

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

West Sussex County Council

Date: August 2024

Revision A

Application Reference: 4.6.52

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

Ecodoc Reference: 005279580-01



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:	West Sussex County Council	URN on LRT:	101
AGENT:	Anthony Field (Strutt & Parker)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Land at Partridge Green - WSX339755 (8.17 acres within DCO Order Limits, potentially affected by the scheme) Highway land (Various slivers of road and roadside verges)	Written Rep Ref:	REP2-020 REP3-066
LAND INTEREST:	Works 07- Underground landfall connection works onshore. Works 08- Landfall Connection works, launch pit and jointing. Works 09- Cable Installation Works. Works 10- Temporary Construction Compound. Works 11- Temporary Soil Storage. Works 12- Temporary Duct Stringing Area. Works 13- Temporary Construction Access. Works 14- Construction and Operational Access. Works 15- Operational Access. Works 17- Environmental Mitigation. Works 18- Road rights. Works 19- Onshore connection work.	PLOT No:	Agricultural Land (WSX339755) 29/9 – (Cable installation) 29/14 (Construction access) 29/10 (Operational access) Highways Land 1/14, 2/3, 2/14, 2/21, 2/36, 2/37, 2/38, 2/39, 2/40, 3/22, 4/14, 4/16, 5/1, 5/2, 6/6, 7/19, 11/11, 12/1, 12/9, 19/8, 21/28, 21/42, 22/2, 22/3, 22/10, 22/12, 22/18, 23/8, 23/19, 29/13, 29/18, 30/7, 30/13, 33/17, 33/18.

STATUS

The Applicant has consulted with the landowner since February 2021. The Land Interest has agricultural pasture land affected by the proposed Rampion 2 cable route, and a proposed construction and operational access over the pasture land. This is located near Partridge Green.

In addition, the Land Interest has a number of highways and highway verges (anticipated both adopted and unadopted) which are affected by the proposed Rampion 2 cable.

Agricultural land at Partridge Green

A site meeting at the land at Partridge Green was initially held in May 2022 where no alternative routes were proposed. Heads of Terms were issued to the Land Interest in March 2023 (for the cable route impacted land) A further meeting was held with the Land Interest's agent in November 2023 where the Heads of Terms were discussed and preferences for the route micro-siting were highlighted. It was confirmed on a Teams call on 19 July 2024 that the Council had agreed the terms for the land at Partridge Green and had passed the documentation onto their solicitors.

Highways Slivers

Heads of Terms were issued in November 2023 (for the Highway verges). The agent has confirmed that the Land Interest would like to work collaboratively with the Applicant to agree terms. The Applicant has agreed Heads of Terms in respect of the Land at Partridge Green.

Further clarification has been provided to WSCC Highways on the 22 July 2024 in respect to the required legal agreements in order to obtain the necessary land rights to maintain and protect any cables laid within the road network or verges, following a meeting held with WSCC on the 19 July 2024. The Applicant is awaiting the Land Interests response on the clarification provided.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 16 March 2023** in terms of Land at Partridge Green and on 17 November 2023 for the highways land.
- **Site meeting at the land agent's offices was held on 1 November 2023** to work collaboratively on outstanding issues and micro-siting specifically.
- **A response was received from the agent on the Heads of Terms on 23 November 2023.**
- The Applicant responded on **24 November 2023 with timescales.**
- On **28 November 2023 a chaser email** was sent to the agent requesting feedback on the Heads of Terms.
- The Applicant sent a chaser email on **4 December 2023.**
- **On 17 December 2023, the land interest's agent confirmed he had sent the Heads of Terms to the land interest and provided queries.**
- The Applicant responded to the queries (in part) on **17 December 2024.**
- The Applicant sent the Land Interest a Letter in **March 2024** regarding feedback on the Heads of Terms/ concerns over.
- **The Applicant held an online Teams meeting with the Landowner's Agent on the 17 April 2024 to answer questions on the project and Draft Heads of Terms.**
- **Between April 2024 and May 2024 there was various correspondence regarding the Heads of Terms.**
- The Applicant sent over revised Heads of Terms on **13 June 2024 with a commercial offer.**
- **Online Teams meetings were subsequently held on 19 June 2024, 3 July 2024 and 19 July 2024.**
- **The land interest confirmed at the meeting on 19 July 2024 that they were in agreement regarding the Heads of Terms (for the land at Partridge Green) and appointed solicitors.**

