

Rampion 2 Wind Farm

Category 4: Compulsory Acquisition

Land Engagement Reports: Muntham Farm 2013 Trust

Date: August 2024
Revision A

Application Reference: 4.6.31
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279541-01



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:	Muntham Farm 2013 Trust (also referred to as Muntham Farm LLP interchangeably within various associated documentation)	URN on LRT:	068
AGENT:	Alistair Cameron (Batcheller Monkhouse)	Relevant Rep Ref:	RR-260
PROPERTY NAME:	Muntham Farm 90.83 acres within DCO Order Limits (potentially affected by the scheme)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works No9 - Cable installation works Works No 13. Temporary construction access. Works No 14. Construction and operational access. Works No 15. Operational access.	PLOT No:	Muntham Farm 2013 Trust (WSX398032) 14/6, 15/1, 16/1, 17/1, 17/2, 17/3, 17/4, 17/9, 18/1, 18/2, 18/3, 18/4, 18/5, 18/6, 18/7, 18/8, 18/9, 19/1 Muntham Farm LLP (SX344634) Plot 17/4

STATUS

The Landowner has signed Key Terms with the Applicant for an Option Agreement for an Easement. The Landowner owns pasture and arable land within the DCO Order Limits which is affected by the cable route. The wider landholding extends to the east and south of the proposed cable installation area (Works No.9). There is a clay shooting business and café located within the wider land holding, outside of the DCO Order Limits.

The Applicant has consulted with the Landowner through both the statutory process and engagement meetings on site and has been in regular contact with the agent since July 2021.

The Applicant has met with the Landowner on various occasions and consulted on the longer alternative cable route (LACR-1D) in February 2023 following feedback received from the Oct/Nov 2022 consultation.

The Applicant issued Heads of Terms on 31 July 2023 and revised Heads of Terms on the 25 June 2024.

The Applicant has discussed the Heads of Terms at length with the Landowner's agent, and Heads of Terms have now been signed in respect of Muntham Farm 2013 Trust. The Applicant has details of the Landowner's solicitor which have been passed to the Applicant's solicitors.

Muntham Farm LLP is a related party to Muntham Farm 2013 Trust and all consultation and engagement (detailed below) is the same for both parties. Muntham Farm LLP owns Title SX344634 which is impacted by a sliver of proposed operational access over Plot 17/4. The Applicant has not yet received signed Heads of Terms in respect of this plot but expects to receive this in due course.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- The Landowner was collaborative and worked with the Applicant to agree on a variation of the existing route following site meetings in December 2022 and February 2023, which was put forward for a localised public 28-day consultation in March 2023, and subsequently incorporated into the DCO Order Limits.
- Previous alternative routes considered within this area included LACR-01c, which was consulted upon within the October 2022 consultation.
- AA-26 was also consulted upon within the October 2022 consultation
- Heads of Terms were issued on 31 July 2023
- In November 2023 the Applicant provided Option and Easement Documentation to the Landowner's Agent at their request.
- The Applicant provided a response to the Landowner's relevant representation (RR-260) on the following points:
 - The history of the route selection
 - Compensation
 - Accommodation works (including fencing and crossing/ access points)
 - Reinstatement works
 - Livery Yard

- Gun Club
- The Shoot
- The Applicant sent a Letter to the Landowner and their agent in **March 2024** requesting feedback on the Heads of Terms documentation.
- The Applicant chased the Landowner via email in May 2024 in order to set up a suitable date to discuss the voluntary agreement and any outstanding concerns regarding the Heads of Terms.
- The Applicant requested **comments on the Heads of Terms from the Landowner's Agent in December 2023 and via a Letter to the Landowner in March 2024.**
- The Applicant circulated **revised Heads of Terms on the 25 June 2024.**
- The Applicant provided clarification on a number of points and clarified the position on payments in an email in July 2024.
- The Applicant received agreed Heads of Terms on 9 July 2024.

