

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
The Executors of David William
Bowerman

Date: August 2024
Revision A

Application Reference: 4.6.26
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279536-01



Document revisions

| Revision | Date | Status/reason for issue | Author | Checked by | Approved by |
|----------|------------|-------------------------|--------------|------------|-------------|
| A | 01/08/2024 | Deadline 6 | Carter Jonas | RED | RED |

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|------------------------|--|--------------------------|--|
| LANDOWNER NAME: | The Executors of D W Bowerman | URN on LRT: | 059 |
| AGENT: | Andrew Thomas (Henry Adams) | Relevant Rep Ref: | RR-119 |
| PROPERTY NAME: | Land adjoining the River Arun and adjoining Railway Line (WSX428137) | Written Rep Ref: | N/A |
| LAND INTEREST: | <p>Category 1</p> <p>Works 09 Cable Installation Works</p> <p>Works 11 Temporary Soil Storage</p> <p>Works 15 Operational Access</p> | PLOT No: | 3/8, 3/9, 3/10, 3/11, 3/13, 3/16, 3/17 |

STATUS

The Applicant has engaged with the Landowner and the Landowner's agent since the end of 2020 and during that time the Applicant has considered the Landowner's request to mitigate the impact of the Project on the Landowner's landholding demonstrating meaningful consultation and engagement.

The Landowner's principal concerns relate to the easement strip prejudicing the Landowner from granting Network Rail access to the railway line, and in relation to the health & safety of the operational personnel gaining access whilst the Landowner's "wild" cattle roam the Landowner's wider landholding.

In addition to the Heads of Terms for the cable route, the Applicant has updated these Heads of Terms, increasing the easement consideration offer as well as including payments for the temporary soil storage and operational access across the Landowner's landholding.

The Applicant has proposed appropriate wording to be added to the Heads of Terms to provide the Landowner with assurances that the easement strip will not prejudice the Landowner from granting Network Rail access to the railway line. The Applicant is awaiting the Landowner's agent to confirm the wording is acceptable and confirmation that the Landowner will be willing to sign up to a voluntary agreement.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms** were issued in **March 2023**.
- The Landowner's agent requested to view the draft Option Agreement and draft Deed of Easement and these documents were provided to the Landowner's agent in **September 2023**.
- The Applicant emailed the Landowner's agent in **March 2024** to request confirmation that the Landowner's agent is willing to recommend the Landowner to sign the **Heads of Terms**.

PROGRESS OF ENGAGEMENT FOLLOWING CAH1

- The Applicant held an on-line video TEAMS call with the Landowner's agent on **13th June 2024**. The Landowner's agent confirmed that the Landowner would like assurances that the easement strip would not prejudice Network Rail from gaining access to the railway line. The Landowner's agent also requested whether the Landowner could receive a payment for the operational access.
- The Applicant has included additional wording in **Revised Heads of Terms** issued on **15th July 2024** providing the Landowner with assurances that the easement strip will not prejudice Network Rail from gaining access to the railway line. The Applicant also offered the Landowner an increased easement consideration payment and a payment to for the operational access.
- The Applicant met with the Landowner's agent on **15th July 2024** to request the Landowner's agent to meet with the Landowner and to confirm that the Landowner is willing to sign up to the **Revised Heads of Terms**.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has had detailed dialogue with the Landowner and the Landowner's agent commencing from **May 2021**.
- Written correspondence issued both via emails and letters have been issued to the Landowner and the Landowner's agent across this period as evidenced by the Landowner Engagement Tracker (below).
- Early correspondence, during **2021** and **2022**, with the Landowner and the Landowner's agent sought to agree terms for a non-intrusive ecology survey licence and allow permission for ecology surveys to be undertaken.
- The correspondence during **2022** and **2023** largely focused on requesting survey access for ecological surveys.

ALTERNATIVES / REFINEMENTS – REVIEWED AT THE LAND INTEREST'S REQUEST

- None.

IMPACT ON LAND INTEREST

- The Landowner grazes cattle across the landholding (and wider landholding extending to both sides of the railway line) and or takes cuts of hay.
There will be a loss of grazing for the temporary construction corridor during construction

PROPOSED MITIGATION

- The Applicant can mitigate the impacts on the farming activities through agreeing accommodation works in advance of construction commencing – such as crossing points.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Landowner's agent confirmed that the operational payment offer made by the Applicant in July 2024 may not be a satisfactory to the Landowner.

