

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Grahame Rhone Kittle

Date: August 2024

Revision A

Application Reference: 4.6.53

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

Ecodoc Reference: 005279591-01



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:	Graham Rhone Kittle & Susan Kittle	URN on LRT:	102
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Unregistered Land at Sullington Manor Land and Land at Sullington Manor Farm 87.73 acres within the DCO Order Limits (potentially affected by scheme)	Written Rep Ref:	REP1-100
LAND INTEREST:	Category 1 and Category 2 Works 09 – Cable Installation Works Works 14 – Construction and Operational Access Works 15 – Operational Access	PLOT No:	15/2, 15/3, 18/1, 18/2, 18/3, 18/4, 18/6, 18/7, 18/8, 18/9, 19/2, 19/3, 19/4, 19/5, 20/1, 20/2, 20/3, 20/4, 20/5, 20/6, 20/11, 20/12, 20/13, 20/14, 20/15
<p>STATUS</p> <p>The Applicant has consulted with the Landowner since February 2021 and assessed alternative routes (MR-06) (LACR-01C) (LACR-01d), alternative access (AA-26) and construction methodologies (TC-29) in this location.</p> <p>The land interest owns a farm on and around Sullington Hill. Some of the pasture and arable land (and track) is affected by the proposed Rampion 2 cable route. In addition, an operational and construction access impacts an existing track and an operational access is proposed along the edge of a cattle grazing field.</p> <p>The Applicant has provided DCO consents documents including rights of way diversion information and trenchless crossing information to the landowner. The Applicant has also discussed the Heads of Terms, mitigation works, and engineering works at length with the Landowner’s Agent, with the Applicant issuing revised Heads of Terms on 28 June 2024 and having subsequent online Teams meetings to discuss these with the Landowner’s agent.</p> <p>The Applicant had an online Teams call with the Landowner’s agent on 24 July 2024 to discuss the remaining concerns regarding the Heads of Terms, following the meeting with an ALO on site on 18 July 2024. The Applicant sent a tracked changes word document of the Heads of Terms (with various amendments) and a crossing schedule plan on 26 July 2024. The Applicant had an online Teams call with the agent on 30th July 2024 to clarify the outstanding points pending agreement.</p> <p>Following discussions, commitments were provided by the Applicant via email to the Landowner’s agent who confirmed on 1 August 2024 that the Heads of Terms are agreed.</p>			
<p>NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS</p> <ul style="list-style-type: none"> • Heads of Terms were issued in July 2023 and reissued in January 2024. • An email chaser was sent to the Landowner’s agent in October 2023 and December 2023. • The Option and Easement documentation was sent to the Landowner’s agent on 13 February 2024. • The Applicant responded to the Landowner’s relevant representation (REP1-100) on the following points: <ul style="list-style-type: none"> ○ The accompanied site visits ○ The outline public rights of way management plan ○ The proposed cable installation methodology over the land holding/ around Sullington Hill ○ Impacts and Mitigation on Agricultural uses. ○ Landscape and visual effects assessments • The Applicant sent the Landowner an email in February 2024 a Letter in March 2024 chasing for feedback on the Heads of Terms. • A site meeting was held in April 2024 to work collaboratively on outstanding issues, which the Applicant followed up with an email. • The Applicant sent an email on 10 May 2024 with answers to some of the Landowner’s queries regarding engineering and Public Rights of Way. • The Applicant sent over updated Heads of Terms on 28 June 2024 and corresponded with the Landowner’s Agent via phone on the 5 July 2024 and an online meeting on the 8 July 2024. • A further meeting was held with the Landowner’s agent on 12 June 2024 (in person at the agent’s office) and followed up with an email on 21 June 2024. • Further online Teams meetings were held on 8 July 2024 and 24 July 2024 where it was agreed to provide further information on the Heads of Terms plan to provide clarity on the Applicant’s requirements. 			