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- Since CAH1, **the Landowner recently appointed a new agent, who inspected the Property for the first time on 21 June 2024.** Following to the appointment of a new agent, the parties have moved forward positively with discussions.
- Following CAH1 the **Applicant sent a letter to the Landowner on 6 June 2024 to clarify the position** in respect of fees for professional advice.
- In addition, 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 contained an enhanced 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 (on a general basis for his clients). The Applicant has 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 27 June 2024** the Applicant chased the agent for feedback following the **site visit the agent undertook with his client.**
- **On 1 July 2024** the agent sent over a number of queries via email and the Applicant provided a detailed response to these on the same day (1 July 2024).
- **The Applicant received confirmation that Key Terms are agreed in July 2024.**

LANDOWNER ENGAGEMENT (2021 to 2024) and Alternatives Considered by the Applicant

- The Applicant has been in regular correspondence with the Landowner and their agent **since August 2021.**
- The Landowner owns arable and pasture land affected by the proposed cable route, and a proposed temporary construction access which partially follows a track and partially follows the edge of a field within their ownership. In addition, there is a proposed operational access which follows along an existing road access to the farm (which also provides the access to other dwellings).
- **A site meeting was initially held in August 2021 to discuss the original PIER cable route proposal.**
- **Later meetings were held between May and August 2022, following the conception of the Longer Alternative Cable Route ("LACR01c") and Alternative Access ("AA") affecting the Property,** where the Landowner expressed concerns about the direct route of the proposed cable across the farm.
- Further to the Landowner's consultation response detailed discussions took place between the Applicant and the Landowner and the tenant of land adjacent to LACR01c who operates a clay shoot business with associated café. Detailed information was provided by the shooting club to enable the Applicant to make a detailed assessment of the implications of construction on both the shooting club and the proposed development. Further to this, a new Longer Alternative Cable option was proposed "LACR1d". This cable routing was implemented and avoids impacts on the shooting club and has least impacts on local businesses
- The **Landowner was collaborative** and worked with the Applicant to agree on a **variation** of the existing route **following site meetings in December 2022 and February 2023**, which was put forward for a **localised public 28-day consultation in March 2023.**
- Subsequently, the route was amended to take a route further to the West, minimising impact on the farm where possible. The construction route and operational access route remained within scope.
- **Heads of Terms were issued in July 2023.**
- In **November 2023** the Applicant provided **Option and Easement Documentation to the Landowner's Agent** at their request.
- The Applicant sent a Letter to the Landowner and their agent in **March 2024** requesting feedback on the Heads of Terms documentation.
- The Applicant followed up with the Landowner via email in May 2024 in order to set up a suitable date to discuss the voluntary agreement and any outstanding concerns regarding the Heads of Terms.
- The Applicant requested **comments on the Heads of Terms from the Landowner's Agent in December 2023 and via a Letter to the Landowner in March 2024.**

- The Applicant circulated **revised Heads of Terms on the 25 June 2024**.
- The Applicant provided clarification on a number of points and clarified the position on payments in an email in July 2024.
- The Applicant received agreed Heads of Terms on 9 July 2024.

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

IMPACT ON LAND INTEREST

- Details of the onshore cable route as it passes through the Property are shown on Sheet 14, 15, 16, 17, 18 and 19 of the Onshore Works Plans – Revision B [PEPD-005].
- The Landowner owns arable and pasture land affected by the proposed cable route (Works No.9 – Cable Installation works (including construction and operational access)), for which a package of Cable Rights and a Cable Restrictive Covenant are sought.
- The agricultural land affected by Works No.9 forms part of a wider land holding, and includes Plots 14/6 and 15/1, shown coloured blue on the Land Plans Onshore – Revision B [PEPD-003]. There is a proposed construction access (Works No.13 – Temporary construction access) that affects the edge of a field to the west of the land holding, for which Construction Access Rights are sought. The rights are required to provide construction access from Long Furlong directly to the cable route at Sullington Hill (to the north).
- The strips of agricultural land affected by Works No.13 include Plots 17/2, 18/5 and 16/1 as shown coloured green on the Land Plans Onshore – Revision B [PEPD-003].
- The Property includes an existing road leading to Muntham Farm which is accessed directly to the west of Horsham Road. As shown on Sheet 17 of the Onshore Works Plans – Revision B [PEPD-005], this road has been included within the Order Limits as Works No.15 for which permanent operational access rights are sought. Where the road to Muntham Farm meets with a farm track, both construction access and operational access (Works No.14) rights are sought, to provide access to the cable corridor. The track and agricultural land affected includes Plots 17/1 and 18/9 as shown coloured blue on the Land Plans Onshore – Revision B [PEPD-003].

