

Rampion 2 Wind Farm **Category 4: Compulsory Acquisition**

Land Engagement Reports: Patrick John Marcel Hutchinson

Date: August 2024 Revision A

Application Reference: 4.6.32
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279542-01



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 Marcel Hutchinson	URN on LRT:	069
AGENT:	Alistair Cameron (Batcheller Monkhouse)	Relevant Rep Ref:	RR-289
PROPERTY NAME:	Rowdell House, Washington, Pulborough and Land on the west side of the A24 Trunk Road, Washington 13.2 acres potentially within DCO Order Limits (potentially affected by scheme) as well as 1,910 sqm of operational access	Written Rep Ref:	N/A
LAND INTEREST:	Category 1/2 9. Cable installation works. 13. Temporary construction access. 15. Operational access.	PLOT No:	21/24, 21/25, 21/26, 21/27, 21/38, 21/39, 21/40, 21/41, 22/1
STATUS			
<p>The Applicant has consulted with the Landowner since 2021. The Landowner owns pasture land affected by the proposed Rampion 2 cable route and a proposed operational access (Plots 21/5 and 21/41). The Landowner also has access rights over Plots 21/6 and 21/7 which are proposed to be used for operational access.</p> <p>The Applicant has provided responses to queries relating to the Heads of Terms as well as mitigation and construction methodology as well as the process of compensation.</p> <p>The Applicant has discussed the Heads of Terms at length with the Landowner's Agent, including supplying updated precedent documents, and details on marker posts and trial pits. The Landowner's agent has confirmed that the landowner would sign Heads of Terms if there was a greater financial consideration offered.</p> <p>The Applicant has had numerous online Teams calls with the Landowner's agent. A phone call was held on 31 July 2024, where the agent confirmed that the previously supplied information was useful. At this stage the landowner's agent has provided feedback that the landowner would like greater financial compensation before signing the Heads of Terms. However, the Applicant has confirmed that it would be happy to enter into an agreement post consent, should the DCO be granted and the Landowner change their position prior to construction.</p>			
NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS			
<ul style="list-style-type: none"> • Heads of Terms were issued on 15 March 2023 with the Landowner's Agent responding with a number of queries. • Feedback has been sought from the Landowner's Agent via email in December 2023 with further correspondence in January 2024. • The Applicant responded to the Landowner's Relevant Representation (RR-289) on the following points: <ul style="list-style-type: none"> ○ Remedial Drainage, and comments within the Commitments Register. ○ Compensation and routes to claim compensation ○ Order Limits ○ The Statement of Reasons ○ Accommodation Works, including fencing and crossing/ access points • The Applicant sent the Landowner a letter in March 2024 regarding feedback on the Heads of Terms. • The Applicant received comments from the Landowner's Agent on the Heads of Terms in May 2024 and responded. • Applicant sent over updated Heads of Terms in June 2024 with an enhanced commercial offer to progress discussions and reach agreement. 			
PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1			
<ul style="list-style-type: none"> • The Applicant sent a letter to the Landowner on 6 June 2024 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 included an enhanced commercial offer to progress discussions and reach agreement. • The Applicant has had numerous online meetings with the Landowner's Agent regarding the Heads of Terms. 			

- The Applicant has also provided answers to queries in respect of trial pits, marker posts, the calculation of construction access payments and operational access usage.
- The Applicant had discussions and **email correspondence with the Landowner's Agent on 25 June 2024, 1 July 2024 and 3 July 2024. On 3rd July 2024** the agent confirmed there are no formal tenancies over the land.
- **On 19 July 2024**, the Applicant had a **phone conversation** with the Landowner's agent, who confirmed the Landowner was not prepared to sign up to the Heads of Terms.
- **On 31 July 2024, a brief telephone conversation** was held with the Landowner's agent confirming the Landowner does not want to sign the Heads of Terms at this stage, as they are seeking greater financial compensation.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their Agent since **March 2021**.
- **Site meetings** were held in **March 2021 and September 2021**, where the Landowner expressed concerns about the timescale of construction.
- In **July 2022, a site meeting** was held to discuss a minor route amendment that was being considered on their land as a result of design modifications. The new route was taken forwards following consultation.
- The Applicant has sent information on construction methodology, timescales as well as mitigation when requested.

Further information on the history of engagement can be found within the schedule below.

IMPACT ON LAND INTEREST

- The Landowner owns pasture land used for keeping horses affected by the proposed Rampion 2 cable route and a **proposed operational access** (Plots 21/5 and 21/41).
- The Landowner also has access rights over Plots 21/6 and 21/7.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing and possible temporary severance.
- **Use of access for proposed operational access**

PROPOSED MITIGATION

- **Mitigation to be included where possible with crossing points/ accesses/ fencing**
- **Compensation for alternative grazing or increased forage**

