

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
Fiona Douglas and Denton and Co
Trustees Limited

Date: August 2024
Revision A

Application Reference: 4.6.59

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

Ecodoc Reference: 005279596-01



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:	Fiona Douglas & Denton Trustees	URN on LRT:	109
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Land adjoining Barns Farm House 19.69 acres with 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 13 – Temporary Construction Access Works 15 – Operational Access	PLOT No:	Cable Route 20/7, 20/8, 20/9, 20/10, 21/1, 21/2, 21/3, 21/4, 21/5, 21/6, 21/7, 21/20, 21/21 Construction Access Operational Access

STATUS

The land affected by the proposed cable installation work is owned by Fiona Douglas and a pension fund for Fiona Douglas, which is administered by Denton Trustees.

The Applicant has consulted with the Landowner and their Agent since February 2021. At the request of the Landowner (in conjunction with their tenants) the cable route was amended (MR-06 within the 2022 consultation booklet) to move it as far south as possible towards the southern field boundary to avoid an artesian well and to reduce impacts on gallops as far as practicable, after a site meeting in August 2021.

The Landowner's fund owns arable and pasture land (currently under an arable farming agreement) affected by the proposed Rampion 2 cable route, construction and operational access. A strip of the land to the south of the landholding which is currently surfaced as a gallops is let to Richard Rowe Racing. The cable installation works overlap with the southern tip of the gallops although the majority of the gallops are located to the north of the cable route.

In addition, the Landowner's residential property is accessed via a lane included within the Order Limits as a proposed permanent operational access.

The Applicant issued Heads of Terms on 16 March 2023 and met with the Landowner at site meetings in November 2023 and January 2024. These Heads of Terms were revised and reissued with a commercial offer to progress negotiations on 25 June 2024.

The Applicant sent an email to Fiona Douglas on 27 July 2024 with a number comments on the project. From conversations with the Landowner's agent, the Landowner is amenable to progressing discussions on the Heads of Terms. However, the agreement may take time for review by solicitors given the land affected by the proposed cable route is owned by a trust. The Applicant is awaiting details of solicitors to progress the review of the Option and Easement documentation and reach agreement. The Applicant spoke with the landowner's agent on 30 July 2024 and understands he is due to meet with the landowner on 2 August 2024 and the Applicant is expecting an update following this.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 16 March 2023** incorporating the Landowner's preferred route based on adjustments presented to the Landowner in a **site meeting in April 2022 (following consultation of MR-06)**
- **Site meetings were held in November 2023 and January 2024** to work collaboratively on outstanding issues.
- **An email chaser was sent to the Landowner's agent in October 2023 and December 2023.**
- The Option and Easement documentation was sent to the Landowner's agent on **13 February 2024.**
- The Applicant responded to the Landowner's queries in an email on **the 27 February 2024, which included matters relating to:**
 - Details of how the construction areas have been calculated
 - Book of Reference Plots impacting the Property
 - Statement of Reasons
 - A link to the PINS website
 - Re-attaching the option and easement documentation
 - Summarising the process of signing Heads of Terms and appointing a solicitor.
- **The Applicant sent a Letter in March 2024** to the Landowner requesting feedback on the Heads of Terms.

- **On 30 May 2024, the Applicant sent a chaser email to the Landowner and their agent to request feedback on the Heads of Terms.**
- On 11 June 2024, the Applicant received a response from the Landowner, requesting a solicitor's review of the documentation.
- The Applicant sent over **revised Heads of Terms on 25 June 2024**, and held a **meeting with the Landowner's Agent on 12 June 2024 (at the agent's offices).**
- **On 2 July 2024 the Applicant emailed the Landowner with a summary of the outstanding actions / 'blockers' to progressing the Heads of Terms agreement and is awaiting a response.**
- The Applicant contacted the Landowner to organise a meeting with an ALO on **18 July 2024**. The Landowner was not available, therefore the meeting was delayed until **7 August 2024**.

