



Dean Moor Solar Farm

Land and Rights Negotiations Tracker

on behalf of **FVS Dean Moor Limited**

~~30-September~~28 October 2025

Prepared by: TLT LLP

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DEAN MOOR SOLAR FARM
LAND AND RIGHTS NEGOTIATIONS TRACKER
PLANNING INSPECTORATE REFERENCE EN010155
PREPARED ON BEHALF OF FVS DEAN MOOR LIMITED

The Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009, Regulation 5(2)(h)

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1. Introduction

- 1.1 This Land and Rights Negotiations Tracker is an updated version of the Pre-application Land and Rights Negotiation Tracker [\[APP-017\]](#) and has been produced by FVS Dean Moor Limited (the 'Applicant') to demonstrate that the Applicant has complied with the Planning Act 2008 (PA 2008) Guidance related to procedures for the compulsory acquisition of land (Department for Communities and Local Government, September 2013) ('CA Guidance'). Paragraphs 25 and 26 of the CA Guidance state:

'25. Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail...

26. Applicants should consider at what point the land they are seeking to acquire will be needed and, as a contingency measure, should plan for compulsory acquisition at the same time as conducting negotiations. Making clear during pre-application consultation that compulsory acquisition will, if necessary, be sought in an order will help to make the seriousness of the applicant's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.'

- 1.2 The Applicant has been and continues to seek to acquire the relevant interests by voluntary agreement in order to ensure implementation of the Proposed Development. Whilst seeking compulsory acquisition powers, the Applicant will continue to seek to reach voluntary agreement wherever possible. This approach of seeking powers of compulsory acquisition in the application for development consent, and in parallel, conducting negotiations to acquire land rights by agreement, accords with paragraphs 25 and 26 of the CA Guidance.
- 1.3 This document has also been produced in line with the latest guidance on the pre-application stage for Nationally Significant Infrastructure Projects (Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects, Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, 30 April 2024) (the 'Pre-application Guidance'). This guidance states that:

‘The expectation now in this guidance is that there are standard documents which the Examining Authority will normally require as part of an application to support an informed decision:

...

where the application involves a request for compulsory acquisition powers a Land and Rights Negotiation Tracker which identifies each plot of land and enables the progress of negotiations relating to each one during the examination to be easily monitored’

- 1.4 Table 1 sets out the latest position in relation to these voluntary agreements with the category 1 land interests as shown in the Book of Reference **[REF: 4.3]**. The CA Guidance states that there must be a clear idea how the land to be acquired is to be used, Appendix A of the Statement of Reasons sets out the purpose for acquisition by reference to the works carried out in each plot.
- 1.5 Mines and mineral holders are not included in Table 1. The Applicant has written to these parties advising them that it proposes to incorporate the mineral code (Parts 2 and 3 of Schedule 2 (minerals) to the Acquisition of Land Act 1981) in the draft Development Consent Order **[REF: 3.1]** which provides that the Applicant shall not be entitled to any mines under the land comprised in the draft DCO unless expressly purchased. Such mines are otherwise deemed to be excepted out of any conveyance of land unless expressly named and conveyed.
- 1.6 With regards to the status of engagement with those listed in this document, the Applicant is pursuing engagement with all persons with an interest in the relevant land in order to try to avoid the need for compulsory acquisition. Affected land interests were served with letters in accordance with section 42 of the PA 2008 and the Proposed Development was publicised by way of notices in accordance with sections 47 and 48 of the PA 2008.
- 1.7 Table 2 sets out the position in relation to Statutory Undertakers who have been identified as having apparatus in the Order Limits.
- 1.8 This Land and Rights Negotiations Tracker is one of a number of documents accompanying the application for development consent. It should be read in conjunction with the following documents:

- Land Plans **[REF: 2.2]**;

- Works Plans [REF: 2.3];
- Draft Development Consent Order;
- Book of Reference; and
- Statement of Reasons.

1.9 It is envisaged that, in accordance with the Pre-application Guidance, this Land and Rights Negotiations Tracker will be updated at regular intervals throughout Examination. The latest updates will be included in this document in red text at the relevant deadline.

1.10 The Land and Rights Negotiations Tracker [REP2-009] was submitted at Deadline 2 in accordance with the Examination Timetable set out in the Rule 8 letter dated 25 July 2025.

1.11 ~~This~~ Land and Rights Negotiations Tracker [REP3-003] ~~is was being~~ submitted at Deadline 3 in accordance with the Examination Timetable set out in the Rule 8 letter dated 25 July 2025. ~~This version shows tracked changes against the Deadline 2 version.~~

~~1.11.12~~ This Land and Rights Negotiations Tracker is submitted at Deadline 4 in accordance with the Examination Timetable set out in the Rule 8 letter dated 25 July 2025 and also in response to Written Question 2.5.3 [PD-012]. This version shows tracked changes against the Deadline 3 version.

