

Rampion 2 Wind Farm
Category 4:
Compulsory Acquisition
Land Engagement Reports:
Charles Arbuthnot & Jennifer
Rosemary Arbuthnot

Date: August 2024
Revision A

Application Reference: 4.6.39
Pursuant to: The Infrastructure Planning (Examination Procedure)
Rules 2010, Rule 8(1)(c)(i)
Ecodoc Reference: 005279558-01

A photograph of an offshore wind farm with several white wind turbines on yellow foundations in the ocean. A small boat is visible near the base of one of the turbines. The background shows a coastline with hills under a clear blue sky.

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:	Charles Arbuthnot & Jennifer Rosemary Arbuthnot	URN on LRT:	083
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	RR-058
PROPERTY NAME:	Upper Buncton House 5.7 acres within DCO Order Limits (potentially impacted by scheme)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works 09 – Cable Installation Works Works 13 – Temporary Construction Access	PLOT No:	Cable Route: 24/10, 24/11 Construction Access: 24/9

STATUS

The Applicant has consulted with the Landowner since May 2021 via the statutory process, site meetings and landowner surgeries as part of the consultation. The Landowner has pasture land affected by the proposed cable route and a small area of the pasture land is proposed to be used for a construction access.

The Applicant met with the Landowner at a site meeting on 8 June 2021, and the Landowner attended consultation events in September 2021 and October 2022. A further site meeting was held in December 2023 to explain statutory undertaker protective provisions and safety considerations.

The Applicant issued Heads of Terms on 14 March 2023 but was informed the Landowner did not wish to progress discussions at that stage.

The Applicant maintained correspondence with the Landowner and their Agent throughout 2023 and 2024 before issuing revised Heads of Terms on 28 June 2024. The Applicant has been negotiating with the Landowner's Agent as to the nature of the terms and believes that there are no outstanding matters other than a solicitor's review of the Option and Easement documentation, with special consideration to be given to the indemnities as a result of the SGN gas main being located on the Property.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 15 March 2023** however the Landowner did not wish to progress discussions at that stage.
- **A site meeting was held in December 2023** with the Applicant's engineers and land transaction manager to explain the protective provisions and safety considerations that will be agreed with the statutory undertaker SGN before any construction work can progress.
- **An email chaser was sent to the Landowner's agent in October 2023 and December 2023.**
- **The Applicant responded to the land interest's relevant representation (RR-058) which summarised the project's position in respect of the following:**
 - Impacts and mitigation on Agricultural uses
 - The history of engagement and site meetings
 - The form of the easement

The above response was forwarded to the Landowner.

- The Option and Easement documentation was sent to the Landowner's agent on **13 February 2024**.
- The Applicant sent the **Landowner's Agent an email in February 2024**, requesting feedback on the Heads of Terms.
- The Applicant sent a **letter in March 2024** to the Landowner and their Agent regarding feedback on the Heads of Terms.
- 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 land interest'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.**
- **The Applicant understands a solicitor's review of the documentation has been requested by the Landowner.**

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- **A letter was sent to the Landowner on 6 June 2024** to confirm the Applicant's position in relation to fees for professional advice.
- **A meeting was held with the Landowner's agent on 12 June 2024** to discuss concerns preventing the progression of a voluntary agreement.

- A number of points were raised which were summarised in an email from the Applicant to the agent on 21 June 2024.
- The Applicant issued revised Heads of Terms with a commercial offer to progress discussions and reach agreement on 28 June 2024 via post.
- The Applicant spoke with the agent on the phone on 5 July 2024 and had an on-line teams meeting on 8 July 2024.
- Further online teams meetings were held on 24 July 2024.
- The Applicant understands there are no outstanding matters to be addressed, other than a solicitor's review with special consideration to be given to the indemnities as a result of the SGN gas main being located on the Property. The Applicant awaits details of the Landowner's solicitor.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agents since May 2021.
- A site meeting was initially held in June 2021, where the Landowner expressed concerns about the proximity of the proposed cable route to the gas main on the Property
- A site meeting took place in December 2023 where the Landowner reiterated his concerns regarding the proximity of works to the gas main. The Applicant explained the process of agreement of protective provisions with SGN and communicated that a number of meetings had taken place with SGN.
- An email setting out the process of agreeing protective provisions and a commitment to considering an appropriate indemnity in the voluntary agreement was sent by the Applicant to the Landowner in May 2024.
- Further correspondence is listed in the engagement tracker listed below.

