

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Lorica Trust Limited

Date: August 2024

Revision A

Application Reference: 4.6.62

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

Ecodoc Reference: 005279599-01



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:	The Lorica Trust Ltd	URN on LRT:	112
AGENT:	n/a	Relevant Rep Ref:	N/A
PROPERTY NAME:	Land south of East Clayton Farm	Written Rep Ref:	N/A
LAND INTEREST:	Category 2 Works 13 – Construction Access	PLOT No:	21/32, 21/33, 21/36, 21/37, 22/7

STATUS

The Applicant has reached an agreement for key terms for a construction access lease on the National Trust freehold land occupied on a long lease by the Lorica Trust. National Trust has confirmed agreement for there to be a sublease between the Applicant and the National Trust and that subject to the key terms agreement shall provide a consent to let. Draft documents have been prepared by the Applicant and issued to the Lorica Trust's solicitor copied to the National Trust.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

Discussions and information exchange with the National Trust on February 2024 resulted in an agreed land agreement structure for securing the Rampion 2 rights. Whilst The Lorica Trust are a category 2 interest leaseholder, the tenancy agreement is a long lease for 99 years (dated 2004). In light of the length of the tenancy and the long term nature of the freehold and tenant land interests, it was agreed in principle with the National Trust that either a tri-partite lease between the parties or a sublease between The Lorica Trust and Rampion 2 would be appropriate with a consent from The National Trust. The National Trust consulted with The Lorica Trust who (in principle) agreed with this proposed structure.

Further to the above, key terms were sent to The Lorica Trust on 6th March 2024.

A site visit, meeting and negotiations took place in March and April 2024. The following key matters were raised by The Lorica Trust:

- Impacts on crossing the A283
- Impacts on the bus stop
- Impacts on areas used at 'Dairy Meadow' and land adjoining the Lorica Trust land for outdoor education

Some mitigation proposals were discussed and on 24th March 24 a revised commercial offer was made by the Applicant. This was not accepted and a further email sent by the Lorica Trust's representative on 15th April highlighting further concerns.

A further revised commercial offer was made in April 24 with some accompanying proposed mitigation measures.

Key terms were agreed on 1st May 24 for a lease of the land required for a Construction access. Draft documents have been issued to The Lorica Trust's solicitor and negotiations are in progress.

PROGRESS OF ENGAGEMENT FOLLOWING CAH 1

General project information email exchange has taken place in July 24 between the Applicant and the Lorica Trust and with the National Trust's agent. Email exchange including draft document exchange has taken place between the Applicant's and The Lorica Trust's solicitor.

LANDOWNER ENGAGEMENT (2021 to 2024)

The Applicant has been engaging directly with The Lorica Trust's representatives **since March 2021**.

An introductory site meeting was held in March 2021, followed by another meeting in March 2022. Following feedback received at the first site meeting and environmental data, the Applicant worked up a potential alternative construction access, which was presented at the March 2022 site meeting. This was consulted upon within the October 2022 consultation (AA-12) and is discussed further within the section below.

In February 2024 the National Trust's representatives advised as follows:

"With regard to Jockey's Meadow we are reasonably satisfied that the NT has reserved the necessary rights in the Farm Business Tenancy" to consent to the cables. However, we certainly agree that it would be preferable to also have a separate tenant consent so do not disagree with your suggested approach.....

However, while looking into this, the NT have come to the conclusion that they have not reserved sufficient rights in the Farm Business Tenancy to consent to the separate Construction Access track off the A283. We therefore suggest that this needs to be removed from the main Option and Easement agreements and dealt with by a separate lease with both the NT and Lorica Trust as parties to the agreement. Presumably this could be made to work, as I understand you are entering into leases for construction access elsewhere along the route."

An email with HOTs and a plan was sent to The Lorica Trust on 6th March 2024 confirming Rampion 2's wish to acquire the rights to:

enter into a lease over land shown coloured red, which the Lorica Trust occupy, as a temporary construction access with associated rights extending up to 340 metres to the west of the A24 and south A238 for a construction route as shown on the plan. The Applicant outlined its understanding that there is a tenancy in place with the Lorica Trust and recorded that whilst National Trust retain rights for example for infrastructure wayleaves, they and the Applicant are keen to agree a voluntary agreement with Lorica Trust for works which will impact upon Lorica. It is anticipated that the width of the access rights will be up to 6 metres with rights for additional temporary construction areas and access routes taken where required. The Applicant noted it's wish to secure rights by private treaty.

