

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
James Alfred Charles Hyatt and
Lorraine Hyatt

Date: August 2024
Revision A

Application Reference: 4.6.76
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279625-01



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:	James Alfred Charles Hyatt & Lorraine Hyatt	URN on LRT:	127
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Westridge Place 7.27 acres with DCO Order Limits (potentially affected onshore connection works) 0.18 acres affected by potential operational access by scheme	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 and Category 2 Works 13 - Temporary Construction Access Works 15 - Operational Access Works 19 - Onshore connection work	PLOT No:	34/3, 34/4, 34/5, 34/6, 34/7, 34/8, 34/10, 34/15
<p>STATUS</p> <p>The Applicant has been in correspondence with the land interest and their agent since March 2021. The Applicant has consulted via the Statutory process, held site meetings at the land interest's property and assessed an alternative route put forward by the Landowner in an attempt to reach agreement as part of the negotiations, demonstrating meaningful consultation and engagement.</p> <p>The Landowner owns pasture land impacted by the Onshore cable connection works (Plots 34/3, 34/4). This land is understood by the Applicant to have planning consent for an equestrian carriage driving track. The landowner also owns woodland affected by a potential construction access (Plot 34/7 and 34/8). In addition, the Landowner has rights over unregistered land (Plots 34/5, 34/6 & 34/15) being adopted highway and verge, as well as additional access rights over a private access track which is a proposed operational access (Plot 34/10).</p> <p>Site meetings have been held on 19 March 2021 and 31 October 2022 (where an alternative route was shown to the Applicant).</p> <p>Heads of Terms were issued on 31 July 2023. The Applicant maintained correspondence with the Landowner and their Agent throughout 2023 and 2024 before issuing revised Heads of Terms on 28 June 2024. The Applicant has been negotiating with the Landowner's Agent as to the nature of the terms and believes that there are no outstanding matters. The applicant has sought to provide information and commitments where possible to overcome their concerns (such as the inclusion of a trenchless crossing/ HDD within the design and assessing an alternative route option put forward by the land interest). However, the land interest is currently marketing their house for sale and is therefore not engaged on agreeing Heads of Terms. The Applicant will continue to negotiate and hopes that a voluntary agreement could be reached before the start of any works.</p>			
<p>NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS</p> <ul style="list-style-type: none"> An alternative route was reviewed and assessed by the Applicant in October 2022 which was put forward by the land interest. This was reviewed and considered by the Applicant, but not taken forwards to consultation owing to proximity to NGET infrastructure challenges in this location. A trenchless crossing/ HDD was also introduced to install the cable underneath Wineham Lane and also to avoid the driveway on the land interest's property. Heads of Terms were issued on 31 July 2023. An email chaser was sent to the land interest's agent in October 2023 and December 2023. The Option and Easement documentation was sent to the land interest's agent on 13 February 2024. The Applicant sent the Landowner a Letter in March 2024 regarding feedback on the Heads of Terms. This was followed up by an email to the Landowner's Agent and the Landowner in April 2024, requesting feedback on the Heads of Terms. The Applicant sent another email in May 2024 to the Landowner's Agent and Landowner following up on previous correspondence. The Applicant sent updated Heads of Terms on 28 June 2024. 			
<p>PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1</p> <ul style="list-style-type: none"> A Letter was sent to the land Interest on 6 June 2024 to confirm the project's position in relation to fees for professional advice. 			

- A meeting was held with the Land Interest's agent on 12 June 2024 to discuss outstanding concerns preventing the progression of the Heads of Terms.
- The Applicant sent an email to the agent summarising these points on 21 June 2024.
- The Applicant also issued revised Heads of Terms (with a commercial offer to progress discussions and reach agreement) on 28 June 2024 (sent direct to the Landowner by post) and is awaiting a formal response.
- The Applicant spoke with the agent on the phone on 5 July 2024 and had an on-line teams meeting on 8 July 2024.
- Further online teams meetings were held on 24 July 2024.
- The Applicant understands there are no outstanding matters to be addressed.
- The land interest is currently marketing their house for sale and is therefore not engaged on agreeing Heads of Terms. The Applicant will continue to negotiate and hopes that a voluntary agreement could be reached before the start of any works.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Land Interest and their agents since March 2021.
- A Site meeting was initially held in March 2021 to introduce the Landowner to the scheme.
- Another site meeting was held in October 2022.

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- In October 2022 the Applicant held a site meeting with the agent present, where an alternative route was proposed by the Land Interest.
- The Applicant assessed this alternative route, however, there were too many constraints in order to progress the Landowner's requested routes.

IMPACT ON LAND INTEREST

- The Landowner owns pasture land, part of which is subject to a planning consent for a carriage driving track affected by potential onshore connection works and operational access.
- The access to the Landowner's residential dwelling is affected by a potential construction access.

IMPLICATIONS OF IMPACT

- Temporary loss of grazing/ crop loss.
- Temporary severance of pasture land.