IMPLICATIONS OF IMPACT

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

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/ accesses/ fencing
- Likely crop loss and disturbance
- **The Applicant's commitments to maintenance of access are summarised within RR-260.**

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **No further issues**
- **The Landowner has signed Heads of Terms for an Option Agreement for an Easement with the Applicant.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Email from Charlotte West (CW): Land ownership query	10/03/2021	Email
Lucy Tebbutt (LT) emails Charlotte West: Plans issued to landowner detailing proposed route and reference to Survey Access requirement and Licences	11/03/2021	Email
Email from Charlotte West:	11/03/2021	Email
Chaser email sent to Charlotte West re surveys:	24/03/2021	Email
Email from Charlotte West: confirming instruction by the Trustees of the John Heath Will Trust (current registered proprietors) and Muntham Farm LLP (current occupiers and registered proprietor). requesting draft licence	24/03/2021	Email
LT sends Charlotte West the licence	25/03/2021	Email
LT sends Charlotte West the licence plan	26/03/2021	Email
Email response from Charlotte West re preferred access for surveys	29/03/2021	Email
Email form LT to Charlotte West re preferred access	07/04/2021	Email
Email from CW re survey licence re Mr Heath's request for access from Chantry Post	09/04/2021	Email
LT email to CW re updated survey licence requirements	06/05/2021	Email
Updated survey licence sent to CW	10/05/2021	Email
CW confirms details of tenancy to the Heath family/family entities.	12/05/2021	Email
LT responds to CW by email:	12/05/2021	Email
Email from CW: attaching final signed licence	18/05/2021	Email
LT chasing for an update	25/05/2021	Email
CW confirms copies have been signed	25/05/2021	Email
Email from CW confirm holding the signed documentation	26/05/2021	Email
LT sends payment request form to CW	27/05/2021	Email
CW sends back the payment information form and signed licence	27/05/2021	Email
CW chasing for payment of licence	29/05/2021	Email
LT responds to CW by email apologising for delay	04/06/2021	Email
Email from CW: On completion of license access can be taken for surveys	07/06/2021	Email
LT emails CW re surveys	07/06/2021	Email
CW sends over invoice	11/06/2021	Email
s.42 letter sent	14/07/2021	Email
Phone call between LT and Mr Heath	24/08/2021	Telecom
LT emails Mr Heath: proposed site meeting on 26/08/202.	24/08/2021	Email
SITE MEETING - Mr Heath. Ian Milligan attended	26/08/2021	Site Meeting
Schedule of tree surveys sent to CW	07/09/2021	Email
LT emails Mr Heath re upcoming geophysical surveys	14/09/2021	Email

Phone conversation and email about upcoming meeting on 9th May	03/05/2022	Telecom
Follow up email from LT - site visit on 9th May.	03/05/2022	Email
SITE MEETING - potential re-route discussed	09/05/2022	Site Meeting
SITE MEETING - Mr Heath and Helen Clouting (HC) attended	20/07/2022	Site Meeting
Email from Helen Clouting (HC) contacted by Mr Heath there being concern over re-routing	22/07/2022	Email
LT has a phone conversation with Helen Clouting re Mr Heath	03/08/2022	Telecom
Email from HC to LT - re upcoming meeting reschedule:	04/08/2022	Email
HC left a voicemail	11/08/2022	Telecom
Email from HC: Proposed meeting with Mr Heath	12/08/2022	Email
Email from HC: Proposed meeting with Mr Heath	22/08/2022	Email
SITE MEETING - Helen Clouting attended	31/08/2022	Site Meeting
LT emails HC: Meet at Muntham Farm with HC and Mr Heath and Georgie Heath – Proposed surveys and the payment information form and legal note requested detailing the ownership structure of the land holding.	22/09/2022	Email
Email from HC: referred to survey licence and proposed route re-alignment,	23/09/2022	Email
s.42 letter sent	14/10/2022	Letter
Email sent to all agents with consultation data attached	14/10/2022	Email
Phone call between HC and LT	15/11/2022	Telecom
Email from LT to HC: consulting on potential route alignment changes. And request for survey license	16/11/2022	Email
Email from HC meeting delay	22/11/2022	Email
Email from LT to HC: Plan of preferred route requested prior to consultation closure on 29th November	22/11/2022	Email
HC sends over a plan of the preferred route: Following meeting with Mr Heath with reasons for preference	23/11/2022	Email
LT emails HC: Requesting clarification for preferred alignment	05/12/2022	Email
HC sent email with comments	05/12/2022	Email
Email from HC: licence agreement contact details and refinement of survey requirements	08/12/2022	Email
LT emails Mr Heath: site visit with engineers to walk proposed route realignment	12/12/2022	Email
Email from HC confirming attendance at site meeting	13/12/2022	Email
SITE MEETING with Nigel Abbott and Mr Heath where they looked at the 1D route	15/12/2022	Site Meeting
Email from HC: plans provided showing current and proposed route	15/12/2022	Email