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- Although the Applicant has issued a revised set of Heads of Terms with a commercial offer, in conversation with Landowner's agent it is clear that terms proposed are not agreeable to the Landowner.
- The Applicant has sought to provide information and commitments where possible to overcome the Landowner's practical concerns, however, in conversation with the Landowner's agent the Applicant understands the landowner is unable to accept the Applicant's position with regards to the commercial terms offered. 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
Introductory Meeting on Site – Will Gullett (WG) and Richard Fearnall (RF) of Carter Jonas met with Robin Hobson (RH) on behalf of the Patrick Hutchinson (PH).	04/03/2021	Site Meeting
WG emails Robin Hobson following site visit, attaches the access licence and requests it to be signed	10/03/2021	Email
WG emails RH asking if any progress has been made with signing the licence	22/03/2021	Email
WG call with Robin Hobson re licence. Licence form agreed but wants same form as licence agreed with agents.	22/03/2021	Telecom
WG emails RH attaching the finalised survey access licence and associated documentation and requests the licence be returned as soon as possible given the seasonal nature of the ecological surveys	10/05/2021	Email
Telephone call between WG and PH	03/06/2021	Telecom
WG emails Patrick Hutchinson thanking him for providing the payment details and informs him of upcoming surveys	03/06/2021	Email
Request for Information chaser letter posted by CJ	10/06/2021	Letter
WG emails PH re survey licence requirements	16/06/2021	Email
s.42 letter posted	14/07/2021	Letter
WG emails PH re survey licence requirements	June to Oct 2021	Email
Correspondence between WG and occupier of the stables on the land	07/10/2021	Email
Correspondence between WG and stable occupier re surveys	20/10/2021	Email
Site Meeting - WG met with PH to discuss project, informal tenants and survey access. PH focus on levels of compensation with key concerns being timescales to construction.	09/09/2021	Site Meeting
WG emails PH re survey licence requirements	Jan to Mar 2022	Email
WG emails PH re engineering site visit	06/05/2022	Email
Correspondence between WG and PH re renewal of licence	08/06/2022	Email
WG informs occupiers of the land survey requirements	09/06/2022	Email
Correspondence between occupier and WG re surveys	16/06/2022	Email
Completed licence sent to PH	21/06/2022	Email
Site Meeting - WG / Lucy Tebbutt (LT) met with PH to provide project update. Provided licence to PH and reviewed third party rights of access to properties along the lane	20/07/2022	Site Meeting
s.42 letter posted	14/10/2022	Letter
Correspondence between WG and PH re surveys and checking payment for the licence has been made	26/10/2022	Email
Email dialogue between WG and PH re survey access.	18/11/2022	Email
Correspondence between WG and PH re surveys	23/11/2022	Email

Call with Alistair Cameron (AC) (Batcheller Monkhouse) re potential instruction with PH. Awaiting formal instruction details.	06/12/2022	Telecom
WG emails PH re renewal of the licence	13/01/2023	Email
Email from Alistair Cameron re instruction and meeting	13/02/2023	Email
KEY TERMS ISSUED	15/03/2023	Key Terms Issued
Site Meeting - AC, PH and WG re Agent appointment and Key Terms discussion. PH was looking to sign Key Terms. AC advised that PH review document in detail. PH confirmed that graziers in occupation on informal basis. AC and PH would speak with graziers about project. PH discussed ongoing conversations with Lorica Trust and ongoing use of pond area and field shelter.	17/03/2023	Site Meeting
Call with PH re survey access	13/04/2023	Telecom
WG issued chaser email to PH and cc's in AC re unregistered land and key terms	21/04/2023	Email
Email from PH to AC over levels of consideration	30/04/2023	Email
Email with PH and AC re unregistered land clarification	03/05/2023	Email
Email from AC re key terms comments and requesting the precedent legal documents.	19/05/2023	Email
Email notifying PH about the DCO submission	14/08/2023	Email
Nigel Abbott (NA) sent email to PH re DCO acceptance	08/09/2023	Email
s.56 letter posted	25/09/2023	Letter
LT sent option and easement documents direct to AC and PH	07/11/2023	Email
LT chases AC requesting confirmation that PH would like to progress with key terms	21/12/2023	Email
LT emails PH and AC re potential site visit	05/01/2024	Email
Chaser letter sent by LT	22/03/2023	Letter
LT emails AC digital copies of the letters posted to PH	25/03/2024	Email
LT sends follow up email to AC questioning whether comments submitted on key terms applicable across all clients	30/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
LT sends AC the CJ comments regarding HoT for PH	12/06/2024	Email
Call between LT, AC and Rob Miller of Rampion	21/06/2024	Online Teams Meeting
Revised Key Terms Package Sent Via Post	25/06/2024	Letter
Email to AC with Revised Key Terms Attached addressing issues raised of concern	25/06/2024	Email
Phone call between LT and AC	01/07/2024	Telecom
LT sends AC an email with a list of action points associated with PH	01/07/2024	Email
Email to AC Without Prejudice and Subject to Contract Dear Alistair, Further to our call on Monday (01 July 2024), email response in respect of the Heads of Terms Kind regards,	02/07/2024	Email

Lucy		
LT responds to an email from AC with comments and she states she will revert once she has spoken with her client	04/07/2024	Email
Telephone call between LT and Ac	08/07/2024	Telecom
Rob Miller emails AC the precedent documents	08/07/2024	Email
Phone call between LT and AC to understand the land interest's current position in respect of the Heads of Terms	19/07/2024	Telecom
Online teams call to discuss the current status with respect of Heads of Terms.	31/07/2024	Online Teams Call

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.