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- **Since CAH1 the Applicant sent a letter to the Land Interest 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 land interest (via post) and via email to the agent on 27 June 2024 and 3 July 2024.** These had 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.
- **On 13 June 2024** the Applicant sent an email with responses (in part) to some of West Sussex County Council's (WSCC) queries with revised Heads of Terms attached with a commercial offer.
- **On 19 June 2024 an online Teams meeting was held with WSCC** to discuss the outstanding issues, which were mainly related to obtaining a better understanding of the Hedgerow and Arboricultural Assessments undertaken by the Applicant to ensure minimal vegetation is removed as part of construction.
- **On 27 June 2024 a summary of the above assessments and Applicant commitments with regards minimizing vegetation removal along with a plan showing what is proposed to be removed.**
- **A follow up meeting was held on 3 July 2024** to discuss the summary provided on the 27th June 2024. **The Land Interest requested confirmation that if a new bridge is installed to replace their existing one across their field ditch then the land interest can retain it and reinstate the existing bridge. This was accepted by the Applicant, subject to the obtaining the necessary consents, and therefore WSCC confirmed that the Heads of Terms for the Agricultural land at Partridge Green was agreed and could the option documentation with solicitors could progress.**
- **On 4 July 2024, WSCC requested details of the Evershed's contact details in order to progress the agreement for the Land at Partridge Green.**
- **On 19 July 2024 a further online Teams meeting was held, with members of the Highways team in attendance.**
- **A follow up email was sent to WSCC (Highways) on the 22 July 2024 outlining the Applicants requirement to enter into legal agreements for the highway land in order to provide the necessary land rights to maintain and protect the cable assets. The Applicant is awaiting confirmation from WSCC that this is agreed, and therefore the documentation can progress.**

As at Deadline 5, the Heads of Terms in respect of the land at Partridge Green are signed.

The Applicant is awaiting feedback on the Heads of Terms associated within the Highways Land owned by WSCC. Regarding the land at Partridge Green, solicitor's details have been passed to the Land Interest and the Applicant understands the Heads of Terms are agreed, subject to legal review in July 2024.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in correspondence with the Land Interest and their agents since February 2021. **Site meetings** were initially held in **May 2022 and November 2023**, where the Landowner expressed preferred sites for micro siting.

- Numerous online teams meetings have been held resulting in the signing of the Heads of Terms for the land at Partridge Green.
- An online teams call was held on 19 July 2024 to discuss the Highways agreement.

Please see a schedule of engagement below.

ALTERNATIVES

- The Landowner did not present any alternatives for consideration.

IMPACT ON LAND INTEREST

Agricultural Land at Partridge Green

- The Land Interest owns pasture land affected by the proposed Rampion 2 cable route.

Highways and Highways Verges

In addition, the Land Interest has a number of highway verges (both adopted and unadopted) which are affected by the proposed Rampion 2 cable in locations some of which are where horizontal directional drilling (HDD) is the proposed construction methodology.

IMPLICATIONS OF IMPACT

Agricultural Land at Partridge Green

- Temporary loss of grazing/ crop loss.

Highways and Highways Verges

Where HDDs across highways are completed there will be minimal impact. Where there is a requirement to open cut the highway then suitable road management will be in place in accordance with the Outline Construction Management Plan (Revision F).

PROPOSED MITIGATION

Agricultural Land at Partridge Green

- Fencing, crossing points and accesses to minimise severance.
- Minimise hedgerow and trees removal in accordance with the commitments register. A new bridge crossing may be required across the landowners ditch, depending upon the suitability of the existing bridge crossing. In the event the bridge requires replacing then the Applicant has committed to the landowner to retain the new bridge crossing to be constructed by the applicant, subject to appropriate consents being in place.