Consultation response received from what is believed to be Mr Heath:	16/12/2022	Consultation Response
Email from Nigel Abbott (NA) to RH: sketches to captured what was discussed requesting feedback	21/12/2022	Email
Email from HC to NA: confirmation annotated plans acceptable.	03/01/2023	Email
Will Gullett (WG) emails HC	17/01/2023	Email
SITE MEETING - LT met with Mr Heath with HC and WG and explained 1C/ 1D and took away further route proposal. Addressed survey license requirements	01/02/2023	Site Meeting
LT Emails Mr Heath: Survey access confirmed and revised survey areas	02/02/2023	Email
Email re geophysical survey to Mr Heath	17/02/2023	Email
s.42 letter posted	22/02/2023	Letter
Email re surveys to Mr Heath	28/02/2023	Email
Email to Mr Heath re surveys and licence - LACR 1C and 1D	03/03/2023	Email
LT requests payment information form to be signed by Mr Heath - via email	13/03/2023	Email
WG emails re payment information form	20/03/2023	Email
WG emails re payment information form	22/03/2023	Email
WG emails re breeding bird survey	23/03/2023	Email
WG call to Mr Heath re signed licence and checking bank details.	29/03/2023	Telecom
Email from WG to RH re breeding birds surveys	13/04/2023	Email
s.42 letter posted	14/04/2023	Letter
LT emails Mr Heath re eater vole, badger and otter surveys	30/05/2023	Email
Email from LT to HC: clarification legal ownership and occupation sought	13/06/2023	Email
LT sends chaser email to HC	14/06/2023	Email
Email from HC to LT: Confirmation of ownership and occupation of the land and request update on route alignment	28/06/2023	Email
LT responds to HC with further queries on her comments:	29/06/2023	Email
Email from HC to LT : comment as queries raised ion ownership	30/06/2023	Email
LT sends chaser / clarification email to HC	03/07/2023	Email
LT has a phone call with Mr Heath to clarify	05/07/2023	Telecom
LT emails Mr Heath with clarification of their discussion and associated DCO plans:	05/07/2023	Email
Email to Mr Heath re bat surveys	17/07/2023	Email
NA emails re bat surveys	24/07/2023	Email
KEY TERMS ISSUED	31/07/2023	Key Terms Issued
Project Update email re DCO submission	14/08/2023	Email
s.56 letter sent	25/09/2023	Letter
Email from LT to Batchellor Monkhouse (DB and HC) re updates on the clients view of the key terms	20/12/2023	Email

Letter from LT posted regarding key terms	22/03/2024	Letter
LT emails David Blake and Helen Clouting forwarding digital copies of letters sent to their Clients	25/05/2024	Email
LT emails Mr Heath - understand Chris Tipping is now representing Muntham Farm LLP - requesting site meeting or teams call	31/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Email from LT to CT & AC of Batchellor Monkhouse - Confirmation that Alistair Cameron will be the Land Interest's Agent	10/06/2024	Email
LT emails Alistair Cameron asking that he progress discussions on Muntham Farm LLP's HoTs with Giles Lister	12/06/2024	Email
LT emails Alistair Cameron amended HoTs original HoTs for Muntham Farm which were sent in July 2023	13/06/2024	Email
LT emails AC regarding payments.	21/06/2024	Email
LT emails AC written responses to queries raised on behalf of the prior agent for Muntham Farm	25/06/2024	Email
Revised Key Terms Package Sent Via Post	25/06/2024	Letter
Email to AC with attached revised key terms	25/06/2024	Email
LT emails AC requesting details of concerns / queries from ACs site visit	27/06/2024	Letter
AC emails LT requested updated option and easement documents	28/06/2024	Email
LT emails AC requesting meeting on Monday 1st July	28/06/2024	Email
AC emails LT confirming meeting	28/06/2024	Email
LT emails AC - Without Prejudice and Subject to Contract	02/07/2024	Email
LT responds with comments to an email from AC re Heads of terms for Muntham Farm LLP	04/07/2024	Email
LT emails AC with updated HOTS for Muntham Farm LLP	08/07/2024	Email
LT sends follow up email to AC attaching revised Heads of Terms, following discussions.	08/07/2024	Email
Key Terms agreed - AC sends revised key terms for the Muntham Farm 2013 Trust which have been approved by the land interest	09/07/2024	Key Terms agreed/ 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.