

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
John David Kempley and Yvonne
Mary Kempley

Date: August 2024
Revision A

Application Reference: 4.6.70
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279614-01



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:	John David Kempley & Yvonne Mary Kempley	URN on LRT:	121
AGENT:	Robert Crawford-Clarke (Henry Adams)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Home Farm, Partridge Green Road 8.64 acres within 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:	29/9, 29/10, 29/13, 29/14, 29/19, 29/20, 29/21, 30/4

STATUS

The Applicant has consulted with the Landowner and their Agent since May 2021, with an initial site meeting held in September 2021.

The Landowner owns pasture land affected by the potential cable route (Plot 29/19, 30/4) and proposed operational access (Plot 29/20) as well as Category 2 rights over other parcels of land potentially utilised for the cable route, temporary construction access and operational access (29/9, 29/10, 29/13, 29/14) and rights over unregistered land (Plot 29/21).

Heads of Terms were issued on 16 March 2023. Revised Heads of Terms were issued on the 25 June 2024 with a commercial offer, and the Applicant is yet to receive feedback.

The Applicant has attempted to discuss the Heads of Terms with the Landowner's Agent, receiving the first set of formal comments on any documents from the Agent on the 1 July 2024. The comments relate to general points on the Option and Easement documentation (which were sent to the agent on 24 October 2023), however, detailed comments on the Heads of Terms with specific reference to the Property have not yet been received.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 16 March 2023.**
- **On 23 October 2023** the Landowner's agent confirmed via email that the Landowner is prepared to work towards agreeing Heads of Terms
- **On 24 October 2023**, the Applicant sent the draft Option and Easement documentation to the Landowner's agent for review.
- **The Applicant sent an email chaser to the Landowner's agent on 21 December 2023, requesting feedback on the Heads of Terms.**
- The Applicant sent the **Landowner a Letter on 22 March 2024** requesting feedback on the Heads of Terms.
- The Landowner's Agent requested additional plans on **12 April 2024**, and the Applicant **responded on 25 April 2024 and 29 May 2024** requesting detailed responses but received no Property-specific response with respect to the additional requests regarding the plan associated with the Landowner's holding.
- On **30 May 2024** the Applicant spoke with the Landowner on the phone to understand any outstanding concerns they had regarding the Heads of Terms. The Landowner said that they had left everything under the care of their agent and didn't have any specific points to raise.
- On **30 May 2024**, further to the phone call, the Applicant emailed the Landowner and their agent, requesting feedback on the Heads of Terms.
- On **31 May 2024**, the Applicant received a response from the Landowner's agent regarding the additional plans requested.

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- On **31 May 2024**, the Applicant received a response from the Landowner's agent regarding the additional plans requested.
- As no case specific comments were received in respect of the landholding, the Applicant did not send an additional plan. However, the Landowner's agent chased on **5 June 2024**, to which the Applicant responded seeking clarification as to what the Landowner's agent was seeking to be shown on the plans.
- A response was received from the Landowner'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'**.

- The Applicant responded and confirmed that the agent had all the plans proposed to be included within the Options and leases – *'For some landowners you have asked for extra detail of indicative routeing for specific reasons. Please confirm which landowners require the extra detail of the indicative HDD's / routeing.'*
- A response was then received via email from the Landowner'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.
- On **25 June 2024** the Applicant sent a further email following the Applicant's email of 30 May 2024, which requested feedback on the Heads of Terms.
- The Applicant sent revised **Heads of Terms in June 2024 via post to the Landowner and in July 2024 via email to the Landowner's Agent.**
- 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 their agent in **July 2024**. These had a **commercial offer** to progress discussions and reach agreement.
- **On 1 July 2024**, the Applicant received 'tracked changes' word documents with comments included on the draft Option and Easement documents, 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 on **16 March 2023** (in their original format), no formal comments have yet been received from the land agent on the Heads of Terms themselves.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in correspondence with the Landowner and their Agent since May 2021.
- A **site meeting** was initially held in **September 2021**, where the Applicant introduced the scheme and the potential impacts.
- Neither the Landowner or the Landowner's Agent has suggested any alternative routes.

