

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Fortgate Investments Limited

Date: August 2024

Revision A

Application Reference: 4.6.68

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

Ecodoc Reference: 005279613-01



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:	Fortgate Investments Limited	URN on LRT:	119
AGENT:	Chris Spratt (Spratt & Sons)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Fortgate Park, Shermanbury 5.16 acres with DCO Order Limits (potentially affected by the potential cable route) 1.87 acres potentially affected by soil storage	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 and Category 2 Works 09 – Cable Installation Works Works 11 – Temporary soil storage Works 14- Construction and Operational Access	PLOT No:	28/26, 29/2, 29/3, 29/4, 29/6, 29/7
STATUS			
<p>The Applicant has consulted with the Landowner and their agent since March 2021. The Landowner requested soil storage after site meetings held in March 2021 and May 2022, which was subsequently incorporated into the design.</p> <p>The Landowner owns pasture land, occasionally used as a motorcross track, affected by the potential cable route (Plots 28/26, 29/2) and soil storage (Plot 29/3). As well as this the Landowner owns an existing track which is a potential construction and operational access (Plots 29/4, 29/6). The Landowner also has rights over unregistered land (Plot 29/21).</p> <p>The Applicant issued Heads of Terms on 15 March 2023 and met with the Landowner on site in June 2023. Over the period from April 2024 to July 2024 the Applicant has been discussing the Heads of Terms directly with the Landowner’s Agent.</p> <p>The Applicant had an online Teams meeting with the agent on 26 July 2024 to discuss the Heads of Terms and understand outstanding ‘blockers’ to progressing the agreement. The Applicant talked through the basis of the revised offer within the Heads of Terms with the landowner’s agent who has requested a written summary breakdown of the commercial offer. The Applicant will continue to discuss commercial terms and hopes that an agreement will be reached.</p>			
NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS			
<ul style="list-style-type: none"> • Heads of Terms were issued on 15 March 2023. • The Applicant held site meetings in June 2021 and May 2022 with the land interest. Following landowner feedback, a soil storage area was incorporated into the design (MR-10) which was consulted upon in the 2022 consultation, and subsequently included within the design. • The Applicant held a site meeting in June 2023 to work collaboratively on outstanding issues. • The Applicant sent the Land Interest a Letter in March 2024 regarding feedback on the Heads of Terms. • This was followed up by an online meeting in April 2024. • The Applicant sent an email to the Landowner’s Agent in May 2024 clarifying the basis of the offer and requesting a response. • Applicant sent over revised Heads of Terms on 26 June 2024. • Discussions on Heads of Terms have been slow over July 2024 due to landowner/agent holidays however the Applicant continues to make arrangements to facilitate the ongoing discussion of voluntary agreement negotiations • The Applicant had an online Teams meeting with the agent on 26 July 2024 to discuss the Heads of Terms and understand outstanding ‘blockers’ to progressing the agreement. The Applicant explained the basis for the offer to the landowner’s agent on the call, and the agent requested a written summary breakdown of the commercial offer. 			
PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1			
<ul style="list-style-type: none"> • The Applicant sent a letter on 6th June 2024 to the Landowner to clarify the position in respect of fees for professional advice. • The Applicant issued revised Heads of Terms on 25th June 2024, sent directly to the Landowner (via post) and via email to the agent on 8th July 2024. • The Applicant contact the Landowner directly whilst their appointed Agent was on annual leave to confirm new Key Terms were being issued and to identify a date for a meeting 			

- The Applicant had a phone call with the **agent on 16 July 2024 to request a site meeting** to discuss the Heads of Terms.
- An online Teams meeting was held on 26 July 2024 to discuss the Heads of Terms and understand outstanding 'blockers'.
- The Applicant is due to respond to the landowner's agent with a few points regarding the revised commercial offer that was sent on 25 June 2024 and discussed on the call on 26 July 2024.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Land Interest and their agents since **March 2021**.
- **Site meetings** were initially held in **March 2021 and May 2022**, where the Landowner expressed a desire for soil storage, which was incorporated into the design.
- A further **site meeting was held in June 2023** in order to explain the impact of the scheme.
- As outlined above, a soil storage area was consulted upon in 2022 and incorporated within design at the landowner's request.

Further details regarding engagement can be found within the schedule below.

IMPACT ON LAND INTEREST

- The Land Interest owns **pasture land** affected by the proposed Rampion 2 cable route occasionally used as a **motorcross track**.
- In addition, a track is affected by a proposed **construction and permanent operational access**.

IMPLICATIONS OF IMPACT

- **Temporary** impact on the use of the motorcross track.
- Impact on track and pasture land through utilisation as a **proposed construction and operational access**.

