Email correspondence from the Clerk thanking JDA and LT for attendance at the meeting and for answering questions	23/11/2022	Email
Detailed response received on second Statutory Consultation 2022 response from the Clerk of WCP. Issues addressed: - <ul style="list-style-type: none"> <li>Route modification and realignment from Route Option A – explanation requested</li> <li>Objection to Route Option B and Modifications to include new construction routes with associated visual impact and traffic</li> <li>Comments on Construction Transport Management Plan (CTMP)</li> <li>Drilling Compounds and noise</li> <li>Impact of rights required on future development</li> <li>Professional fees</li> </ul>	02/12/2022	Consultation Response
JDA emails the Clerk with a summary of the key terms and response to questions raised	23/12/2022	Email
The Clerk emails JDA directly with some further queries	27/02/2023	Email
Key Terms Document sent to WPC with associated plan, ahead of their Council meeting on 06/03/2023	03/03/2023	Email
LT emails the Clerk requesting access for noise surveys and attaching a survey licence and payment information form	19/04/2023	Email
Email from the Clerk suggesting this will be discussed at the next parish council meeting	20/04/2023	Email
<ul style="list-style-type: none"> <li>Email from LT to the Clerk on project issues: Survey Licence Horizontal Directional Drilling (HDD) and Construction Compound (CC) location - noise</li> <li>Heads of Terms (HOTs) Allotment Tenants</li> </ul>	17/05/2023	Email
The Clerk forwarded updated allotment schedule	19/05/2023	Email
The Clerk responds to LT's email:	19/05/2023	Email
Email from WPC summarising their queries to the proposed HOTs attached.	15/06/2023	Email
<b>Letter received from WPC - HOTs queries - fees</b>	<b>17/06/2023</b>	<b>Letter</b>
LT responds by email	29/06/2023	Email
<b>The Clerk responds – Requesting fee cap and payment timings be lifted</b>	29/06/2023	Email
<b>Email notifying landowner of the DCO application from Lucy Tebbutt</b>	14/08/2023	Email
LT responds to the Clerk with response on fee cap	30/08/2023	Email
<b>Nigel Abbott of CJ (NA) emails the Clerk re acceptance of the DCO:</b>	08/09/2023	Email
The Clerk acknowledges receipt of the email	11/09/2023	Email
<b>LT emails the Clerk with a formal response to the letter dated 13th June 2023.</b> LT requests requirement for a noise monitoring survey	<b>20/09/2023</b>	<b>Letter</b>
s.56 letter posted	25/09/2023	Letter
Telephone conversation with the Clerk re next steps	17/10/2023	Telecom
Email follow up with the Clerk re actions surveys, next steps, key terms and agents fees	17/10/2023	Email

Correspondence between the Clerk and LT regarding the noise monitoring survey and payment	25/10/2023	Email
LT chases the Clerk regarding address for an occupant who they are struggling to contact due to Royal Mail returning letters	30/10/2023	Email
<b>LT Emails the Clerk</b> Confirmation that WPC as Trustee of the Washington Recreation Ground Charity submitted a Relevant Representation to PINS under reference RR-414. Clarification sought as to area of land which WPC is the Charity Trustee of the Washington Recreation ground.	19/12/2023	Email
LT responds to an email from the Clerk re the Charity as an occupier and seeks clarity on the Council's decision re commercial negotiations	15/01/2024	Email
LT sends a chaser email to the Clerk re questions asked on email dated 15th Jan	29/01/2024	Email
LT responds to an email from the Clerk re fees,	30/01/2024	Email
Letter received from Washington Parish Council Confirming willingness to reach an agreement	20/02/2024	Letter
LT chases the Clerk - HoTs review	20/03/2024	Email
LT issued a chaser Letter	23/03/2024	Letter
Email received from the Clerk with attachments	27/03/2024	Email
<b>LT Emails the Clerk</b> Refer to my email dated 30 January 2024 - clarifies the position on fees.	15/04/2024	Email
Email received from the Clerk - Head of Terms - WPC initial comments 8th Apr 2024. > changes to the HoTs, fee cap & compensation	15/04/2024	Email
<b>Email from The Clerk re</b> Meeting date to Survey licence, fees, route alignment	20/04/2024	Email
Online Meeting with Washington Parish Council Members - Discussion of agent's fees and rates - Discussion of fees relating to 2011 Charities Act	09/05/2024	Online Teams Meeting
Email to Washington Parish Council members - Confirming actions: 1 – RICS Practice Statement document on fees 2 – The Clerk to obtain view from agent on fees. 3 – Additional fees - Charities Act 2011.	09/05/2024	Email
Email received from the Clerk - Confirming actions	09/05/2024	Email
<b>Email from Guy Streeter (GS) (Agent for WPC):</b> Addressing professional fees and Charity Act report and impact on allotments	13/05/2024	Email
<b>LT responds to Guy Streeter</b> - Attached RICS Practice Statement - Reconfirmed fee payment and survey rights - Confirmed allotments not directly affected	14/05/2024	Email
<b>LT sends chaser email to Guy Streeter</b>	29/05/2024	Email
<b>Agent's Fees Clarification Letter Sent</b>	06/06/2024	Letter
<b>Revised Key Terms Sent Via Post</b>	25/06/2024	Letter

<b>Email from Guy Streeter</b> - Wishing to clarify situation on fees and DCO process	28/06/2024	Email
<b>Harry Hyde of RWE Emails Guy Streeter</b> - Introducing himself and requests contact	08/07/2024	Email
<b>Email from Harry Hyde to Guy Street requesting confirmation whether he is instructed by Washington Parish Council</b>	25/07/2024	Email
<b>Email response from Guy Street requesting an undertaking</b>	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.