

**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024**

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**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024**

SCHEDULE OF OBJECTIONS

OBJ #	OBJ NAME	AGENT DETAILS	PLOT #	DATE OF OBJECTION
1	Network Rail 1 Puddle Dock Queen Victoria Street London EC4V 3DN	N/A	1/3 7/19 8/12 8/13 9/1 9/2 9/4 9/5 9/6 9/7 9/8 9/9 9/10	29 th November 2024
2	Denton Wharf Properties Limited New Derwent House 69-73 Theobald's Road London WC1X 8TA	Agent: Andrew Crawford Crawford's Chartered Surveyors	9/011 9/010	16th December 2024 Objection withdrawn 8th April 2025
3	Southern Gas Networks ("SGN") SGN Land Team – Southern 2 Leasons Hill Orpington Kent BR5 2TN	N/A	N/A - SGN are listed in the General Entries Table in respect of underground medium and low pressure gas lines	
4	Port of Tilbury London Limited Leslie Ford House Tilbury Freeport Essex RM18 7EH	N/A	3/11 3/14 4/2 4/3	20th December 2024 Objection withdrawn 3rd February 2025 (note letter is incorrectly dated 3rd February 2024)



Anna Maria Inglis,
Department for Energy Security & Net Zero,
Licensing and Consents Unit,
3 Whitehall Place,
London SW1A 2AW

Network Rail
1 Puddle Dock, Queen Victoria Street
London EC4V 3DN

29th November 2024
Special Delivery

Dear Sirs/Madam,

**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024.**

Network Rail Infrastructure Limited objects to the above Orders on the grounds that operational railway land is adversely affected.

Network Rail Infrastructure Limited reserves the right to produce additional and further grounds of objection when further details of the Order and their effect on Network Rail's land are available.

Network Rail Infrastructure Limited has also made representations to the Railways Directorate of The Department of Transport under Section 16 and Schedule 3 Part 11 of the Acquisition of Land Act 1981.

Yours faithfully

stephen spreij

Stephen Spreij
Surveyor

Crawford's

Chartered Surveyors

The Court
The Street
Charmouth
Dorset
DE8 3LT

E mail:
andrew@crawfordscs.net
Tel: 07969 889 779

Anna Maria Inglis
Department for Energy Security and Net Zero
Licensing and Consents Unit
3 Whitehall Place
London
SW1A 2AW

16 December 2024

By e mail and Special Delivery post

Dear Madam

**The National Grid Electricity Transmission PLC (Grain to Tilbury) Compulsory Purchase Order 2024
Denton Wharf Properties Limited – Plots 9/011 and 9/010**

We act on behalf of Denton Wharf Properties Limited (“DWPL”), owners of the above referenced parcels of land and other lands in the vicinity of the land covered by the proposed Compulsory Purchase Order (“the Order”).

We are instructed by DWPL to object to the proposed Order on the grounds that:

1. The land is not required for the works proposed under the Order.
2. That the works proposed under the Order prejudice the use of adjacent land owned by DWPL.

The objector’s address is:

Denton Wharf Properties Limited
New Derwent House
69-73 Theobold’s Road
London
WC1X 8TA

Would you also please copy any correspondence to the writer of this letter, Mr. A P S Crawford, as agent to DWPL, at the address set out in the letterhead to this letter.

We would be grateful if you would confirm receipt of this letter.

Yours sincerely



Andrew Crawford
For Crawford’s Chartered Surveyors



SGN
Land Team -Southern
2 Leasons Hill
Orpington
Kent
BR5 2TN

Ms A M Inglis
Department for Energy Security and Net Zero
Licensing and Consents
Unit 3 Whitehall Place
London
SW1A 2AW

By email only - annamaria.inglis@energysecurity.gov.uk

Our reference: SGN03806

18 December 2024

Dear Ms. Inglis,

THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY) COMPULSORY PURCHASE ORDER 2024

I write on behalf of Southern Gas Networks Plc ("SGN"), the Ofgem licensed Gas Transporter for the South and South East of England.

