



# NORTH FALLS

*Offshore Wind Farm*

## **Applicant's Commentary on Land Rights Tracker Template.**

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<b>Supplier</b>	Dalcour Maclaren

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# 1. APPLICANT'S COMMENTS ON LAND RIGHTS TRACKER TEMPLATE

- 1.1.1 Further to the letter received from the Examining Authority (ExA) on 28 November 2024, the Applicant has created a draft Land Rights Tracker (Document Reference: 8.4) in response to the ExA's Procedural Decisions made under Section 89(3) of the Planning Act 2008.
- 1.1.2 The tracker will be used to provide the required information to the ExA throughout the examination period as requested. In conforming with the ExA's request, the Applicant has split the Land Rights Tracker ("LRT") into three parts to provide clarity on the status of negotiations where rights are being sought as well as comments relating to land rights issues. Part 1 details Category 1 owners with whom voluntary agreements are being negotiated. Part 2 details Category 1 interests who are either occupiers, lessees or tenants and Category 2 interests, in each case where those interests have submitted relevant representations. Part 3 covers Statutory Undertakers.
- 1.1.3 The Applicant has sought to produce a template that will provide the ExA with the required information in a clear and concise format that is easily interpreted. With this in mind, the Applicant has excluded two specific elements from the tracker requested by the ExA, they are:
- 1.1.3.1. **Whether the powers sought relate to permanent or temporary rights, and the likely duration of any temporary rights, such as Temporary Possession.** Until detailed design has been undertaken and a refined construction programme produced (indicatively post consent), the Applicant is not be in a position to confirm any further detail. Duration of temporary rights will be the duration of construction or any necessary maintenance works. Therefore, this has not been included.
  - 1.1.3.2. **The identification of any Special Category land.** This has not been included as a separate column since it only applies to one Affected Party. This has been identified within the commentary in respect of the voluntary agreement the Applicant is seeking.
- 1.1.4 The Applicant is confident the presented format of the LRT will provide the ExA with the required information and supersedes the Schedule of Negotiations [APP-010] and Statutory Undertaker's Schedule [APP-011] which will not be updated moving forwards in acknowledgement to the ExA's comment within the received letter.
- 1.1.5 Notwithstanding the above, the Applicant requests that the ExA confirms as soon as possible that the template is approved to ensure that population of such a large amount of information can be done in a timely manner.

## 2. PART 1 – CATEGORY 1 INTERESTS (OWNERS)

- 2.1.1 Part 1 of the LRT includes all Category 1 owners identified within the Book of Reference **[APP-007]** where the acquisition of freehold land, permanent rights and temporary possession is required and the land interest is able to provide proof of title.
- 2.1.2 Where no interest has come forward declaring or proving ownership of unregistered plots, negotiations are not ongoing and the plots have not been included in the schedule.
- 2.1.3 Where a land interest is identified within the Book of Reference **[APP-007]** as having an interest in respect of subsoil beneath a public adopted highway, such plots are excluded from this schedule as no voluntary property rights are being sought other than engaging with the relevant highways authority as part of the DCO process.

## 3. PART 2 - CATEGORY 1 INTERESTS (OCCUPIERS, LESSEES OR TENANTS) & CATEGORY 2 INTERESTS

- 3.1.1 Part 2 of the LRT includes all Category 1 occupiers, lessees or tenants and Category 2 interests identified within Book of Reference **[APP-007]** that have made a relevant representation. The Applicant is requesting such interests be signatories to voluntary agreements being sought with category 1 owners.

## 4. PART 3 – STATUTORY UNDERTAKERS

- 4.1.1 Part 3 of the LRT includes interests identified as statutory undertakers within Part 1 of the Book of Reference **[APP-007]** and provides commentary in respect of voluntary agreements being sought.
- 4.1.2 Owing to the possible co-ordination with Five Estuaries Offshore Wind Farm Limited (“Five Estuaries”), the Applicant and Five Estuaries are seeking to jointly negotiate protective provisions with statutory undertakers where practicable. Therefore, where reference is made to negotiations between the Applicant and the relevant statutory undertakers, in some instances this refers to negotiations conducted by the Applicant’s representatives and by representatives of Five Estuaries.

## 5. OTHER INTERESTS

- 5.1.1 The Applicant is not seeking to acquire any rights within land owned by Category 3 interests identified in the Book of Reference [APP-007] who are not otherwise Category 1 or 2 interests, as they would be located outside the Order Land. Category 3 interests have therefore been excluded from this Schedule of Negotiations.

## 6. EXPLANATORY NOTES

- 6.1.1 Each tracker contains five sections from A to E, with each section broken down into further subsections.
- 6.1.2 Section A provides the name of the Affected Party as an individual land interest within the Order Land, their unique reference number and the name and company of professional representation where applicable.
- 6.1.3 Section B provides the Examination Library references associated with any Relevant Representation, Written Representation or other document submitted by the Affected Party.
- 6.1.4 Section C provides an overview of the status of any objection as well as a summary of any objection.
- 6.1.5 Section D provides more information in respect of the Affected Party's interest within the Order Land, including the description of rights sought, the Book of Reference plot numbers as per Part 5 of the draft development consent order.
- 6.1.6 Section E provides a summary of the status of negotiations in respect of voluntary agreements being sought by the Applicant for the rights sought.



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*North Falls Offshore Wind Farm Ltd*

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