

Rampion 2 Wind Farm **Category 4:** **Compulsory Acquisition** **Land Engagement Reports:** **Karen and Mark Cleaver**

Date: August 2024
Revision A

Application Reference: 4.6.87

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

Ecodoc Reference: 005279642-01



Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	09/07/2024	Deadline 5	Carter Jonas	RED	RED
B	01/08/2024	Deadline 6	Carter Jonas	RED	RED

LANDOWNER/ LAND INTEREST NAME:	Karen and Mark Cleaver (Freehold Interest) (Robert Cummings and Carol Cummings (Former Freehold interest))	URN on LRT:	066
AGENT:	Archie Cheevers (Batcheller Monkhouse)	Relevant Rep Ref:	RR-257
PROPERTY NAME:	Washington Caravan & Camping Park WSX403197	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works 09 – Cable Installation Works	PLOT No:	22/13

STATUS

The Applicant has consulted with the Landowner since 2021 via the Statutory process and via meetings at the campsite with the Landowner. The Landowner has also attended Consultation events.

The Property, being a campsite formally owned by Mr & Mrs Cummings, is understood by the Applicant to have been transferred to the ownership of Mr & Mrs Cleaver.

The proposed cable route will affect the Property as the land above the cable easement route will be subject to a restrictive covenant. However, as Trenchless crossing methods (likely Horizontal Directional Drilling (HDD)) is the proposed installation methodology in this location, there will be no above ground construction impacts on the land used by the campsite itself.

The Landowner has raised concerns about the proximity of the proposed Washington temporary construction compound, which is located directly to the east of the landholding.

The Landowner appointed a new agent in May 2024 and discussions have moved forward positively since then. The Applicant has discussed the Heads of Terms at length with the Landowner's agent, with outstanding issues including requests for details on the mitigation measures at the adjacent construction compound site and clarification on the proposed lighting on site. The landowner's agent has confirmed that the landowner has no concerns regarding the Heads of Terms but does not want to sign until further design information can be provided. At an online team meeting on 31 July 2024, the landowner's agent confirmed that a voluntary agreement will be achievable in due course, once further comments have been provided regarding the form of the construction compound design.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- Heads of Terms were issued in **March 2023**. The Applicant has sought feedback from the Landowner's previous agent on a number of occasions, including in **October 2023, December 2023**, via a letter and email in **March 2024**.
- On **20 December 2023**, the Landowner's agents responded to a chaser email confirming that his clients would like to work towards progressing discussions on the Heads of Terms and reaching agreement.
- On **20 December 2023**, the Applicant sent the Option and Easement documentation to the Landowner's agent.
- **In the response to RR-257**, the Applicant provided further responses to queries put forward by the agent in relation to:
 1. Identification and explanation of the extent of the Order Limits
 2. Environmental Considerations, including noise impacts, modelling and mitigation.
 3. Compensation
 4. The proposed Washington construction compound
 5. Safety of access in the area
- On **4 April 2024** the Landowner confirmed via email that their agent will be in touch to set up a meeting with the Applicant to progress the Heads of Terms discussions, to which the Applicant responded on 9 May 2024.
- On **14 May 2024**, the landowner helped arrange access for PINS to view the proposed construction compound location in the adjacent field.
- On **30 May 2024**, the Applicant emailed Karen Cleaver requesting confirmation on whether Chris Tipping is acting on her behalf.
- **In June 2024** it was confirmed that the Applicant had appointed a new agent. Up until May 2024 (a delay of 14 months) the Applicant had not received any formal written feedback on the detail within the Heads of Terms (despite various chaser emails and letters).
- **Further online Teams meetings were held in July 2024 as detailed below.**