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- The Applicant sent the ProW diversion plan (as requested) to the Landowner **via email on 30th May 2024** and set out a detailed email with an explanation of potential diversion options. The Applicant confirmed that east-west access for walkers would be ensured and that as a result it was not anticipated that there would be detrimental impacts on the Landowner's café just off the South Downs Way.
- **The Applicant sent a Letter on 6 June 2024** to the Landowner to **clarify the position in respect of fees** for professional advice.
- The Applicant **issued revised Heads of Terms on 28 June 2024**, sent directly to the Landowner (via post) and **via email to the agent on 8th July 2024**. These included a 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.
- A meeting was held with the Landowner's agent on **12 June 2024 to discuss outstanding concerns** preventing the progression of the Heads of Terms.
- **A number of points were raised which were summarised in an email from the Applicant to the agent on 21st June 2024.**
- **On 27th June 2024** answers to the outstanding concerns were provided, including **suggested wording for revision of the operational access.**
- The Applicant also issued revised Heads of Terms **on 28 June 2024** with a commercial offer to progress discussions and reach agreement.
- The Applicant spoke with the agent on the phone **on 5 July 2024 and had an on-line Teams meeting on 8 July 2024.**
- **On 18 July 2024 the Applicant had a site meeting with the Landowner and their agent at Sullington Manor Farm. The Applicant introduced the Landowner to an ALO who works on similar projects to help demonstrate how impacts can be mitigated. Discussions also took place around trenchless crossing compound and haul road requirements with a focus on practical engineering aspects.**
- On **24 July 2024** the Applicant had an online Teams meeting with the agent to understand the current status of discussions.
- On **25 July 2024** the Applicant a crossing schedule plan and a tracked changes word version of the Heads of Terms, and requested feedback from the Landowner's agent.
- On **30th July 2024**, the Applicant spoke with the Landowner's agent to understand the remaining points within the Heads of Terms requiring clarification.
- **Following discussions, commitments were provided by the Applicant via email to the Landowner's agent who confirmed on 1 August 2024 that the Heads of Terms are agreed.**

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agents since **February 2021**.
- An initial **site meeting was held in August 2021** to present the original cable routing proposals.
- **Additional meetings were held on the following dates** : 17th March 2022 – Explained route to southern boundary of fields; 9 May 2022 – Explained route alternatives being considered; 4 August 2022 – Explained alternative route 1c; 1 February 2023 – Explained alternative routes 1c and 1d ; 23 April 2024 – Meeting to talk through project; 30 April 2024 – Meeting with engineers (online). Plus various online Teams meetings. Please see the extract from the engagement tracker below and the emails attached to see details of the engagement.

ALTERNATIVES – Reviewed following consultation and assessment further south and north east along the cable route

- **3 cables routes** were considered to the south of Sullington Hill (south of the interest's farm).
- Following consultation and feedback, a route amendment, **Longer Alternative Cable Route "LACR 1C"** was consulted upon in **October 2022**.
- Further to consultation feedback and further assessment a new Longer Alternative Cable Route "LACR 1D" was consulted upon in **February 2023**.
- **LACR 1D was taken forwards as the final DCO Order Limits.**
- Over this period, the Landowner did not put forward an alternative route on their land, but did request feedback on the route to the south of Washington, known as the 'Wiston Blue Route', (which the landowner showed support for) which was presented at a **Parish Council meeting (which was attended by the Land Interest) in February 2021**.
- **In addition the Applicant assessed and consultation upon a suggested cable route alignment in the October 2022 consultation (MR-06 within the Second Round of Statutory Consultation 2022) which minimised severance of the landowner's field by allowing the cable route to hug the boundary of the field to the south.**

IMPACT ON LAND INTEREST

- **Works No 9 (Cable Installation Works): Plots 20/2, 20/4, 20/5 & 20/6 (plus Plots 15/2, 19/2, 20/1 and 20/3 which are currently unregistered)** - The Land Interest owns pasture and arable land affected by the proposed

Rampion 2 cable route, roughly 18% of the farm will be within Order Limits but this will be narrowed down in due course as engineering clarification is acquired. Part of this will be subject to trenchless crossing methodology (HDD) and others sections will be trenched.

- **Works No 13 (Construction Access): (Plots 18/4, 18/6 which the claimant has access rights over)**
- **Works No 14 (Construction and Operational Access): (Plots 18/2, 18/8, 18/9 which the claimant has access rights over and Plots 15/3, 18/1 which are current unregistered)**
- **Works No.15 (Operational Access): Plot 20/11 (plus Plots 18/3, 18/7 which the claimant has access rights over and Plots 19/3, 19/4, 19/5, 20/12, 20/13, 20/14, 20/15 which are currently unregistered)**

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss along haul road, open cut working corridor sections and trenchless crossing compounds.
- **Temporary severance** of pasture and arable land.