The Applicant reported it's is understanding from conversations with the National Trust that National Trust will put in place an agreement with the Lorica Trust to enable a lease with the Applicant to be entered into.

On 13th March details of a site visit were arranged. A site visit and meeting took place with the Applicant and 2 representatives from the Lorica Trust present. The purpose of the meeting was to discuss:

- Lorica Trust's current and planned activities and timescales
- the submitted Rampion 2 DCO plans
- further information about Rampion 2 programme and construction methods etc.
- Rampion 2 commercial terms forwarded

On 15th March 24 the Lorica Trust representatives forwarded details of discussions with West Sussex County Council regarding a Pedestrian Crossing of the A283 at the Lorica Trust site. This had been previously sent to the Applicant's agent. The email records a commitment by West Sussex County Council in principle to pursue the crossing proposal and to that end the West Sussex County Council representative stated his intention to consult with the wider stakeholders in early March 22 including the Parish Council, bus operators etc, before moving on to a preliminary design which would include the specification for the crossing itself. The updated status of the crossing proposals is unclear, however the Applicant confirmed that it would forward the information onto it's transport consultant to incorporate into detailed junction designs and associated discussions with West Sussex County Council.

On 24th March 24 a revised commercial offer was sent by email taking into account the concerns and matters raised at the site visit and meeting.

On 15th April 24 the Lorica Trust outlined it's concerns regarding the impact of the Proposed Development on the Lorica Trust's educational provision on the farmland south of the A283 at 'Dairy Meadow' until the works are completed, and the costs and challenges of trying to find alternative sites elsewhere.

The Lorica Trust representative communicated that they were hoping the new Pegasus road crossing, which we have been developing in conjunction with WSCC for some time, would mean they could safely access the land south of the road and use that for educational activities with the groups we work with, but the use of Dairy Meadow would stall any development until the Applicant vacated the field.

The Lorica Trust's representative highlighted that safe access is a particular concern with the vulnerable groups they work with, and pointed out that a large area of suitable land and woodland would be made available with the new road crossing, which unfortunately would be impacted by the Proposed Development field access.

The Lorica Trust considered that the financial side of this is only one part of the equation and how they find replacement areas is not easy; the need is massive, and we have a substantial waiting list are not able to take all those who would benefit from being at the farm, which is why they are trying in all ways to increase the places where they can provide for this need.

The Lorica Trust did note that *"looking positively, we understand that you need to do this as part of national infrastructure, but I hope this enforced change of direction for us will prove beneficial"*.

Further to the telephone conversation on 14th April and email correspondence an email was sent with a further revised commercial offer on 20th April 2024.

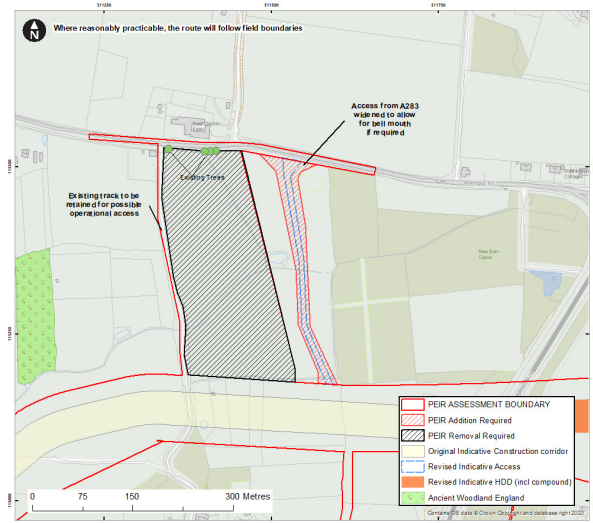
A telephone conversation took place on 30th April 24 between the Applicant and The Lorica Trust's representative to discuss the revised offer. On 1st May the Lorica Trust emailed to confirm agreement to key commercial terms and setting out some conditions which were accepted by the Applicant.

