

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Executors of Mary Ann Baker

Date: August 2024

Revision A

Application Reference: 4.6.56

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

Ecodoc Reference: 005279594-01



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:	Executors of Mary Ann Baker	URN on LRT:	71
AGENT:	Rowan Allan (HJ Burt)	Relevant Rep Ref:	N/A
PROPERTY NAME:	Land near to Kings Lane and related Access Rights (formerly Taintfield Farm) 7.43 acres of pastureland and 2,476m ² of privately owned access potentially affected by scheme	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 and Category 2 Works 09 – Cable Installation Works Works 15- Operational Access	PLOT No:	32/2, 32/3, 32/4, 32/5, 32/6, 32/7, 32/11, 32/12, 32/13

STATUS

The Applicant has been in correspondence with Ms Baker and her Agent since March 2021, and following the passing of Ms Baker, the Executors of her estate. The Executors sold part of the Landholding (Plots 32/6, 32/11, 32/12, 32/14 and 32/15) in April 2024, which was confirmed by their agent on 12 June 2024.

The current freehold land holding (Plots 32/2, 32/5 and 32/7) is affected by the cable route three separate places. Twice on the cable route as well as the Landowner owning a private lane (Kings Lane) which is a proposed operational access.

The Landowner also has additional access rights over Plots 32/3, 32/4, 32/13. Following the sale, the Landowner is understood to also have rights of access over Plots 32/6, 32/11 and 32/12.

The Landowner has not proposed any alternative routes.

Site meetings were held initially in March 2021, May 2022 and July 2022 with the Landowner and individual[s] with Power of Attorney.

Heads of Terms were issued to the Landowner and their appointed agent in March 2023 this was followed up by Letters in April 2023 and March 2024 as well as enquiries as to the status of the sale in telephone calls in March 2024 and an email to the Landowner's Agent in April 2024.

On the 12 June 2024 the Applicant was made aware of the sale of part of the Property by the Landowner's Agent and was later informed by the Landowner's Agent that Ms Baker had sadly passed.

The Applicant met with the Landowner's Agent on the 27 June 2024 and the Landowner's Agent confirmed they were instructed to act on the Landowner's behalf. The Applicant circulated revised Heads of Terms to the Agent on the 5 July 2024.

The Applicant has discussed the Heads of Terms at length with the Landowner's Agent and is awaiting a response to the revised key terms.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 23 March 2023** to the Landowner and the Landowner's Agent.
- The Applicant attempted to contact the **Land Interest in August 2023** regarding the submission of the DCO application by telephone and sent a **Letter on 14 August 2023**.
- The Applicant attempted contact over Heads of Terms and the status of the ongoing sale in a **letter in March 2024, a phone call in March 2024 and emails in April and May 2024**.
- The Applicant sent over **updated Heads of Terms in July 2024** and is currently awaiting feedback from the Landowner's Agent.

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- **Following CAH1 the Applicant sent a letter to the Landowner 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 5 July 2024 (on the basis of the revised landholding area), sent directly via email to the agent and via post to the land interest. The Applicant**

understands the agent discussed revised commercial terms at a meeting with the **Landowner on 5th July 2024**.

- 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 and 'blockers' for progressing the Heads of Terms'. A number of points were raised which were summarised in an email from the Applicant to **the agent on 21 June 2024**.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agent since March 2021.
- **Site meetings** were initially held in **March 2021, May 2022 and July 2022**, where the Landowner expressed concerns about the impact of the project on equestrian amenity use and grazing but was generally supportive of the scheme.
- **The Applicant issued Heads of Terms on 23 March 2023.**
- Part of the Property was put up for sale in August 2023, with a sale of part of the land holding being confirmed in **June 2024**.
- **Feedback was requested from the agent in October 2023 and December 2023.**
- The Applicant **sent an email to the Landowner's Agent requesting feedback on the Heads of Terms in February 2024 and a Letter in March 2024.**
- **Feedback was requested from the agent prior to a meeting with the agent on 12 June 2024.**
- The Applicant was made aware of the completion and extent of a sale of part of the Property on 12 June 2024 and has therefore re-circulated the Heads of Terms with an updated plan and associated wording.
- **A further site meeting was held in July 2024.**

Further details can be found within the schedule below

IMPACT ON LAND INTEREST

- The Landowner owns pastureland affected by the proposed Rampion 2 cable route (Plot Nos: 32/2 and 32/7)
- In addition, the Landowner owns a private road affected by a proposed permanent operational access (Plot No 32/5) and has access rights over other sections of the road not in private ownership.
- This road, known as Kings Lane/ Moatfield Lane is also subject to cable installation in 2 locations (Plot 32/3 and Plot 32/11),

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss, potential route to claim via a disturbance claim for the occupier of the land.
- **Rights of access along Kings Lane for operational purposes associated with the project.**

PROPOSED MITIGATION

Land Impacts

- Crossing points if required to minimise severance of the land.
- Equestrian fencing to be installed if required.
- Route to a compensation claim in respect of the occupier of the land – likely for crop loss/ loss of grazing land.