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- On 30 May 2024, the Applicant emailed Karen Cleaver requesting confirmation on whether Chris Tipping is acting on her behalf.
- **Following CAH1, due to the appointment of a new agent, the Applicant has been moving forwards positively with discussions.**
- **Since CAH1 the Applicant sent a Letter on 6th June 2024 to the Landowner to clarify the position in respect of fees for professional advice.**
- **On 6 June 2024, the Landowner's new agent requested the Heads of Terms for the Cleavers.**
- **On 6 June 2024 an online Teams meeting was held with the agent to discuss the Heads of Terms and any outstanding 'blockers' to progressing the agreements.**
- **On 10 June 2024, the Applicant sent a follow up email summarising the main points discussed at the meeting on 6 June 2024 and attaching the previous Heads of Terms which were initially circulated to the original agent in March 2023.**
- **On 1 July 2024, an online Teams meeting was held with the Landowner's agent to discuss outstanding 'blockers' and how their recent meetings with the Cleavers had progressed.**
- **The Applicant issued revised Heads of Terms on 28 June 2024, sent directly to the Landowner (via post) and via email to the agent (2nd 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 for the Cleavers and on a general basis for his clients.**
- **The Applicant is awaiting feedback from the agent on the revised Heads of Terms issued in June 2024.**
- **On 23 July 2024, further information was provided via email on the temporary construction compound, including details on mitigation, previous and future noise monitoring surveys, a rough diagram of the compound, core working hours and the construction dust and noise assessments.**
- **The Applicant had an online Teams meeting with Archie Cheevers on 31 July 2024 (following his recent site meeting with the Cleavers). He outlined that the Cleaver's main concerns are with the adjacent construction compound (not located on their land), as opposed to the Heads of Terms. Although further information was provided on 23 July 2024, the land interest is requesting commitments on points regarding the temporary construction compound before they will sign. The Applicant has advised the agent that some of these details will not be available until further detailed design work is undertaken. Having said that, once the Applicant is able to provide some further details, the land interest's agent and the Applicant believe a voluntary agreement will be concluded swiftly.**

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in correspondence with the Landowner and their agent since January 2021.
- **A site meeting was initially held in February 2021**, where the Landowner expressed concerns about the project boundary intersecting with their residential dwelling, as this was under construction on site at that time. Subsequently, the boundary was amended to avoid the dwelling.
- A further site meeting was held **in July 2022** where the Applicant explained that the section of cable route in this location is intended to be installed by Trenchless crossing (likely HDD) methodology and no open trenching is proposed. This confirmation was welcomed by the Landowner.
- The Landowner has been cooperative with allowing noise surveys on their land in September / October 2023 which will be important when determining the noise impacts/ implementing screening mitigation where possible.
- **At a Consultation event at Washington Village Hall in November 2022**, the Applicant spoke with Mr & Mrs Cleaver regarding the proposals.

Further detail on the engagement can be found within the table below and above

ALTERNATIVES – REVIEWED AT THE LANDOWNERS REQUEST

- As detailed above, the initial PEIR boundary was amended at an early stage of the project to avoid the footprint of the dwelling which was being constructed in this location.

IMPACT ON LAND INTEREST

- The Landowner operates a campsite affected by the proposed cable route (Works No.9). The campsite is also located adjacent to a proposed construction compound. The Landowner has built a dwelling in proximity to the proposed cable route and construction compound and resides within the Property.

IMPLICATIONS OF IMPACT

- **No direct impact on land surface** as the proposed construction methodology in this location is using trenchless crossing/ Horizontally Directional Drilling.

PROPOSED MITIGATION

- Mitigation to be included where possible with accommodation works in line with the Code of Construction Practice.
- Visual Screening
- Likely acoustic screening of trenchless crossings in accordance with Section 5.3.6 of the Outline Noise and Vibration Management Plan (Doc ref REP3-054). This document states that the exact specification of any acoustic shroud or enclosure will be determined during detailed design. Further information will be provided to the Landowner when this becomes available.

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Landowner's agent has requested details relating to the following:
 - Composition of the proposed construction compound and a plan
 - The mitigation proposed in this location
- The Applicant responded with the **following conclusions on 23 July 2024**.
 - Attaching the Noise and Vibration Management Plan
 - Mitigation
 - Noise Monitoring surveys
 - Indicative plan of the compound and locations of previous noise monitoring
 - Future noise monitoring surveys
 - Details (as far as are currently available) on the form of the temporary construction compound, operating hours, construction dust and noise assessments.
- Following an **online Teams meeting on 31 July 2024**, the landowner's agent confirmed that although his client (the Cleavers) have no concerns about the Heads of Terms themselves, they have requested further information on the design and function of the temporary construction compound. The Applicant advised that more detailed designs would be available at a later stage and the landowner's agent confirmed he is confident a voluntary agreement can be reached in due course.