SGN own and operate low and medium pressure gas mains within and in the vicinity of the Order boundary as illustrated on the enclosed Infrastructure Plan

SGN **objects** to the Order due to concerns that it may adversely affect the integrity of and /or access to these gas mains which form an essential part of the local gas network. They are subject to very specific working practices that must be followed by any third party undertaking works near them. To ensure that these working practices are observed and all reasonable measures are taken prior to any works taking place, SGN will require National Grid Electricity PLC to enter into a legally binding Asset Protection Agreement. SGN will draft the agreement and expect their associated reasonable costs to be met.

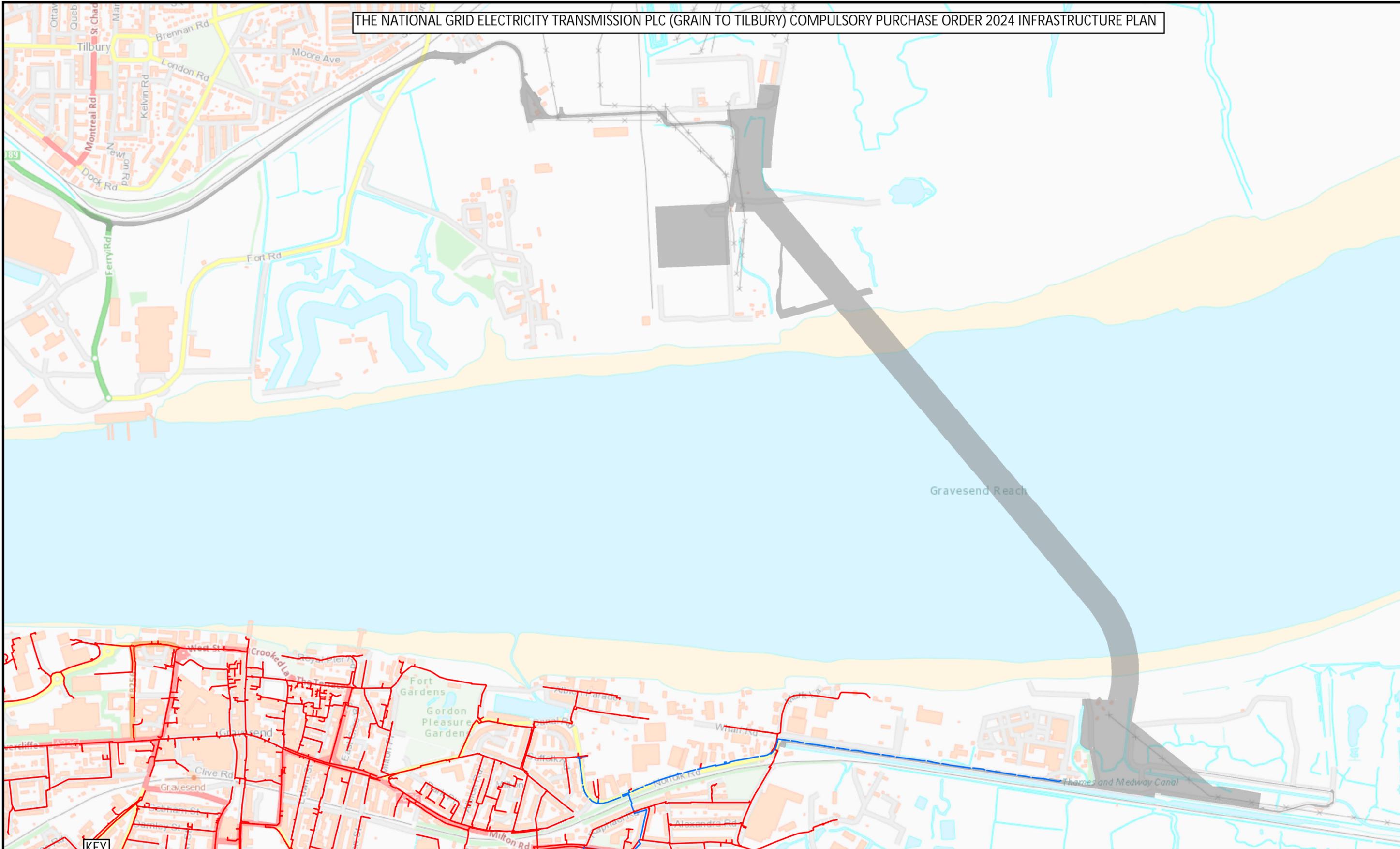
Yours sincerely,

A handwritten signature in blue ink that reads "Kim Miller".

Kim Miller
Land Policy Officer -Southern
Email: kim.miller@sgn.co.uk

Enclosure: Infrastructure Plan- 20241211_NGGrainTo Tilbury

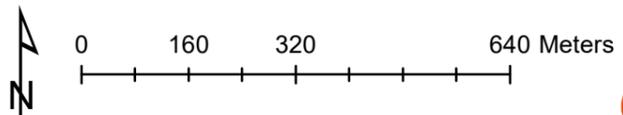
THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY) COMPULSORY PURCHASE ORDER 2024 INFRASTRUCTURE PLAN



- KEY**
- LP MAINS
 - MP MAINS
 - IP MAINS
 - LHP MAINS
 - ORDER

SCALE: 1:10,553
 DATE: 11/12/24
 GRID REFERENCE:
 E: 566,175 N:175,110

This plan shows the location of those pipes owned by Scotia Gas Networks (SGN) by virtue of being a licensed Gas Transporter (GT). Gas pipes owned by other GTs or third parties may also be present in this area but are not shown on this plan. Information with regard to such pipes should be obtained from the relevant owners. No warranties are given with regard to the accuracy of the information shown on this plan. Service pipes, valves, siphons, sub-connections etc are not shown but their presence should be anticipated. You should be aware that a small percentage of our pipes/assets may be undergoing review and will temporarily