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/ accesses/ fencing
- The Applicant will maintain the access to the Landowner's residential dwelling.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Landowner's Agent has informed the Applicant that they are in the process of marketing the property and as a result are less willing to consider discussion regarding the Heads of Terms.
- The Applicant has sought to provide information and commitments where possible to overcome their concerns.
- The Applicant will continue to negotiate and hopes that a voluntary agreement could be reached before the start of any works.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory project letter from Carter Jonas (CJ) land Referencing.	24/11/2020	Letter
CJ had a phone call with Mr Hyatt (JH)	08/03/2021	Telecom
CJ emails Mr Hyatt confirming appointment. Requesting requirements for surveys and on site meeting	09/03/2021	Email
Doug Edwards (DE) emails CJ to inform of instruction	10/03/2021	Email
Email correspondence with Douglas Edwards re project and initial site meeting.	10-12/03/2021	Email
Introductory project meeting – Will Gullett (WG), Doug Edwards (agent) and Jimmy Hyatt.	19/03/2021	Site Meeting
WG emails DE regarding survey access	14/04/2021	Email
Douglas Edwards emailed WG re survey access concerns	28/04/2021	Email
Lucy Tebbutt (LT) sent bat survey explanation	01/05/2021	Email
WG sent survey licence to DE	12/05/2021	Email
DE informs WG that Messrs Hyatt will not enter into a licence, but will allow survey access with prior notification	20/05/2021	Email
DE informs WG that Rowan Allan (RA) will be taking over	24/05/2021	Email
WG emails RA to confirm	07/06/2021	Email
WG sent all associated documentation to RA	09/06/2021	Email
Chaser from WG to RA re survey licence	15/06/2021	Email
WG requested access for surveys	16/06/2021	Email
WG requested access for further surveys	29/06/2021	Email
WG call and email correspondence with Jimmy Hyatt re not allowing survey access.	13/07/2021	Email
Statutory letter - section 42	14/07/2021	Email
WG sends survey details	19/07/2021	Email
LT informs surveys have been postponed	26/07/2021	Email
WG requests further surveys, JH denies	25/10/2021	Email
WG requests reasoning for not allowing access	26/10/2021	Email
JH suggests an alternative route as he has horses	26/10/2021	Email
WG emails JH re survey licence	15/03/2022	Email
WG requests survey access, JH refuses	25/05/2022	Email
WG requests pond survey, JH confirms no access	07/06/2022	Email

WG sends JH a scheme update	13/07/2022	Email
WG sent further survey request	29/07/2022	Email
JH confirmed no surveys can take place on his land	04/08/2022	Email
WG requested site meeting	01/09/2022	Email
WG requested site meeting from RA, various correspondence re meeting date and time	21/09/2022 - 04/10/2022	Email
2nd site meeting with RA, LT, WG and Jimmy Hyatt. Discussed existing land holding and site requirements and reviewed revised alignment	13/10/2022	Site Meeting
Email from RA re site plan for new land acquired by Jimmy Hyatt.	14/10/2022	Email
Statutory letter - section 42	14/10/2022	Email
WG asked RA to confirm transfer date, RA confirms	19/10/2022	Email
WG sent further survey request	26/10/2022	Email
WG sent JH query re horses	28/10/2022	Email
RA sent consultation response	24/11/2022	Email
WG requests site meeting for engineers, RA agrees	02/12/2022	Email
RA requests update from WG, WG provides update	08/12/2024	Email
Email to RA & JH re re-route not possible.	23/03/2023	Email
Email to RA & JH re survey access. Access was declined.	26/04/2023	Email
Key Terms Letter Sent by CJ	31/07/2023	Key Terms Issued
Email to landowner detailing that the DCO has now been submitted	14/08/2023	Email
Nigel Abbott (NA) emails JH informing of examination	08/09/2023	Email
Statutory letter - section 56	25/09/2023	Email
LT sends summary table of key points	31/10/2023	Email
Chaser from LT to RA re Key Terms	20/12/2023	Email
Further chaser from LT to RA re key terms	13/02/2024	Email
Chaser from LT to RA regarding key terms	20/03/2024	Email
Chaser Letter Sent by LT	22/03/2024	Letter
LT sends RA chaser letters previously sent	25/03/2024	Email
Email sent to Messrs Hyatt requesting feedback on HoTs and suggesting Teams call alongside RA	25/04/2024	Email
Email sent to Messrs Hyatt and RA requesting feedback on HoTs and suggesting in person or Teams call	31/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Meeting with RA to discuss the HoT and understand outstanding 'blockers'	12/06/2024	Meeting at the agent's office
LT sent chaser to RA and updated table of proposed actions	21/06/2024	Email

Further chaser email from LT with updated actions	27/06/2024	Email
LT issued revised Key Terms Letter	28/06/2024	Letter
LT issued revised Key Terms email to RA	08/07/2024	Email
Online Teams meeting with RA to discuss Heads of Terms	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.