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points/ accesses/ fencing
- Severance minimised where possible – by routing to the south of the field.
- Large section of cable over Sullington Hill will be HDD.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- Following an online Teams meeting that was held on 30 July 2024, the Applicant took away a number of points for consideration.
- Following discussions, commitments were provided by the Applicant via email to the landowner's agent who confirmed on 1 August 2024 that the Heads of Terms are agreed.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent	24/11/2020	Letter
Lucy Tebbutt (LT) emails Grahame Kittle (GK) regarding project	28/01/2021	Email
GK emails stating not happy with proposal	01/02/2021	Email
LT sends GK licence pack	01/02/2021	Email

GK informs agent Rowan Allan (RA) instructed	02/01/2021	Email
LT emails RA confirming instruction	04/03/2021	Email
LT chases RA to confirm	28/04/2021	Email
RA confirms	28/04/2021	Email
LT queries licence name, RA requested maps to clarify	28/04/2021	Email
LT sent maps	28/04/2024	Email
LT sent licences to RA	01/05/2024	Email
LT chased RA	05/05/2021	Email
RA sent update on other clients and acknowledged licences	06/05/2021	Email
RA sent update on licence, LT acknowledged	07/05/2021	Email
LT sent survey access licence	10/05/2021	Email
RA responds stating plan is incorrect	11/05/2021	Email
LT sent boundary in system	12/05/2021	Email
RA sent confirmation of land ownership	19/05/2021	Email
LT sent RA licence, RA sent queries and LT responds	20/05/2021	Email
RA sent signed licences	21/05/2021	Email
LT requested call from Kittle re payment	27/05/2021	Email
RA requested GK to call LT	27/05/2021	Email
Call with GK regarding payment info	27/05/2021	Telecom
LT sent signed licence and survey schedule to GK	01/06/2021	Email
GK states he has not received payment	04/06/2021	Email
LT requested payment confirmation	07/06/2021	Email
GK responds asking for clearer reference	08/06/2021	Email
LT sent survey schedule	16/06/2021	Email
LT sent survey schedule	21/06/2021	Email
LT sent info regarding survey delay	23/06/2021	Email
LT sent survey schedule	12/07/2021	Email
Statutory letter - section 42	14/07/2021	Letter
LT sent survey schedule	26/07/2021	Email
LT sent survey schedule	02/08/2021	Email
Gail Kittle emailed Rampion inbox requesting a meeting	03/08/2021	Email
LT emails with meeting slots	03/08/2021	Email
Site meeting with GK	17/08/2021	Site Meeting
LT requests meeting at Messrs Kittle, RA accepts on 25/08	23/08/2021	Email
Landowner Surgery	03/09/2021	Landowner Surgery
LT sent engagement notes to RA	24/09/2021	Email
LT sent survey details	19/10/2021	Email
GK emails LT asking is Rampion are considering an alternative route	18/11/2021	Email
LT responds to GK stating all route options are being reviewed	11/01/2022	Email
GK responds stating he looks forward to the plans. LT sends plans	12/01/2022	Email
LT chases GK and sends survey update	27/01/2022	Email
WG sent survey update to GK	14/03/2022	Email
Explained the changes to the route, keeping the cable route to the south of the fields	17/03/2022	Site Meeting
Explained alternatives being considered	09/05/2022	Site Meeting
New survey licence sent via post	01/06/2022	Other
TS sent new survey licence to RA	08/06/2022	Email
LT sent RA signed licence	15/06/2022	Email