ALTERNATIVE CONSTRUCTION ACCESS REQUEST - October 2022

- The Landowner attended consultation events in September 2021 and October 2022. At the latter event, the Landowner raised concerns about a proposed construction access located in proximity to the gas main on their land and requested that it be moved further to the East.
- The request to move the construction access further to the east was considered by the Applicant's project team. However, having assessed the option, the decision was made to introduce additional mitigation measures rather than to relocate the access. Additional protection will be installed to comply with the utility owner's procedures where appropriate.

ALTERNATIVE - December 2023

- At the site visit in December 2023, and further to the consultation periods, the Landowner put forward verbally an alternative route, taking the cable route directly to the south of their land. The route would mean the cable construction works would bypass the Property entirely. It was explained on site that the route appeared to have a greater number of constraints such as additional hedgerow crossings compared with the DCO cable route. It was also noted that the Applicant had not received the suggested route during the consultation period.

IMPACT ON LAND INTEREST

- Details of the onshore cable route and proposed construction access as it passes through this location are shown on Sheet 24 of the Onshore Works Plans - Revision B [PEPD-005].
- The Landowner has pasture land (currently used for grazing) 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 Easement are sought. The affected land is shown coloured blue (Plots 24/10 and 24/11) on the Land Plans Onshore - Revision B [PEPD-003].
- There is a proposed construction access (Works No.13 – Temporary construction access) that affects a small section of the pasture land, as shown in green (Plot 24/9) on the Land Plans Onshore – Revision B [PEPD-003].

IMPLICATIONS OF IMPACT

- Temporary loss of grazing
- The pasture land is accessed directly from the north of the Property, therefore, areas to the south of the Property will be temporarily severed as a result of the construction works. The Applicant will continue to engage to further understand the Landowner's specific requirements to accommodate the tenants grazing/haylage operations and minimise disturbance wherever possible.

PROPOSED MITIGATION

- Mitigation to be included where possible with crossing points to minimise severance.
- The Applicant has set out in correspondence that crossing designs and method statements would be discussed and agreed with the statutory undertaker which owns the gas pipe (SGN) before any construction work progresses in the vicinity. As a result, the Applicant will have the appropriate protection measures in place as

approved by SGN for the protection of the gas main which will comply with the Applicant's health and safety strategy.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **The Applicant understands there are no outstanding matters to be addressed, other than a solicitor's review of the Heads of Terms, Option and Easement documentation in order to provide comfort to the Landowner that construction works will be undertaken in a safe manner.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Charlie Arbuthnot (CA) emails Emily Village (EV) of Carter Jonas (CJ) in connection with survey licence highlighting ownership, concerns associated with SGN pipeline and compensation in connection with cables, access and surveys.	10/05/2021	Email
EV responds to previous email	10/05/2021	Email
Lucy Tebbutt (LT) speaks with Mr Arbuthnot over the phone	19/05/2021	Telecom
LT emails CA with survey licence and plan attached	19/05/2021	Email
Mr Arbuthnot replies with the payment information form and some further queries.	20/05/2021	Email
Email from Beth Dennis of CJ to CA with answers on questions raised	25/05/2021	Email
Email from LT to Charlie Arbuthnot with answers on questions raised	26/05/2021	Email
Email from Charlie Arbuthnot re sign off procedure and updated survey payment information	28/05/2021	Email
CA sends over the signature page of the licence	28/05/2021	Email
LT sends fully engrossed licence to CA and provides details of surveys and clarifies access instructions	03/06/2021	Email
LT emails CA with details of upcoming surveys	07/06/2021	Email
CA confirms receipt of payment	07/06/2021	Email
SITE MEETING - LT attended	08/06/2021	Site Meeting
CA email following site meeting with detailed plans of SGN pipeline location.	09/06/2021	Email
LT emails CA survey schedule	09/06/2021	Email
Request for Information (RFI) chaser letter issued by CJ	10/06/2021	Letter
Email from CA with queries on RFI as issued with license and schedule of survey requirements	14/06/2021	Email
LT emails CA confirming the position	17/06/2021	Email
CA requests further RFI be issued.	17/06/2021	Email
Will Gullett (WG) contacts CA re surveys	18/06/2021	Email
CA emails confirming consent for survey access	19/06/2021	Email
LT sends RFI to CA	23/06/2021	Email
CA returns updated RFI form and signed licence page	29/06/2021	Email
LT emails CA with survey requirements and clarifies issues raised associated with the Downs and ecological issues and required easement widths	12/07/2021	Email
CA responds	12/07/2021	Email
Statutory letter - section 42	14/07/2021	Letter
LT emails CA re bat surveys, CA responds	14/07/2021	Email
LT emails CA re surveys, CA responds	02/08/2021	Email
LT confirms CA is booked into landowner surgery	09/08/2021	Email
Landowner surgery at Thakeham Village Hall	03/09/2021	Landowner Surgery
LT emails CA re surveys and CA responds	24/08/2021	Email
LT sent meeting notes and survey details	06/09/2021	Email