Access along Kings Lane

- Maintenance of access has been addressed within various relevant representation responses associated with other landowners within the vicinity (such as RR-402).

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- **Further to feedback from the Landowner's Agent, the Applicant understands there are no immediate concerns about the Heads of Terms. The Executors have recently been appointed and the estate is currently going through probate, therefore this may slow progression of the agreement. However, the Applicant is confident a voluntary agreement can be reached in due course.**

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
Introductory project letter from Carter Jonas Referencing	24/11/2020	Letter
Site Meeting - Mary Baker (MB) & Seb Baker (SB) with Will Gullett (WG)	04/03/2021	Site Meeting
RFI reminder letter sent	10/06/2021	Letter
Email correspondence re licence signing with SB	15/06/2021	Email
WG sent signed survey licence and survey details	07/07/2021	Email
Statutory letter - section 42	14/07/2021	Letter
WG sent survey details	15/07/2021	Email
Site Meeting - SB with WG	26/10/2021	Site Meeting
Site Meeting - SB to get signed licence	09/05/2022	Site Meeting
Site Meeting - MB & SB with LT & WG - project update SB took the meeting	20/07/2022	Site Meeting
Statutory letter - section 42	14/10/2022	Letter
Phone call from SB to WG regarding licence and power of attorney. SB confirmed access on voluntary basis is fine while licence progresses	29/11/2022	Telecom
Call re meeting to provide project update	09/03/2023	Telecom
WG call with Rowan Allan (RA) re instruction, RA explained that he was not yet appointed but is likely to be soon. Power of Attorneys are a key issue with SB	17/03/2023	Telecom
RA confirms he is acting for Baker	22/03/2023	Email
KEY TERMS issued via email to RA and via post to MB	23/03/2023	Letter & Via Agent
Targeted consultation letter sent	04/04/2023	Letter
VM and email to RA re thoughts and sentiments on Key Terms	12/04/2023	Email
Some of land is for sale as seen by LT online	Jun-23	Update
Left a voicemail with SB detailing that the DCO has now been submitted	14/08/2023	Telecom
Letter sent notifying DCO has now been submitted	14/08/2023	Letter
Statutory letter - section 56	25/09/2023	Letter
LT emailed RA to chase on the status of the Key Terms discussions. The email included a table with the Applicant's perceived main concerns regarding progressing the agreement and requesting clarification on these points.	31/10/2023	Email
Chaser from LT re status of key terms to RA	20/12/2023	Email
Chaser from LT re status of Key Terms to RA	13/02/2024	Email
Chaser from LT re status of Key Terms to RA	20/03/2024	Email
Chaser letter sent from LT to Interested Parties	22/03/2024	Letter
Copy of chaser letter sent to RA	25/03/2024	Email
George Dillon-Robinson (GDR) called RA for update to sale - Property has not completed	27/03/2024	Via Land Agent
LT email RA asking about possible recent sale, requesting Freehold documents and feedback on HoTs	25/04/2024	Via Land Agent
GDR emails RA requesting ownership details. RA confirms he has emailed the land purchaser	07/05/2024	Email
Email to RA to confirm area of the Land Interest's retained ownership.	30/05/2024	Via Land Agent
Agent's Fees Clarification Letter Sent	06/06/2024	Letter
LT sent further table of actions to RA chasing on the status of the Key Terms discussions including a table with the Land Interest's perceived main concerns regarding	10/06/2024	Email

progressing the agreement and requesting clarification on these points.		
LT meeting with RA to discuss the Heads of Terms and understand the 'blockers' in respect of progressing discussions and signing agreements. A number of actions were taken from the meeting.	12/06/2024	Meeting with Agent
RA confirmed that property had sold	12/06/2024	Via Land Agent
LT sent table of actions from meeting of 12 June 2024 to RA summarised in an email	21/06/2024	Email
LT sent further table of actions from the meeting of 12 June 2024 with the Applicant providing further clarification	27/06/2024	Email
GDR Met with RA on other business and discussed Executors	27/06/2024	Site Meeting
GDR Emails RA apologising for delay in circulation of HOTs	03/07/2024	Via Land Agent
Email from RA confirming he will provide address where HOTs should be issued to new purchaser	03/07/2024	Via Land Agent
LT Emails RA attaching revised HOTs	05/07/2024	Via Land Agent
Meeting with RA to discuss the outstanding challenges in respect of progressing the agreement.	24/07/2024	Online Teams Call
Online Teams call with the landowner's agent to discuss outstanding points in respect of his clients.	30/07/2024	Online Teams Call

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.