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory letter sent to introduce the scheme	24/11/2020	Letter
Email to James D'Alessandro (JDA) from the Cleavers land use as a Caravan and Camping Park business established for some 35 years.	04/01/2021	Email
Email from Beth Dennis (BD) of Carter Jonas (CJ) instructed on the Rampion 2 project to Messrs Cleaver noting correspondence with freehold owners	05/01/2021	Email
Request for Information (RFI) letter issued to Messrs Cleaver	08/01/2021	Letter
Email from BD following call: refer to www.rampion2.com website and virtual exhibition provides detail and the plans. Concerns raised over proposed development referred to and chaser for RFI. Ecological survey request	14/01/2021	Email
Email from Beth Dennis forwarding licence with project update and meeting request	04/02/2021	Email
Karen Cleaver (KC) responds to BD's email requesting on site meeting	04/02/2021	Email
BD responds to KC's email: Site meeting to discuss project and survey license requirements and reference to instructing an agent	04/02/2021	Email
Email from KC to BD: Proposed site meeting dates	05/02/2021	Email
KC and Mark Cleaver (MC) confirm that David Blake (DB) is acting as their agent	08/02/2021	Email
Email chain between BD and DB organising site visit.	11/02/2021	Email
Site Meeting Richard Fernald (RF) with MC & DB	18/02/2021	Site Meeting
LTR to MC re Access to land for environmental surveys	07/05/2021	Letter
EM to DB & Helen Clouting (HC) of Batchellor Monkhouse re MC	07/05/2021	Via Land Agent
EM to DB & HC re MC	10/05/2021	Via Land Agent
EM from D re MC	11/05/2021	Via Land Agent
EM from D re MC	18/05/2021	Via Land Agent
EM from D re MC	20/05/2021	Via Land Agent
RFI letter chaser posted	10/06/2021	Letter
EM to MC requesting licence sign off and payment information form	29/06/2021	Email
EM from KC requesting hard copy of the licence and approval to pond survey	30/06/2021	Email
s.42 letter posted	14/07/2021	Letter
Nigel Abbott (NA) emails MC requesting Survey Access	07/09/2021	Email
Email chain between HC and NA re invoices in relation to fees	26/11/2021	Email
HC submits copies of payment documents for Messrs Cleaver	01/12/2021	Email
HC emails requesting clarification on CJ and RWE dealings with Mr and Mrs Cleaver	07/06/2022	Email
Will Gullett ((WG) emails Messrs Cumming and requests an in person meeting	14/06/2022	Email
WG responds to HC providing an update on Messrs Cleavers	15/06/2022	Email
WG emails MC requesting ecological pond survey	15/06/2022	Email

