

**TO ALL PERSONS OCCUPYING OR WITH AN INTEREST IN THE ORDER LAND**

**NOTICE OF COMPULSORY ACQUISITION UNDER SECTION 134(7) OF THE PLANNING ACT 2008**

**THE SUNNICA ENERGY FARM ORDER 2024  
NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION**

The above Order, made under the Planning Act 2008 by the Secretary of State for the Department of Energy Security and Net Zero and published on 12 July 2024, includes provision authorising the compulsory acquisition of land, existing rights over land, and of rights over land by creating new rights as described in Schedule 1 of this notice.

The Order includes provision authorising the acquisition for the purpose of the construction, operation and maintenance and decommissioning of ground mounted solar photovoltaic (PV) panel arrays with a total capacity exceeding 50 megawatts (MW) and on-site energy storage facility together with grid connection infrastructure ('the Scheme') which will connect to the Burwell National Grid Substation in Cambridgeshire. The Scheme lies on land within the administrative areas of West Suffolk District Council and East Cambridgeshire District Council, and at a county level within Suffolk County Council and Cambridgeshire County Council.

A copy of the Order as made by the Secretary of State for the Department of Energy Security & Net Zero has been deposited at the following locations and may be inspected at all reasonable hours.

<b>Venue and address</b>	<b>Opening times</b>
<b>Newmarket Library</b> 1a the Guineas, Newmarket CB8 8EQ	Monday CLOSED Tuesday 8:30am to 6:00pm Wednesday 9:00am to 5:00pm Thursday 8:30am to 5:00pm Friday 8:30am to 6:30pm Saturday 9:00am to 5:00pm Sunday 10:00am to 4:00pm
<b>Burwell Library</b> Village College, The Causeway, Burwell, CB25 0DU	Monday 2:00pm to 5:00pm Tuesday 10:00am to 5:00pm Wednesday CLOSED Thursday 12:00pm to 7:00pm Friday 2:00pm to 5:00pm Saturday 10:00am to 1:00pm Sunday CLOSED

A copy of the Order, together with copies of the Secretary of State's decision letter and Examining Authority's report of its recommendations, are available to view online on the Planning Inspectorate's [website: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010106](https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010106)

A person aggrieved by the Order may challenge the Order only in accordance with section 118 of the Planning Act 2008, which stipulates that any proceedings must be brought by filing a claim form for judicial review before the end of the period of 6 weeks beginning with the day after the day on which the Order was published (or, if later, the day on which the statement of reasons for making the order was published).

Once the provision in the Order authorising compulsory acquisition comes into force Sunnica Limited may acquire any of the land (including any existing rights and/or new rights) described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2 of this notice.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give FREEPOST WSP information about the person's name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3 of this notice.

## Schedule 1

### DESCRIPTION OF THE LAND, EXISTING RIGHTS AND THE NEW RIGHTS

The Order land (as defined in Article 2 of the Order) is shown on the land and crown land plans (as defined in Article 2 of the Order) and described in the book of reference (as defined in Article 2 of the Order).

This notice relates to so much of the Order land as shown on the land and crown land plans shaded pink (freehold and leasehold to be compulsorily acquired and possessed temporarily), shaded blue (new rights to be compulsorily acquired and restrictive covenants to be imposed and possessed temporarily) and shaded green (temporary use of land), in relation to which the exercise of easements, servitudes and other private rights that interfere with the exercise of these rights are to be suspended.

Under the powers granted in the Order, Sunnica Limited may acquire compulsorily:

- (a) so much of the Order land as is specified by Article 17 (compulsory acquisition of land) of the Order for the authorised development (as defined in Article 2 of the Order), or to facilitate it, or as is incidental to it; and
- (b) such rights over the Order land, by creating them as well as by acquiring rights already in existence, and impose restrictions affecting part of the Order land, as is authorised by Article 19 (compulsory acquisition of rights) of the Order.

The purpose for which new rights may be acquired and restrictions may be imposed as described in Schedule 8 to the Order including:

- 1) Rights required for the construction, operation and maintenance of the authorised development and ancillary apparatus;
- 2) Access rights including rights to construct and improve new and existing accesses;
- 3) Crane rights including rights to use vehicles, plant and machinery in connection with the authorised development;
- 4) Cable rights including rights to install, use and maintain cables and other apparatus and structures in connection with the authorised development;
- 5) Vegetation maintenance rights including to install, use and maintain vegetation for all purposes in connection with the authorised development;
- 6) Substation connection rights including rights to install, use and maintain grid connection infrastructure and other apparatus and structures;
- 7) Imposition of restrictions as is necessary in order to prevent the obstruction, interruption or interference of the exercise of the rights.

Sunnica Limited may override any existing easements and other rights under Article 23 of the Order and may suspend or extinguish private rights in land pursuant to Article 20 of the Order.

Sunnica Limited may also temporarily use the Order land to carry out the authorised development (as defined in Article 2 of the Order) pursuant to Article 26 of the Order and may temporarily use the Order land to maintain the authorised development pursuant to Article 27 of the Order.

## Schedule 2

### STATEMENT ON THE EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

#### **Power to execute a general vesting declaration**

1. Once the provision in the Sunnica Energy Farm Order 2024 which authorises compulsory acquisition comes into force, the undertaker (hereinafter called Sunnica Limited) may acquire any of the land (including any existing rights and/or new rights) described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act"). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in Sunnica Limited at the end of the period mentioned in paragraph 2 below.

#### **Notices concerning general vesting declaration**

2. As soon as may be after Sunnica Limited execute a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives them information relating to the land in pursuance of the invitation published and served under section 134 of the Planning Act 2008. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in Sunnica Limited together with the right to enter on the land and take possession of it. Every person on whom Sunnica Limited could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

3. The "vesting date" for any land specified in the declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

#### **Modifications with respect to certain tenancies**

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

5. The modifications are that Sunnica Limited may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

**Schedule 3**

**FORM FOR GIVING INFORMATION**

**THE SUNNICA ENERGY FARM ORDER 2024**

To: Sunnica Limited

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to section 134(7)(cza) of the Planning Act 2008.

Name and address of informant(s)	
Land in which an interest is held by informant(s)	
Nature of Interest	

Signed.....

[On behalf of.....]

Date.....

- (i) In the case of a joint interest insert the names and addresses of all the informants
- (ii) The land should be described concisely
- (iii) If the land is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other encumbrance, details should be given, e.g. name of building society and roll number.

Sunnica Limited, its subsidiaries and service providers will process your personal information for the purpose of implementing the Sunnica Energy Farm Order 2024, including its compulsory acquisition powers, and to comply with related government guidelines. Your personal information will be properly safeguarded and processed in accordance with the requirements of privacy and data and protection legislation.

To find out more about how Sunnica Limited handles personal data please visit: <https://sunnica.co.uk/> and for more information on how WSP (appointed as Sunnica Limited's consultant in relation to the Sunnica Energy Farm Order 2024) handles personal data, including its privacy policy, please visit: <https://sunnica.co.uk/wp-content/uploads/2021/07/Sunnica-Privacy-Policy-1.pdf>.