Highways and Highways Verges

- Impacts to the road network will be managed in accordance with the Outline Construction Management Plan (Revision F) submitted to the Examining Authority.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Applicant has agreed Heads of Terms with West Sussex County Council in respect of the agricultural land at Partridge Green.
- Regarding the Highways slivers, the Applicant has submitted background behind the required land agreements in order to obtain the necessary land rights and protections for the cables within the highway. The Applicant is current awaiting a response from WSCC from the email dated 22 July 2024.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Richard Fearnall (RF) of Carter Jonas emails the Land and Property department of West Sussex County Council (WSSC) introducing himself and Rampion extension scheme	11.11.2020	Email
Introductory project letter from Carter Jonas (CJ) Land Referencing.	24.11.2020	Letter
Email chain from Dec 2020 between Richard Fearnall and James Dear (JD) re the scheme and a licence	24.02.2021	Email
Further correspondence between RF and JD re the licence	16.03.2021	Email
Correspondence between Emily Village (EV) and JD re the licence. EV asks for an update	17.05.2021	Email
EV chases JD for an update	09.06.2021	Email
Request for Information (RFI) reminder letter posted	10.06.2021	Letter
EV sends updated version of licence with the amendments to JD	11.06.2021	Email
EV sends payment release form to JD and requests verbal agreement to time sensitive surveys	29.06.2021	Email
s.42 letter posted	14.07.2021	Letter
Nigel Abbott (NA) sends a number of emails with the relevant plans attached to Georgia Hickland (GH) from WSSC	15.10.2021	Email
Nigel Abbott chases Oliver McLaren (OM) from WSSC re checking the commons register against the proposed plans	26.11.2021	Email
Site Meeting with EV, WG and WSSC agents Ben Beabey & Megan Lancaster	27.05.2022	Site Meeting
Email correspondence between Will Gullett (WG) & Ann Campbell at WSSC setting out scheme and main elements to proposals	08.08.2022	Email
Chaser email from WG to Ann Campbell and request for a meeting	01.09.2022	Email
WG sends chaser to Ann Campbell and requests meeting	12.09.2022	Email
Phone call between WG and Tom Carroll TC lead at WSSC	27.09.2022	Telecom
Email correspondence from WSSC Agent Anthony Field (AF)	27.09.2022	Email
WG email correspondence / phone to Ann Campbell re agent AF and fees	12.10.2022	Email / Telecom
s.42 letter posted	14/10/2022	Letter
Lucy Tebbutt (LT) emails AF with details of consultation material	14/10/2022	Email
LT emails AF with a details of WSSC land ownership (temporary and permanent) affected	04/01/2023	Email
AF responds to LT requesting further details of the titles and confirmation on fees.	04/01/2023	Email
LT responds with titles detail attached	05/01/2023	Email
Email correspondence between Giles Lister (GL) and AF continuing 10/02/2023 to 03/05/23 re fees	21.02.2023	Email
Partial Heads of Terms issued for land at Partridge Green	16/03/2023	Heads of Terms Issued
s.42 letter posted	14/04/2023	Letter
s.42 letter posted	26/04/2023	Letter