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- 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 (via post) and via email to the agent. These had a **commercial offer** to progress discussions and reach agreement.
- The Applicant has had various discussions via on-line teams meetings with the agent regarding the Heads of Terms.
- **An in-person meeting was held with the Landowner's agent on 12 June 2024** to discuss outstanding concerns preventing the progression of the Heads of Terms in particular project programme and impact on the gallops.
- **A number of points were raised by the Landowner which were summarised in an email from the Applicant to the agent on 21 June 2024.**
- The Applicant **responded with programme information on 27 June 2024 to the landowner's agent and on 29 July 2024 to the landowner herself.**
- At a meeting with the Landowner's agent in June 2024, mitigation of impacts on the gallops was discussed and it was agreed that further detail would be discussed further to key terms agreement.
- **The Applicant had an online teams call with the landowner's agent who confirmed he was meeting with the landowner on 2 August 2024 and would revert with feedback following the meeting.**
- Details of solicitors are awaited by the Applicant for the progression of the voluntary agreement

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in correspondence with the Landowner and their agents **since February 2021**.
- **Site meetings** were initially held in **August 2021**, where the Landowner expressed concerns about the location of the cable route causing severance within the fields.
- A meeting was held with the Applicant's engineers and Land Transaction manager in **November 2023** where the artesian well, areas of associated flooding and impacts on the gallops were discussed. Locating the cable route as far north as possible within the DCO order limits was discussed to try and reduce impacts on the gallops surface as far as practicable.

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- Following the site meeting in August 2021, the Applicant reviewed the route amendment suggested by the Landowner and included the amendment within the 2022 Consultation (MR-06).
- Subsequently, the route was amended to take a route towards the southern boundary of the field at the Landowner's request. This was presented to the Landowner at a **site meeting in April 2022**.
- Refinements to the cable routing to reduce impacts as far as practicable have also been discussed with the Landowner and will be incorporated into voluntary agreements

IMPACT ON LAND INTEREST

- The Landowner owns arable and pasture land affected by the proposed Rampion 2 cable route, construction and operational access.
- A strip of land is a surfaced gallops used under license by Richard Rowe Racing. The DCO order limits impact directly on the end of the gallops where a turning circle exists.
- In addition, the Landowner's residential property is accessed via a lane included within the Order Limits as a proposed permanent operational access.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing / crop loss (as a result of the cable route and the construction access).
- **Temporary** impact on gallops utilised for exercising horses.
- **Impact on access** to residential property.

PROPOSED MITIGATION

- **Mitigation to be included where possible with crossing points/ accesses/ fencing**
- The Applicant has offered to include in voluntary agreement a commitment to keep the working construction corridor as far south as possible to reduce impacts on the surfaced gallops and potentially avoid the turning circle
- The principle for a Protocol for communication regarding use of the haul road has been put forward by the Applicant as this is the activity involving the longest period of use affecting the gallops
- The Applicant expects to progress further detailed discussions regarding use of the gallops with the Landowner, tenant and agent and the associated compensation for alternative provision

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **Given that the land is held within a pension fund, the timescales for processing the agreement documentation may be longer.**
- **The Applicant is waiting for confirmation of solicitors' details as well as an estimate for the cost of re-surfacing the gallops.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent	24/11/2020	Letter
Lucy Tebbutt (LT) emails Dentons - Jana Chrenoka (JC) to establish initial contact - no response received from Fiona Douglas (FD)	17/02/2021	Email
Response from JC outlining that Dentons are the fund scheme administrator and trustee. She says she will refer the matter to Fiona Douglas.	18/02/2021	Email
LT emails Dentons and requests that contact details are passed on.	18/02/2021	Email
JC responds and says she will notify her and asked for an instruction	18/02/2021	Email
Response from JC that she has spoken with Fiona Douglas and that correspondence should be addressed to FD	23/02/2021	Email
LT responds and asked JC to pass the survey licence on to Mrs Douglas	24/02/2021	Email
Rowan Allan (RA) confirms in writing that he is acting for FD	28/04/2021	Email
LT sends map to RA	28/04/2021	Email
RA stated tenant 2 needs to be added to licence, LT states she will send amended over	07/05/2021	Email
RA confirms via email that there is tenant 2 to include on the survey licence	11/05/2021	Email
LT send survey licence to RA for FD	12/05/2021	Email
Survey licence sent in the post and updated one sent on 14/5/21	12/05/2021	Letter
RA requests updated licence, LT sent updated, RA sent to Tenant 1 address	14/05/2021	Email
RA confirms he has instructions from FD to move matters along with Dentons.	21/05/2021	Email
Chaser from RA re the prior email	27/05/2021	Email
LT attaches revised licence	28/05/2021	Email
RA confirms that tenant 1 and FD have signed the licence. Waiting on tenant 2	01/06/2021	Email
Chaser sent by LT	07/06/2021	Email
RA confirms obtained Denton Trustees signature and chased the tenant 2	07/06/2021	Email
RA returns the signed licence	10/06/2021	Email
Request for Information chaser letter sent to FD	10/06/2021	Letter
LT responds to RA requesting written confirmation for him to pay the tenants direct	29/06/2021	Email
Statutory Letter - Section 42	14/07/2021	Letter
Email from RA - providing details of the HJ Burt client account.	10/08/2021	Email
FD confirms happy for the whole fee to be paid direct	10/08/2021	Email
LT emails FD and asks for a meeting date	16/08/2021	Email
RA requests date when all can attend	16/08/2021	Email
LT requests FD phone number from RA	16/08/2021	Email
FD informs not available	16/08/2021	Email
LT emails RA to liaise re a site meeting	17/08/2021	Email
Email from FD suggesting a date for a site meeting - LT and RA accept	23/08/2021	Email