Site meeting with GK	05/08/2022	Site Meeting
LT sent meeting summary to GK	09/08/2022	Email
LT sent RA various letters and notices	14/10/2022	Email
Explained alternative routes 1c and 1d	01/02/2023	Site Meeting
LT sent new survey licence to RA and GK and LT requests meeting, RA accepts	17/02/2023	Email
Statutory letter - section 42	22/02/2023	Letter
LT sent RA various letters and notices	24/02/2023	Email
LT informs GK of surveys	28/02/2023	Email
LT sent survey details	02/03/2023	Email
GK confirms surveys can go ahead	03/03/2023	Email
Statutory letter - section 42	04/04/2023	Letter
LT emails GK requesting update on licence and sent survey schedule	14/04/2023	Email
GK confirms he sent signed licence back and noted surveys	17/04/2023	Email
Site Meeting	23/04/2024	Site meeting
GK queried if licence fee has been paid	15/05/2023	Email
LT confirmed receipt of licence and payment details	22/05/2023	Email
GK sent payment details	24/05/2023	Email
LT requested further details regarding ownership	15/06/2023	Email
Key Terms Issued by LT	31/07/2023	Email
LT emails GK stating DCO has been submitted	14/08/2023	Email
LT sent licence update and requested surveys, GK accepts	06/09/2023	Email
Statutory letter - section 56	25/09/2023	Letter
Original correspondence was resent to Kittles	03/10/2023	Letter
LT requested survey update, GK responds and delays surveys	10/10/2023	Email
Statutory letter - section 42	14/10/2022	Letter
LT sent table of outstanding queries to RA	31/10/2023	Email
Chaser from LT regarding queries	20/12/2023	Email
GK emails LT asking for direction to comments on Rampion website	08/01/2024	Email
GK emails RWE addressing concern with accessway	08/01/2024	Email
Chris Tomlinson responds to GK explaining operational access	09/01/2024	Email
LT chases key terms and sends environmental statement	10/01/2024	Email
GK requests hard copy of Key Terms	14/01/2024	Email
LT sent key terms via post	15/01/2024	Letter
GK requested reference number	15/01/2024	Email
LT sent PINS website and instructions	16/01/2024	Email
LT sent further info regarding PINS. GK requested link	16/01/2024	Email
GK sends email to PINS to become an interested party	16/01/2024	Email
Call between GK and LT to discuss scheme	16/01/2024	Telecom
Anna Kittle requests minutes from call. LT sent correct process to become interested party	16/01/2024	Email
GK sent further email to become interested party	16/01/2024	Email
GK emailed to confirm participation in hearings	16/01/2024	Email
Email from PINS to GK stating he is an affected party	17/01/2024	Email
Email from PINS to GK stating AK is not an affected person and GK will have to provide consent	17/01/2024	Email
Email to LT from RA stating he is meeting GK and requested copy of key terms	07/02/2024	Email

RA requests copy of licence and more detailed plans, LT sends them	08/02/2024	Email
LT chases RA re table of outstanding queries	13/02/2024	Email
LT chases RA re table of outstanding queries	13/02/2024	Email
RA states the Kittle family have requested a site meeting to discuss	22/03/2024	Email
Chaser letter sent	22/03/2024	Email
LT sent copy of letters to RA	25/03/2024	Email
LT requests site meeting	08/04/2024	Email
RA proposed meeting time ad sent new email for GK	11/04/2024	Email
RA confirms meeting date and time	16/04/2024	Email
RA confirms meeting	19/04/2024	Email
Site Meeting to talk through project	23/04/2024	Site Meeting
Online Teams Meeting – Held with RWE engineers as a follow up to the meeting on 23 April to talk through the project.	30/04/2024	Online Teams Meeting
Email to Landowner + Landowner's Agent - Attaching response to Kittle Written Representation & Public Rights of Way Management Plan - Providing links to Written Rep responses, environmental assessments, and Rights of Way and Street Plans - Show action points- summary from engineering to provide clarity, map provided with Horizontal Directional Drilling (HDD) locations, response on electro magnetic fields and cattle, confirmation on where parking is proposed during the works	10/05/2024	Email
LT sent link to register to participate in hearing to GK	20/05/2024	Email
Email to Landowner + Landowner's Agent - Attaching public rights of way plan - Attaching indicative HDD layout - Promising to revert on additional points	30/05/2024	Email
Email from RA: Queries on public rights of way	30/05/2024	Email
GK sent queries regarding ROW	03/06/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Email to RA - Providing graphic representation of different rights of way and how they will be affected and commentary on the nature of these temporary closures	10/06/2024	Email
Email from RA to Vicky Portwain (VP) – Pleased no long term closures'	10/06/2024	Email
Chaser from LT regarding queries on Key Terms	10/06/2024	Email
Chaser from LT regarding queries & comments on Key Terms	21/06/2024	Email
LT issued further comments on Key Terms	27/06/2024	Email
Revised Key Terms Letter Sent	28/06/2024	Letter
Revised Key Terms emailed to the RA	08/07/2024	Email
Online Teams meeting with RA to discuss Heads of Terms	08/07/2024	Online Teams Meeting
Email correspondence from RA	09/07/2024	Email/ Telecom
LT emails GK regarding ALO meetings	15/07/2024	Email
Site Meeting at Sullington Manor Farm with the ALO present to discuss mitigation measures and how impacts can be minimised during construction.	18/07/2024	Site Meeting

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Online Teams meeting with RA to discuss the Heads of Terms and understand outstanding 'blockers'	24/07/2024	Online Teams Meeting
Email from LT to RA with comments regarding the Heads of Terms and summarising next actions.	25/07/2024	Email
To discuss Heads of Terms and negotiate an agreement	30/07/2024	Online Teams Meeting
Following discussions, commitments were provided by the Applicant via email to the landowner's agent who confirmed on 1 August 2024 that the Heads of Terms are agreed.	01/08/2024	Email