Table 1: Category 1 Land Interests

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
Diana Gate and Robert Dickinson Gate	1-11, 1-14, 1-15, 1-16, 1-18, 1-19, 1-20, 1-22, 1-25, 1-26, 1-27, 1-29, 1-20, 1-32, 1-33, 1-34, 1-35, 1-36, 1-37, 1-38, 1-42, 1-46 1-09, 1-17, 1-21, 1-31, 1-40, 1-43, 1-71, 2-01 1-05, 1-48, 1-57, 1-62, 1-69, 1-73	permanent acquisition, permanent acquisition of new rights and temporary possession	1, 3, 4, 5, 6	An agreement has been reached with this party and the Applicant has the benefit of an option agreement over the land.
John Myles Bateson	1-67, 2-08, 2-09, 2-10, 4-07, 4-08, 4-09, 4-10, 4-11, 4-13 1-70, 2-02, 4-12	permanent acquisition, permanent acquisition of new rights and temporary possession	1, 2, 2A, 3, 4, 5, 6	An agreement has been reached with this party and the Applicant has the benefit of an option agreement over the land.

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
	1-68, 1-72, 2-04, 2-05, 2-06, 4-01, 4-02, 4-03, 4-04			
Potato Pot Wind Farm Limited	1-20, 1-22, 1-29, 1-30, 1-32, 1-37, 1-42, 1-46 1-21, 1-31, 1-40, 1-43	permanent acquisition and permanent acquisition of new rights	1, 3, 4, 5, 6	<p>The Applicant has been engaging with this party on a voluntary agreement. Negotiations on key terms have progressed since pre-application and the Applicant expects to conclude Heads of Terms shortly. Technical discussions are ongoing.</p> <p>Deadline 3 update: The Applicant is preparing to issue the latest draft of the Heads for review.</p> <p><u>Deadline 4 update:</u> <u>The Applicant understands that the latest Heads of Terms are now likely to be</u></p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<u>agreed. An update will be provided once formally agreed.</u>

Table 2: Statutory Undertakers and Utilities

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
Cumberland Council	1-01, 1-02, 1-03, 1-04, 1-05, 1-06, 1-07, 1-08, 1-10, 1-47, 1-48, 1-49, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-56, 1-57, 1-58, 1-59, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-68, 1-69, 1-70, 1-71, 1-72, 2-01, 2-02, 2-03, 2-07, 2-11, 4-01, 4-02, 4-03, 4-04, 4-05, 4-06	Permanent acquisition of new rights and temporary possession in respect of public highway	3, 5	<p>The Applicant has been in regular contact with the Council and they have been consulted on the Applicant's proposals.</p> <p>The Applicant has written to the Council to advise on its land requirements and no specific concerns have been raised.</p> <p>The Applicant will summarise land matters in a future Statement of Common Ground with this party.</p>
Electricity North West Limited (ENW)	1-02, 1-02, 1-03, 1-04, 1-04, 1-05, 1-06, 1-09, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-20, 1-21, 1-21, 1-22, 1-30, 1-31, 1-32, 1-43, 1-45, 1-47, 1-48, 1-48, 1-65, 1-65, 1-67, 1-68, 1-69, 2-	Permanent acquisition, permanent acquisition of new rights and temporary possession	1, 2, 2A, 3, 4, 5, 6	ENW retain apparatus in these plots. The draft DCO includes standard protective provisions for the benefit of electricity undertakers, and these would protect ENW's interests.