HC emails confirming Messrs Cleaver approved pond surveys	15/06/2022	Email
WG asks Messrs Cumming for site visit	20/06/2022	Email
Phone conversation with KC and Lucy Tebbutt (LT)	05/07/2022	Telecom
LT emails KC: Understand occupation under long lease requesting meeting to go over issues arising	06/07/2022	Email
KC and MC received payment for the survey licence	10/07/2022	Email
Site Meeting with Messrs Cumming and KC. Set out requirement for adjacent compound and explained campsite. Explained Horizontal Directional Drilling (HDD) and advised to appoint an agent	20/07/2022	Site Meeting
LT responds to KC email 6th July 2022 forwarding meeting notes from July to Messrs Cleaver and Messrs Cumming	09/08/2022	Email
LT emails Messrs Cleaver and Messrs Cumming re geophysical surveys	02/09/2022	Email
Met with landowners at the Washington Village Hall Drop in event - Nov 2022	12/11/2022	Consultation Event
Email from Carol Cummings (CC) (Robert Cummings (RC) to RAMPION - Consultation – Object to Area 5C, both Blue and Red routes for cable and trenchless crossing. Strongly opposed to adjacent compound as concerned over business impact, access off road	15/11/2022	Consultation response
Email from MC and KC to SM RAMPION - Consultation response - Strongly object to project issues being HDD, loss of business and impact on camp site, public rights of way and pollution	15/11/2022	Email
Key Terms sent to landowner - Cummings. Attempted a phone call but no answer	14/03/2023	Email/ Telecom
Emails chaser on Key Terms sent to landowner Also chased for access for noise monitoring surveys	18/04/2023	Email
Email from KC detailing busy time and requesting another date for surveys	19/04/2023	Email
LT emails KC with details of noise survey	19/04/2023	Email
LT emails Messrs Cleaver and Messrs Cumming: Request for ownership/ occupation details	13/07/2023	Email
LT receives a response from KC: Land transfer of ownership from Messrs Cumming and Messrs Cleaver completed but Land Registry details awaited	13/07/2023	Email
Email notifying landowner that the DCO has been submitted	14/08/2023	Email
LT emails KC re surveys access and the following: Clarification on ownership information requested	06/09/2023	Email
EM to KC re Application accepted for Examination by Planning Inspectorate	08/09/2023	Email
LT sends chaser email to LTs email of 06/09/2023	13/09/2023	Email
Karen Cleaver responds: Update on ownership transfer	19/09/2023	Email
S.56 letter posted	25/09/2023	Letter
S.56 letter posted	16/10/2023	Letter
LT email to DB re outstanding actions – HC requesting mitigation measures to be used on compound. Requesting feedback on the Heads of Terms	18/10/2023	Email

LT sends chaser email to DB and HC re Messrs Cleaver requesting feedback on the Heads of Terms and outstanding 'blockers' to progressing discussions.	20/12/2023	Email
Response from DB confirming clients looking to agree sensible terms, requesting legal documentation and meeting to progress discussions.	20/12/2024	Email
LT responds to DB email attaching Option and Easement documentation for review, and request feedback on the Heads of Terms.	20/12/2024	Email
Chaser Letters regarding Heads of Terms sent to - Messrs Cleaver and Messrs Cummings	22/03/2024	Letter
LT sends digital copies of letters sent on 22/03/2024 to HC and DB	25/03/2024	Email/ Letter
DB responds to LT's email and confirms cases to be transferred to wider team	25/03/2024	Email
Intro Teams meeting with new agent Chris Tipping (CP)	27/03/2024	Online Teams Call
LT emails the Draft Option and Easement documentation to CP	04/04/2024	Email
LT emails Messrs Cleaver and Messrs Cumming regarding site meeting scheduled 14th May 2024	04/04/2024	Email
KC responds granting access	04/04/2024	Email
LT calls KC re PINs accompanied site visits	09/05/2024	Telecom
LT thanks KC and attaches itinerary and timings for site visits	09/05/2024	Email
LT emails KC requests call to discuss the HoTs and confirmation that CT will be acting on her behalf.	30/05/2024	Email
Email from Archie Cheevers (AC) requesting HoT for Messrs Cleaver	05/06/2024	Email
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
Online Teams meeting with AC to discuss the project, initial comments and outline the DCO process	06/06/2024	Online Teams Meeting
Follow up email sent to AC summarising the key outstanding concerns on Heads of Terms issued March 2023 with plan of indicative HDD locations and compound	10/06/2024	Email
LT emails CT confirming HoTs for Messrs Cleavers will follow once plan updated	25/06/2024	Email
Updated Key Terms Letter Sent to Messrs Cleaver	28/06/2024	Letter
Teams meeting held between LT, CT and AC to discuss the main 'blockers' to progressing HoTs with Messrs Cleaver	01/07/2024	Online Teams Meeting
LT sends email with updated HoT for Messrs Cleaver with action points for CJ CT to progress HoTs being plan of the construction compound, programme and cope of works and mitigation	02/07/2024	Email
LT emails Messrs Cleaver on queries: Mitigation, surveys, plans, scope and programme.	23/07/2024	Email
Online Teams meeting with CT obtain feedback on Messrs Cleaver meeting. Heads of Terms acceptable but concern over compound works and detailed design required on hoarding, programme and scope of works	31/07/2024	Online Teams Meeting

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.