| CJ Negotiations/Contact Summary | Date of Contact | Method of Contact |
|--|-----------------|-------------------|
| LTR to David William Bowerman re Introduction to RWE and potential expansion of Rampion Offshore Wind Farm | 24/11/2020 | Letter |
| EM to Simon Lush (Henry Adams) re Executors of Bowerman - Survey Access <i>> Understand from AT that SL acts as an executor for the late Mr D Bowerman, > Attached survey licence agreement and accompanying plan. > Requested survey licence to be signed and returned to CJ.</i> | 24/05/2021 | Email |
| EM from Andrew Thomas (Henry Adams) re Executors of Bowerman - Survey Access <i>> Confirmation that the survey licence plan is incorrect.</i> | 24/05/2021 | Email |
| EM to Andrew Thomas (Henry Adams) re Executors of Bowerman - Survey Access <i>> Attached survey licence with amended plan.</i> | 25/05/2021 | Email |
| EM from Andrew Thomas (Henry Adams) re Executors of Bowerman - Survey Access <i>> Confirmation that the survey licence has been signed and posted to CJ.</i> | 25/05/2021 | Email |
| EM to Andrew Thomas (Henry Adams) re Executors of Bowerman - Survey Access <i>> Acknowledgement of receipt of signed survey licence - will forward to RWE for completion. > Requested complete and return the attached Payment Information Request Form.</i> | 27/05/2021 | Email |
| EM to Simon Lush (Henry Adams) re Rampion II - Bowerman - Survey Access - Wk c. 14 06 21 <i>> Attached completed survey licence agreement. > Requested survey access for non-intrusive bat surveys in wk c. 14 06 21.</i> | 10/06/2021 | Email |
| EM from Simon Lush (Henry Adams) re Rampion II - Bowerman - Survey Access - Wk c. 14 06 21 <i>> Attached completed Payment Information Request Form. > Confirmed that Tim Hutchings grazes / mows the Bowerman land - requested contact Tim Hutchings directly when seeking access for surveys.</i> | 10/06/2021 | Email |
| LTR to David William Bowerman re Request for Information - Rampion 2 Project Reminder Letter | 10/06/2021 | Letter |
| LTR to David William Bowerman re Section 42 | 14/07/2021 | Letter |
| LTR to David William Bowerman re Section 42 | 14/10/2022 | Letter |
| EM to Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 <i>> Aware that survey licence expired in May 22. A new licence will shortly be re-issued. > Requested in the absence of a signed licence, verbal permission, for a non-intrusive tree survey to be undertaken in wk c. 12 12 22.</i> | 23/11/2022 | Email |
| EM from Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 <i>> Happy to enter into a new licence on the same terms</i> | 23/11/2022 | Email |

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| <p>as previously. > Confirmed access for 12 12 22.</p> | | |
| <p>EM to Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Attached new 12-month survey licence to take effect from the expiry of the licence dated 28 05 21. > Requested confirmation of the basis of Tim Hutchings occupation of the land.</p> | 06/12/2022 | Email |
| <p>EM from Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Confirmed REDACTED holds an annual licence over the land. > Will talk with AT over whether xxx should be included within the survey licence.</p> | 06/12/2022 | Email |
| <p>EM from Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Confirmed arrangements.</p> | 19/12/2022 | Email |
| <p>EM from Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Requested an update on how we treat the occupier.</p> | 09/01/2023 | Email |
| <p>EM to Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Confirmed arrangements.</p> | 13/01/2023 | Email |
| <p>EM from Simon Lush (Henry Adams) re Rampion II - Executors of Bowerman - Survey Access - Wk c. 12 12 22 > Attached renewed survey licence.</p> | 16/01/2023 | Email |
| <p>EM to Simon Lush (Henry Adams) re Rampion II - Key Terms Issue - 28 03 2023 > Attached Key Terms Pack that have been posted to SL.</p> | 28/03/2023 | Letter |
| <p>EM from Simon Lush (Henry Adams) re Rampion II - Key Terms Issue - 28 03 2023 > Confirmed receipt of the Key Terms - pointed out Brookbarn Farm address is incorrect.</p> | 28/03/2023 | Email |
| <p>EM to Simon Lush (Henry Adams) re Rampion II - Key Terms Issue - 28 03 2023 > Attached correctly addressed Key Terms Pack.</p> | 28/03/2023 | Email |
| <p>EM to Andrew Thomas (Henry Adams) re Rampion 2 - Draft Option Agreement and Draft Deed of Easement > Attached draft documents.</p> | 29/09/2023 | Email |
| <p>EM to Andrew Thomas (Henry Adams) re Rampion 2 - HoTs Review Call > Invite to Teams call on 21 02 2024.</p> | 19/02/2024 | Email |
| <p>EM to Andrew Thomas (Henry Adams) re Rampion 2 - Bowerman - Heads of Terms > Requested confirmation that AT is willing to recommend HoTs to be signed and returned.</p> | 11/03/2024 | Email |
| <p>LTR to The Executors of David William Bowerman re Rampion 2 [Subject to Contract & Without Prejudice]</p> | 22/03/2024 | Letter |
| <p>EM to Andrew Thomas (Henry Adams) re Rampion 2 - Letter (22 03 24) - Heads of Terms > Attached Letter dated 22 03 24.</p> | 25/03/2024 | Email |

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| EM to Andrew Thomas (Henry Adams) re Rampion 2 - Bowerman - Heads of Terms > <i>Chasing AT for an update to email dated 11 03 24.</i> | 25/03/2024 | Email |
| EM to Andrew Thomas (Henry Adams) re Rampion 2 - Letter (22 03 24) - Heads of Terms > <i>Chasing AT for an update to email dated 11 03 24.</i> | 28/03/2024 | Email |
| LTR to David William Bowerman re Section 55 | 25/09/2023 | Letter |
| TEAMS Call with Andrew Thomas (Henry Adams), Vicky Portwain (RWE) and Nigel Abbott (CJ) | 13/06/2024 | Telecom |
| EM to Andrew Thomas (Henry Adams) re Bowerman Updated Key Terms > <i>Issued Revised Heads of Terms - with additional working in relation to Network Rail.</i> | 15/07/2024 | Email |
| MEETING Andrew Thomas (Henry Adams), Harry Hyde (RWE) & Nigel Abbott (CJ) at Henry Adams Office, Chichester | 15/07/2024 | Site Visit |

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.