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
	04, 2-05, 2-06, 2-08, 2-08, 2-09, 2-09, 2-10, 4-01, 4-01, 4-01, 4-02, 4-02, 4-07, 4-07, 4-08, 4-09, 4-09, 4-10, 4-10, 4-11, 4-11, 4-12, 4-13			<p>The Applicant contacted ENW regarding its land requirements pre-submission.</p> <p>Prior to Deadline 2, the Applicant sent a further letter to this party by email and post, offering them a further opportunity to engage and raise any concerns.</p>
Environment Agency (EA)	1-65, 4-01	Temporary possession	3, 5, 6	<p>The EA retain an interest in these plots as a result of Lostrigg Beck. Only a small area is within the Order limits.</p> <p>The Applicant has contacted the EA regarding its land requirements and no specific concerns have been raised.</p> <p>The Applicant will summarise land matters in a future Statement of</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				Common Ground with this party. .
Northern Gas Networks Limited (NGN)	1-01, 1-02, 1-04, 1-07, 1-08	Temporary possession	3, 5, 6	<p>NGN retain apparatus in these plots. The draft DCO includes standard protective provisions for the benefit of gas undertakers, and these would protect NGN's interests. The Applicant contacted NGN regarding its land requirements pre-submission.</p> <p>Prior to Deadline 2, the Applicant sent a further letter to this party by email and post, offering them a further opportunity to engage and raise any concerns.</p> <p>Deadline 3 update: In response to the Applicant's letter, NGN advised that they do not hold any interest within the</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<p>Order limits. The Applicant is confirming this with NGN prior to removing them from the Book of Reference.</p> <p><u>Deadline 4 update: Following chaser emails from the Applicant team, NGN have confirmed that the interests previously identified by the Applicant are indeed current NGN assets.</u></p>
Openreach Limited	1-48, 1-55, 1-57, 1-59, 1-62, 1-65, 1-66, 4-01, 4-02	Temporary possession	3, 5, 6	<p>Openreach retain apparatus within these highway plots. The draft DCO includes standard protective provisions for the benefit of operators of the telecommunications code and these protect Openreach's interests.</p> <p>The Applicant contacted Openreach regarding its land requirements pre-submission.</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				Prior to Deadline 2, the Applicant sent a further letter to this party by post, offering them a further opportunity to engage and raise any concerns.
United Utilities Group PLC (UU)	2-07, 2-11, 4-01, 4-02	Temporary possession	3, 5, 6	<p>UU retain apparatus in these highway plots. The draft DCO includes standard protective provisions for the benefit of water undertakers, and these would protect UU's interests.</p> <p>The Applicant has contacted UU and is engaging on the need for any further protections.</p> <p>Following two further rounds of engagement (emails) from the Applicant, this party provided a form of preferred protective provisions to the Applicant prior to Deadline 2. The Applicant is reviewing</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<p>these provisions and will update UU and the Examining Authority in due course.</p> <p>Deadline 3 update: The Applicant wrote to UU on 28 August 2025 explaining that UU's preferred form of protective provisions from the Hynet CO2 scheme did not seem appropriate given the limited impact of the Proposed Development on UU. The Applicant advised that the draft DCO already contained protective provisions for water undertakers, and that UU should set out any specific concerns. The Applicant followed up on 12 September.</p> <p><u>Deadline 4 update: The parties have exchanged several emails and held a call on 20 October 2025. The Applicant is waiting for</u></p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<u>UU to provide an amended form of protective provisions with justifications for diverging from the existing protective provisions in the DCO. A response is expected on or just before Deadline 4.</u>
12 Property FE Limited	1-26, 1-33, 1-35, and 1-38	Permanent Acquisition	1, 3, 6	<p>This party has a qualified freehold title to mines and minerals. The Applicant has protected this party's right to abstract mines and minerals (subject to impacts on the Proposed Development) through incorporation of the Mineral Code (Part 2 and 3 of the Acquisition of Land Act 1981) in the draft DCO.</p> <p>The Applicant wrote to this party prior to submission of the DCO and again on 18 August 2025. The Applicant met this party on 12 September 2025.</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<p>12 Property FE Limited has advised that it would like the Applicant to pursue negotiations with it, despite the fact that there may be superior owners in title, and there is currently no evidence of what specific mines and minerals it owns.</p> <p>The Applicant has requested evidence of the specific mines and minerals owned and capable of being transferred. The Applicant has also requested confirmation on how compensation is to be calculated. Discussions will continue and the Applicant will provide an update prior to the close of examination.</p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<p>Subject to the receipt of further evidence, the Applicant remains of the view that compulsory acquisition powers are the only way to adequately acquire these interests which are required for the Proposed Development. Compulsory powers will override third party / other interests and can transfer land in uncertain ownership. The owner would still be entitled to compensation as a result of the acquisition.</p> <p><u>Deadline 4 update: The Applicant has met with 12 Property FE's solicitors and exchanged correspondence with them.</u></p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<p><u>Other than a copy of the title register from HM Land Registry (which the Applicant had already reviewed), 12 Property FE have been unable to specify which mines and or minerals they claim ownership of. It is understood that 12 Property FE do not hold this information and would require a physical survey.</u></p> <p><u>The Applicant acknowledges that the title is within the scope of compulsory powers, however, the Applicant maintains that there is too much uncertainty around this interest and that compulsory acquisition powers are the only way to adequately acquire these interests. 12 Property FE would still be entitled to</u></p>

Interest Name	DCO Plot Number	Land Power / Interest Sought in Book of Reference	Work Number(s)	Summary of negotiation status
				<u>compensation for any acquisition should they be able to prove the extent of their ownership.</u>