ALTERNATIVES / REFINEMENTS – REVIEWED AT THE REQUEST OF THE LANDOWNER

Following a review of the cable route and associated accesses, as well as feedback from the landowner from site meetings in March 2023 and March 2022, an alternative construction access was considered by the project, eventually being put forward for consultation within the October 2022 consultation (AA-12). This consideration was located outside of the original PEIR boundary, located slightly to the east of the original proposals.

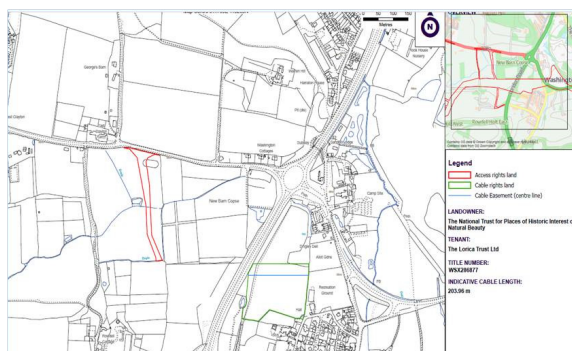
The Applicant originally proposed to use the existing access road to the west of “Daisy Meadow” at the EIA scoping stage prior to the first statutory consultation in 2021. At this stage the Applicant identified a number of constraints associated with the use of the access including the presence of mature trees on the junction with the A283, traffic safety issues and proximity to residential property. In addition, The Lorica Trust utilise the originally proposed access regularly for access to outdoor activities and it was determined that the newly proposed access would avoid this and overall have reduced impacts on human rights and equalities, ecology and residential amenity as a result.

The Plan below shows the originally proposed construction access to the west and the newly proposed access to the east with associated proposed Preliminary Environmental Information Report (PEIR) boundary removals and additions..



IMPACT ON LAND INTEREST

- The Land Interests has a Category 2 interest in land to the south of the A283 with the freeholder being The National Trust
- The Proposed Development requires a construction access through land used for grazing sheep ‘Dairy Meadow’ by the Lorica Trust.
- The Proposed Development is adjacent to other land used by the Lorica Trust for outdoor education
- The Proposed Development will result in a loss of grazing for the construction period which is expected to be between 24 and 36 months



PROPOSED MITIGATION & ENHANCEMENT

1. Crossing points will be provided across the access to ensure land maintenance requirements can continue to be carried out

2. Additional enhancement works have been agreed such as the installation of a new fence upon completion of the works. The fence will run the length of the northern boundary adjoining Storrington Road from Rowdell Lane to New Barn Copse and be cleft oak wooden post and rail fencing as exists today.
3. Depending upon the planning conditions attached to the scheme, the Lorica Trust will be offered the option, and only with agreement of National Trust, of retaining some of the infrastructure you install (bridge over the stream, fencing, etc) and also directing removal of hard core to somewhere else on the farm.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- None that the Applicant is aware of / has been brought to the attention of the Applicant

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory project letter from Carter Jonas (CJ) Land Referencing.	24.11.2020	Letter
Carter Jonas Engagement Meeting in Lorica Building – Will Gullett (WG) & Richard Fearnall (RF)	04.03.2021	Site Meeting
Site Meeting – Lucy Tebbutt (LT) & WG met with Jean Rolfe (JR) (CEO Lorica Trust) to walk and discuss the revised construction access route following comments.	17.03.2022	Site Meeting
Latest email notification from WG to JR re survey access.	12.12.2022	Email
Email correspondence from WG re new survey licence	13.01.2023	Email
Completed licence returned to Lorica Trust by WG.	16.02.2023	Email
Email correspondence re survey access with JR.	13.04.2023	Email
Email correspondence re survey access with JR.	26.04.2023	Email
Heads of terms for the proposed lease issued to Robin Hobson (RH) of Lorica Trust	06.03.2024	Email
GL sends Key Terms offer via email to RH	06.03.2024	Email
Meeting arranged with Lorica Trust by Vicky Portwain (VP)	13.03.2024	Email
Meeting attended by VP only with Lorica Trust on site / LT Offices	14.03.2024	Site Meeting
RH forwarded email from Kevin Moss re crossing	15.03.2024	Email
VP sent offer to RH	20.04.2024	Email
RH will call VP to discuss offer	23.04.2024	Email
Agent's Fees Clarification Letter Sent	06.06.2024	Letter

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.