SITE MEETING (LT attended). Tenants 1 and 2 attend with FD and RA.	26/08/2021	Site Meeting
Follow up email from FD after meeting - LT responds via email	31/08/2021	Email
FD confirms she will let the tenants know about the confirmed survey dates	31/08/2021	Email
Email chaser from FD re payment and response from RA	06/09/2021	Email
Chaser email from FD re payment - LT confirms she has chased the payment	08/09/2021	Email
Fully engrossed licence sent to FD and RA confirms payment has been received	21/09/2021	Email
Email correspondence re surveys	22/09/2021	Email
LT sends site meeting notes to Rowan Allan	24/09/2021	Email
Email to FD re upcoming surveys	20/10/2021	Email
Response from FD re surveys	21/10/2021	Email
Email correspondence re upcoming geophysical surveys and parking/ farming activities	25/10/2021	Email
Email correspondence re upcoming surveys	26/10/2021	Email
RA chasing fees for Dentons	10/11/2021	Email
Email to FD on geophys surveys at her property	11/01/2022	Email
Email re upcoming bat surveys to FD	27/01/2022	Email
Email re upcoming surveys to FD hedgerows surveys	24/02/2022	Email
FD responds	28/02/2022	Email
Email response to FD re surveys	03/03/2022	Email
FD requests the survey requirements	06/03/2022	Email
LT emails FD re upcoming surveys	14/03/2022	Email
FD & RA emails LT – Concern over fee payment	30/03/2022	Email
Email from FD re survey payments	31/03/2022	Email
FD chases re late payment	04/04/2022	Email
LT emails FD confirming chasing the payment and requests site meeting	08/04/2022	Email
Email from FD to find a suitable date for a meeting.	10/04/2022	Email
LT emails re on site meeting date	11/04/2022	Email
Tenant 2 confirm attendance at site meeting	13/04/2022	Email
Site Meeting (LT & WG attended). Nearby landowner and tenant 2 attended following revised construction route that was proposed	29/04/2022	Site Meeting
RA emails LT and FD to arrange a site meeting to discuss a minor relocation of the cable route. Emails correspondence between the parties. Meeting agreed	17/05/2022	Email
LT emails tenant 2 re the upcoming site meeting	18/05/2022	Email
Site meeting to discuss minor route realignment – Tenant 2 and Will Gullett attend	23/05/2022	Site Meeting
Landowner Courtesy Call prior to start of consultation	13/10/2022	Telecom
Statutory Letter - Section 42	14/10/2022	Letter
Landowner Surgery (Washington Village Hall)	12/11/2022	Landowner Surgery
RA Formal Response to the Consultation received on 28/11/2022	28/11/2022	Email
KEY TERMS ISSUED	16/03/2023	Key Terms Issued