ALTERNATIVES

- No alternative routes have been requested by the Landowner.
- The Landowner did request for an amendment to the proposed construction access at the southern boundary of their title. This boundary was subsequently refined to make it smaller and the access was amended to be an operational access only.

IMPACT ON LAND INTEREST

- The Landowner owns **pasture land** affected by the potential cable route and proposed operational access.
- The Landowner also has **Category 2 rights** over other parcels of land potentially utilised for the cable route, temporary construction access and operational access.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss

PROPOSED MITIGATION

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

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Applicant received a detailed set of comments from the Landowner's agent on **1 July 2024**.
- The Applicant issued a response to the Landowner's agent on **30 August 2024** on the issues raised within both the Option and Deed of Easement documents and requested feedback on the Heads of Terms

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent by Carter Jonas (CJ)	24.11.2020	Letter
John Kempley (JK) emails CJ to inform of RCC instruction	08.05.2021	Email
Email from Lucy Tebbutt (LT) to Robert Crawford-Clarke (RCC) requesting confirmation of instruction. RCC confirms	10.05.2021	Email
Beth Dennis (BD) of CJ sent licence plans and letter. Conversation between BD, RCC and LT regarding information	11.05.2021	Email
LT sent survey information across following receipt of signed license from JK.	03.06.2021	Email
Section 42 letter sent to JK & Yvonne Kempley (YK)	14.07.2021	Email
LT sent further survey request to JK	14.07.2021	Email
LT sent update regarding postponed surveys and JK responds	26.07.2021	Email
LT sent survey information to JK	02.09.2021	Email
Site Meeting – RCC, LT JK and YK	15.09.2021	Other
Engagement summary from the site meeting sent to RCC BY LT	24.09.2021	Email
RCC requested notes be included in formal consultation	27.09.2021	Email
LT emails JK regarding upcoming surveys	08.11.2021	Email
LT sends survey update to JK	31.01.2022	Email
LT sends survey update to JK	24.02.2022	Email
LT sends info on soil surveys and method statement on 04/03 to JK	02.03.2022	Email
LT sent bat survey info to JK	18.05.2022	Email
Section 42 letter sent to JK and YK	14.10.2022	Letter
KEY TERMS ISSUED to JK, YK and RCC	16.03.2023	Email
Email to the JK and YK detailing that the DCO has been submitted	14.08.2023	Email
Section 56 letter sent to JK & YK	25.09.2023	Letter
Email was sent to the land interest's agent requesting confirmation of whether one of his other clients would like to work towards a voluntary agreement in principle based on the proposed route, prior to sending the documentation.	17.10.2023	Email
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 in writing the form of the request	20.10.2023	Telecom
RCC emails LT stating client is prepared to work towards signing	23.10.2023	Email
LT sent draft option and easement document for review to RCC	24.10.2023	Email
LT email to RCC requesting feedback on Heads of Terms	21.12.2023	Email
Chaser Letter Sent LT to RCC	22.03.2024	Letter
RCC requested plan from LT	12.04.2024	Email
LT sent plan to RCC	25.04.2024	Email

LT chased RCC	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
LT speaks with JK over the phone confirming reliant on agent progressing discussions	30.05.2024	Telecom
LT email request RCC availability for meeting, attached works plans and land plans and request feedback on the Heads of Terms	30.05.2024	Email
Agent's Fees Clarification Letter Sent	06.06.2024	Letter
RCC email LT to confirm meeting all clients to review draft option, easement and HOTS	11.06.2024	Email
LT chased JK and RCC regarding meeting	25.06.2024	Email
RCC sends holding email to LT stating he will respond shortly	25.06.2024	Email
Revised Key Terms Sent Via Post to RCC, JK and YK	25.06.2024	Letter
Applicant receives tracked change Option and Easement documents from RCC	01.07.2024	Email
Applicant responds to RCC 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.