CA emails LT with amendments to engagement form.	07/09/2021	Email
LT sends email response answering CAs questions on high pressure gas main, statutory requirement and process in pursuing a Development Consents Order (DCO) and Electro Magnetic Force associated with cables.	13/10/2021	Email
LT emails CA with details of upcoming surveys	20/10/2021	Email
CA responds confirms survey access	20/10/2021	Email
LT responds to CA re surveys and CA responds	21/10/2021	Email
LT emails CA re bat static surveyors taking access	29/10/2021	Email
CA confirms he is fine for survey access via email	29/10/2021	Email
LT emails CA regarding dormouse surveys	04/11/2021	Email
CA responds to LT email from 13/10/23	04/11/2021	Email
LT emails CA regarding geophysical surveys	14/01/2022	Email
CA confirms via email for the surveys to take place	16/01/2022	Email
LT sent survey details	31/01/2022	Email
CA outlines concerns associated with soil surveys and interaction with SGN pipeline:	31/01/2022	Email
LT confirms to CA that ecologists are aware of the SGN pipe line.	31/01/2022	Email
CA emails to Chris Tomlinson of RWE (sometime in Feb-2022) raising a number of issues associated with social housing and the Applicants position on payment of compensation beneficial to the community.	01/02/2022	Email
LT emails CA detailing that the soil surveys delayed due to Unexploded Ordnance	17/02/2022	Email
CA emails LT re surveys near the pipeline	17/02/2022	Email
James D'Alessandro (JDA of RWE) emails CA setting out the position on development, compensation and interaction with the SGN pipeline	20/02/2022	Email
WG emails CA re bat surveys. CA confirms consent	14/03/2022	Email
CA emails JDA: (JDA forwarded on 20/04/2022) on consultation and options available.	16/03/2022	Email
LT emails CA re bat surveys. CA confirms consent	18/03/2022	Email
Statutory letter - section 42	14/10/2022	Letter
CONSULTATION EVENT - WASHINGTON VILLAGE HALL - Charlie Arbuthnot attended and spoke to Mark Henry of RWE	Oct-22	Consultation Event
CA sends email to LT raising concerns over interaction with SGN	16/11/2022	Email
CONSULTATION RESPONSE:Raising issue of SGN pipeline	27/11/2022	Consultation Response
Heads of Terms sent via Email and phone call to landowner to confirm route changes	14/03/2023	Key Terms issued
Email to landowner outlining that the DCO has now been submitted	14/08/2023	Email
Email from CA associated with development aspiration for local community	16/08/2023	Email

NA emails CA with details that the application has been accepted by PINS	08/09/2023	Email
CA responds to NAs email raising issues over SGN pipeline	08/09/2023	Email
Statutory letter - section 56	25/09/2023	Letter
LT sends table of outstanding issues to Rowan Allan (RA) requesting feedback on the Heads of Terms	31/10/2023	Email
LT emails CA requesting a site meeting with the engineers	01/12/2023	Email
CA responds to LT raising issue of the SGN pipeline	01/12/2023	Email
LT calls CA to discuss the project and the need for an engineering visit	01/12/2023	Telecom
LT thanked CA for agreeing to site meeting	05/12/2023	Email
SITE MEETING with engineers	12/12/2023	Site Meeting
LT copied into an email from CA with Walter Thomas from SGN	18/12/2023	Email
LT responds to CA with details of what SGN submitted to PINS re protective provisions	19/12/2023	Email
CA responds via email	19/12/2023	Email
LT sends chaser email to Rowan Allan re CAs Heads of Terms – requesting feedback on the Heads of Terms and outstanding 'blockers'.	20/12/2023	Email
LT responds to CA with details of the previous meeting and chasing comments on the Heads of Terms	21/12/2023	Email
CA responds to LT	21/12/2023	Email
Further response from CA stating not prepared at this time to sign Heads of Terms until all outstanding issues addressed	15/01/2024	Email
Rampion 2 Newsletter sent to CA	06/02/2024	Email
CA requests update on scheme after newsletter	12/02/2024	Email
Chaser sent by LT to RA requesting feedback on the Heads of Terms and to understand the outstanding 'blockers'	13/02/2024	Email
LT sent response from PINs website to CA	15/03/2024	Email
CA sent response to LT	15/03/2024	Email
Chaser sent to RA regarding Heads of terms – requesting feedback on the Heads of Terms	20/03/2024	Email
LT to RA to review notes and revert back - suggested call with RA	20/03/2024	Email
Chaser Letter Sent by LT	22/03/2024	Letter
LT sent copy of chaser letter to RA	25/03/2024	Letter
Further email from CA expressing concerns over outstanding issues	13/04/2024	Email
Email from Oliver Kirkham (OK) of RWE on CA queries raised – in particular protective provisions	14/05/2024	Email
Response from CA with further queries to OK	21/05/2024	Email
LT requests meeting with RA to discuss the HOTS	31/05/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Chaser from LT to RA regarding Heads of terms and the outstanding 'blockers'	10/06/2024	Email
Meeting with RA to discuss the Heads of Terms and understand outstanding 'blockers'	12/06/2024	Meeting at the agent's office