Email to WSCC outlining that the DCO has been submitted	14.08.2023	Email
GL emails AF to arrange a meeting date the basis of fee payment having been agreed	02/08/2023	Email
GL emails AF to obtain the agreed meeting date	04/09/2023	Email
Meeting cancelled by GL as no contact from AF or TC on potential meeting time/ date/ confirmation	07/09/2023	Email
s.56 letter posted	25/09/2023	Letter
AF emails GL requesting the legal documents for review and GL requests meeting date	28/09/2023	Email
HOLD for meeting sent to AF	09/10/2023	Email
GL chasing to obtain confirmation on meeting location	19/10/2023	Email
Email from AF to GL confirming meeting at the AF office – Guildford	20/10/2023	Email
Meeting held with AF offices to review Heads of Terms Document and discuss issues arising	01/11/2023	Other
GL issue Heads of Terms document to AF	17/11/2023	Email
Response from AF with queries on Heads of Terms	23/11/2023	Email
LT provides response to issues raised by AF	23/11/2023	Email
LT responds to email from AF requesting works programme	24/11/2023	Email
LT issues chaser emails to AF for response on Heads of Terms	28/11/2023	Email
GL confirms to AF that the matter is urgent. AF responds	30/11/2023	Email
GL requests for Heads of Terms to be forwarded to WSCC	30/11/2023	Email
Chaser from GL to AF to confirm Heads of Terms have been sent	04/12/2023	Email
AF confirms issued to WSCC with queries	17/12/2023	Email
Response by CJ on elements of Heads of Terms of concern to AF for consideration	17/12/2023	Email
LT chases AF for Lyminster bypass detail, provided comments and feedback on progressing Heads of Terms discussions	22/01/2023	Email
Out of office received from AF	22/01/2023	Email
Chaser email sent from GL to AF for feedback on Heads of Terms	05/02/2024	Email
Email response from AF to GL on Heads of Terms	16/02/2024	Email
Email from GL to AF requesting feedback on the Heads of Terms	11/03/2024	Email
Email response from AF to GL	13/03/2024	Email
Chaser Letter sent by GL to AF	22/03/2024	Letter
LT emails AF a digital copy of the letter posted to WSCC	25/03/2024	Email
HP confirms he has received the letter and requested correspondence to go to AF	05/04/2024	Email
AF emails LT and GL with comments on next steps in respect of progressing the Heads of Terms.	09/04/2024	Email
LT sends a virtual meeting invitation to AF asking if he is available or if not to reschedule	16/04/2024	Email
Email response from Henry Prager (HP) of WSCC requesting an update	16/04/2024	Email
Online Teams meeting between LT, AF and GL	17/04/2024	Online Teams Meeting
HP requested acknowledgement of email	16/04/2024	Email

Email chaser from HP	09/05/2024	Email
LT emails HP confirming that meeting with AF on 17th April was productive and links to the Environmental Assessment passed over.	09/05/2024	Email
Response received from HP	09/05/2024	Email
AF responds confirming an annotated plan is also requested by the Council	09/05/2024	Email
Email from AF requesting a response	16/05/2024	Email
LT issues chaser email to Henry Pager confirming plan awaited from the CJ GIS team and provides comments to a previous email	30/05/2024	Email
HP confirms receipt of email and will revert	31/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Email response from AF to LT's email on 30/05/2024	07/06/2024	Email
Email from HP with finalised CPO plan of the Lyminster bypass	10/06/2024	Email
LT sends email to HP with amended HoTs and plans	13/06/2024	Email
Phone call between LT, HP and AF	19/06/2024	Online Teams Meeting
Revised Heads of Terms Letter Sent Via Post	25/06/2024	Letter
Rob Miller (RM) of RWE Emails the WSCC attaching slides for vegetation loss, explaining impact and details of suggested proposed commitments within HOTS	27/06/2024	Email
LT emails HP and AF with the action points from the last meeting and ahead of their next meeting (3rd July).	27/06/2024	Email
Email from HP to CJ confirming review details provided and LT email prior to meeting 3 rd July	01/07/2024	Email
Call between HP, AF, LT, GL and Tom Carroll	03/07/2024	Online Teams Meeting
Email to HP and AF confirming that parties happy with recent engagement and that agreement could be reached by Mid-July	03/07/2024	Email
Correspondence between LT and Sally Adams re HoTs	05/07/2024	Email
Correspondence between HP and LT re WSCC update HoTs	08/07/2024	Email
Ian Gledhill of WSCC responds to LT stating seeking guidance from colleagues and will revert	09/07/2024	Email
Online Teams call held: LT, GL, RM, HP, SA, AF and Mark Martin (MM). HP confirms that Heads of Terms in respect of the land at Partridge Green are agreed and WSCC solicitor has contacted Applicant solicitor.	19/07/2024	Online Teams Meeting
RM emails on 19 July 2024 with comments on requirement for an Easement agreement, as opposed to using NRSWA for highway land. updates and requests regarding the Lyminster bypass and commitment to revert on the Heads of Terms	22/07/2024	Email
Ian Gledhill confirms receipt of the email, confirms forwarded to WSCC legal team for review and requests MM to issue a detailed plan of the Lyminster bypass to the Applicant.	24/07/2024	Email
LT emails HP regarding the Heads of Terms	25/07/2024	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.