PROPOSED MITIGATION

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

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- Prior to the issue of the revised set of Heads of Terms the landowner's agent had confirmed that they did not consider the offer was high enough, although no evidence or counter offer was provided.
- The Applicant sent out revised Heads of Terms in July 2024.
- These were discussed at an online Teams meeting on 26 July 2024 **Commercial terms remain to be agreed**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Email correspondence between Craig Richings (CR) of Fortgate Investments Limited and Richard Fearnall (RF) of Carter Jonas	23.07.2020	Email
Introductory project letter from Carter Jonas – Land Referencing.	24.11.2020	Letter
Email chain between Lucy Tebbutt (LT), Bathan Dennis and Craig Richings regarding site visit	26.02.2021	Email
Telephone call between LT and CR	01.03.2021	Telecom
Site Meeting - RF, Will Gullett (WG) & CR	04.03.2021	Site Meeting
LT responds to an email from RC providing topographical surveys	05.03.2021	Email
WG thanks RC for site meeting and provides the access licence and payment information request form	05.03.2021	Email
WG emails RC following some requests to amend the licence	08.03.2021	Email
Telephone call between WG and RC	19.03.2021	Telecom
WG emails RC regarding survey access	19.03.2021	Email
LT emails RC requesting confirmation of receipt of payment and an update on upcoming surveys	15.04.2021	Email
LT emails re upcoming surveys	21.05.2021	Email
LT emails re upcoming surveys	02.06.2021	Email
RFI reminder letter posted	10.06.2021	Letter
WG emails re surveys	16.06.2021	Email
s.42 letter sent	14.07.2021	Letter
WG provides an update on tree surveys	15.07.2021	Email
WG emails RG regarding visit from the engineering team to assess potential construction route	16.07.2021	Email
Site Meeting – RWE representatives visit Fortgate as part of a review of the whole route	21.07.2021	Site Meeting
Emails between WG and RC regarding engineering team inspection	16.08.2021	Email
WG emails RC regarding bat survey detectors	06.09.2021	Email
WG emails RC regarding various surveys	30.09.2021	Email
WG responds to email from RC regarding various points raised by RC	07.10.2021	Email
WG emails RC regarding update to bat surveys which had to be rearranged	13.10.2021	Email
WG emails RC over site requirements	22.10.2021	Email
WG responds to RC email regarding fee estimate	15.11.2021	Email
WG responds to RC regarding survey availability and requests fee payment	19.11.2021	Email
WG responds to RC confirming ecological survey	22.11.2021	Email
WG emails RC re hedgerow survey	22.02.2022	Email
WG emails RC re further surveys	01.03.2022	Email
Email correspondence re cabling position	28.03.2022	Email
Email correspondence re survey licence renewal.	25.04.2022	Email
Correspondence between WG and RC regarding changes to the licence and site meeting	13.05.2022	Email
Site Meeting - WG, LT & Craig from Fortgate - project update.	23.05.2022	Site Meeting
WG send RC confirming licence to be issued once signed by the project lead	24.05.2022	Email

WG provides the signed licence	10.06.2022	Email
WG sends courtesy email re surveys	15.06.2022	Email
s.42 letter sent	14.10.2022	Letter
WG sends RC email with licence for additional surveys and project update.	14.12.2022	Email
Call with CR re Survey Licence and project update	03.01.2023	Telecom
WG issues new licences to RC	10.01.2023	Email
KEY TERMS ISSUED	15.03.2023	Key Terms Issued
Call with CR re Key Terms issue.	15.03.2023	Telecom
Email chaser to CR requesting feedback on Key Terms	12.04.2023	Email
Call CR to WG confirming Fortgate to instruct an agent (Chris Spratt (CP) - Spratt & Son).	14.04.2023	Telecom
Correspondence between WG and Chris Spratt regarding fees	15.05.2023	Email
Call with Chris Spratt regarding instruction and meeting	17.05.2023	Telecom
Email correspondence re site meeting	17.05.2023	Email
Site Meeting with Chris Spratt and WG	02.06.2023	Site Meeting
WG issues email to CS following site visit setting out project requirements and DCO updated	15.06.2023	Email
WG email CS setting out compensation code and DCO process. WG sets out Applicants preference to reach voluntary agreements with the landowners	16.06.2023	Email
Email to landowner detailing that the DCO has been submitted	14.08.2023	Email
s.56 letter posted	25.09.2023	Letter
Chaser Letter Sent	22.03.2024	Letter
Digital copy of letter emailed to agent	26.03.2024	Email
Correspondence between Lucy Tebbutt and Chris Spratt organising teams call	28.03.2024	Email
Teams call between LT and CS	10.04.2024	Online Teams Meeting
LT sends email to CS summarising discussion from the meeting and detailing action points for each party	16.04.2024	Email
LT responds updates CS following meeting 16.04.2022	17.04.2024	Email
Correspondence between LT and CS re assessment of value of land	30.05.2024	Email
Agent's Fee Clarification Letter Sent	06.06.2024	Letter
LT emails CS requesting meeting to progress negotiations	18.06.2024	Email
Revised Key Terms Sent Via Post	25.06.2024	Letter
LT sends a digital copy of the letter sent 25.06.2024 to CS	08.07.2024	Email
LT asks if CS is available for a site meeting	16.07.2024	Email
LT and HH have an online teams meeting with Chris Spratt to discuss the Heads of Terms and determine next steps/ outstanding blockers.	26/07/2024	Online Teams Meeting

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.