Email to FD as a touch base and asking about future survey licence	23/06/2023	Email
Email from FD: Receipt of information pack dated 16th March 2023 a number of issues to be addressed before continuing with further licences.	25/06/2023	Email
Email chase from FD to get a response to queries	02/07/2023	Email
Email notifying landowner of DCO submission	14/08/2023	Email
LT emails RA asking for queries from FD	20/09/2023	Email
Statutory Letter - Section 56	25/09/2023	Letter
Statutory Letter - Section 56	17/10/2023	Letter
LT emails FD with query responses	25/10/2023	Email
FD responds requesting RA to answer	25/10/2023	Email
LT emails RA with key terms table and queries	31/10/2023	Email
FD requests screenshots of wider area	01/11/2023	Email
LT sent screenshots	02/11/2023	Email
LT requests site meeting	09/11/2023	Email
FD states who will be attending, LT emails RA asking for attendance, RA confirms	10/11/2023	Email
FD emails LT asking for names of who will be attending meeting, LT sends names	13/11/2023	Email
Site Meeting	14/11/2023	Site Meeting
FD requested meeting notes	23/11/2023	Email
FD chases meeting notes, LT sends, FD thanks	27/11/2023	Email
LT requests site meeting in Dec, FD will revert back	28/11/2023	Email
LT requests meeting time change, FD accepts	04/12/2023	Email
FD requests to move meeting time	08/12/2023	Email
Call between FD and LT	11/12/2023	Telecom
LT requested contact with tenant 1, FD confirms he will attend meetings but liaise through FD	11/12/2023	Email
LT requested site meeting, FD will revert back	11/12/2023	Email
LT chased RA re key terms	20/12/2023	Email
LT chased FD regarding meeting, FD accepts	02/01/2024	Email
Site Meeting	08/01/2024	Site Meeting
FD sent queries following site meeting	14/01/2024	Email
FD requests confirmation of receipt of email	15/01/2024	Email
LT confirms receipt and sends holding email	15/01/2024	Email
Chaser from FD regarding queries	05/02/2024	Email
LT sends chaser re Key Terms to RA – requesting feedback on the Heads of Terms	13/02/2024	Email
Chaser from FD re queries	19/02/2024	Email
Further chaser from FD	26/02/2024	Email
LT sent FD answers to queries	27/02/2024	Email
LT chased RA re key terms via email – requesting feedback	20/03/2024	Email
RA informed meeting with FD	22/03/2024	Email
Chaser Letter Sent, copy sent to RA on 25/03	22/03/2024	Letter
Email from LT to FD requesting comments on HoT	30/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
LT sent HoT table to RA and asked for comments / feedback on the Heads of Terms	10/06/2024	Email
FD stated required a solicitor to review documents	11/06/2024	Email

LT sent further HoT table to RA with updated actions and requested feedback	21/06/2024	Email
Revised Key Terms Package Sent Via Post	25/06/2024	Letter
Email to RA with Revised Key Terms Attached - Also provided actions commentary pertinent to land interest	27/06/2024	Email
Email to RA with Indicative Construction Timeline / Phases Specific to land interest	27/06/2024	Email
LT emails FD with revised Heads of Terms and list of concerns which she understands are outstanding.	02/07/2024	Email
Online Teams call with RA to discuss Heads of Terms	08/07/2024	Online Teams Meeting
Email correspondence from RA	09/07/2024	Email/ Telecom
LT emails FD requesting if she (and the tenants) are free on 18/07/2024 for a site meeting with the ALO	16/07/2024	Email
FD confirms that date does not work	17/07/2024	Email
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
LT emails FD requesting 7 August 2024 as a potential meeting date for a site visit from the ALO.	24/07/2024	Email
RA confirms that date works	24/07/2024	Email
Email from LT to RA with comments regarding the Heads of Terms and summarising next actions.	25/07/2024	Email
Stephen Eales (the farming tenant) confirms he is available on that date too	29/07/2024	Email
LT sends a summary of timescales (specific to this landholding) to both the land interest and the agent	29/07/2024	Email
Online Teams meeting with land interest's agent to discuss outstanding actions. The agent confirmed he is meeting with Fiona Douglas on 2 August 2024 and will revert following the meeting.	30/07/2024	Online Teams Meeting/ 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.