LT sent chaser to RA and updated table of proposed actions to RA	21/06/2024	Email
Further email chaser from LT to RA with updated actions	27/06/2024	Email
Revised Heads of Terms Letter Sent to CA	28/06/2024	Letter
Revised Heads of Terms Sent to RA via Email	08/07/2024	Email
Online Teams meeting with RA to discuss Heads of Terms	08/07/2024	Online Teams Meeting
Email correspondence from landowners Agent	09/07/2024	Email/ Telecom
Online Teams meeting with agent to discuss the Heads of Terms in a general form 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

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.

Jasmine Butterworth

From: Oliver.Kirkham.extern@rwe.com
Sent: Tuesday, 14 May 2024 12:13
To: charliearbuthnot [REDACTED]
Cc: Lucy Tebbutt
Subject: [Ext Msg] RE: Rampion 2 - Crossing Points near gas main

Dear Mr Arbuthnot,

I understand you have been in correspondence with the land agents Carter Jonas who are acting on behalf of the Rampion 2 Development.

I have been forwarded your most recent correspondence and have outlined the projects response below.

As I understand it you are concerned that the project has not engaged with the infrastructure owner and will not have sufficient safety measures in place for the construction of the cable route across your land.

The project is currently at the examination stage in seeking its Development Consent Order (DCO) and should the DCO be granted by the Secretary of State then it would enter the detailed design phase which is when the information you are seeking would be agreed with the infrastructure owners, in this case Southern Gas Networks (SGN).

I would reiterate the points made in our previous responses to you, though understand your concerns due to the nature of the existing high pressure gas pipeline. I have broken down the response into two parts to make them as concise as possible.

Construction and Safety

1. The Rampion 2 Development has engaged with SGN and provided details on the nature of the proposed works. SGN are content with our proposed approach, and we will also agree and include Protective Provisions in relation to SGN's infrastructure within the DCO itself thereby becoming legally enforceable as the DCO becomes a statutory instrument once granted.
2. To reiterate the response made to your Relevant Representation, no work can take place without the project developing and agreeing with SGN a construction method statement. This method statement would include measures to protect the pipeline as well as the workers operating in proximity to it. These measures may include minimum offset distances, steel plate protection and or other more comprehensive methods. The requirements of which will be defined during the detailed design stage of the proposals should the DCO be granted.

Insurance

1. Again, construction works cannot commence until SGN are satisfied that acceptable insurance is in place for the construction period of the authorised works.
2. This will include liability for third party property damage and third party bodily damage.
3. If during the construction of the authorised works damage to SGN's pipeline occurs Rampion 2 will bear and pay on demand the cost reasonably incurred by SGN in making good such damage or restoring the supply. Amongst other expenses, loss, demands, proceedings, damages, claims or costs incurred by or recovered from SGN.

I hope the above goes some way in providing the information you are seeking, however, the DCO process can be frustrating to landowners in that not all information is available until designs are refined, an Order is granted and a construction contractor puts in place the necessary steps to undertake work.

Please do continue to maintain a channel of dialogue with Lucy Tebbutt and perhaps we can meet in person at a future date.

With Kind regards,

Oliver

Oliver Kirkham

Onshore Consents

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