be highlighted in yellow. If your proposed works are close to one of these pipes, you should contact the SGN Plant Protection Team on 08009121722 for advice. No liability of any kind whatsoever is accepted by SGN or its agents, servants or sub-contractors for any error or omission contained herein. Safe digging practices, in accordance with HS (G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that plant location information is provided to all persons (whether direct labour or sub-contractors) working for you on or near gas apparatus. Information included on this plan should not be referred to beyond a period of 28 days from the date of issue.



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SGN

Your gas. Our network.



PORT OF
TILBURY
LONDON

PORT OF TILBURY LONDON LIMITED

LESLIE FORD HOUSE,
TILBURY FREEPORT, TILBURY,
ESSEX, RM18 7EH
SWITCHBOARD: +44 (0)1375 852200

Secretary of State for Energy Security and Net Zero
c/o Anna Maria Inglis
Department for Energy Security and Net Zero
Licensing and Consents Unit
3 Whitehall Place
London
SW1A 2AW

20 December 2024

Dear Secretary of State,

OBJECTION TO CONFIRMATION OF THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY) COMPULSORY PURCHASE ORDER 2024

- 1.1 The Port of Tilbury London Limited (PoTLL) hereby objects to confirmation of the National Grid Electricity Transmission Plc (Grain to Tilbury) Compulsory Purchase Order 2024 (“the CPO”) on the grounds set out in this letter.
- 1.2 This objection is made in part pursuant to section 16 of, and paragraph 3 of Schedule 3 to, the Acquisition of Land Act 1981, namely that the CPO includes land, the purchase of, and the acquisition of rights over which, would cause serious detriment to PoTLL’s statutory undertaking. PoTLL confirms that this objection has also been sent to the Secretary of State for Transport, being the “appropriate Minister” for the purposes of section 16 of, and paragraph 3 of Schedule 2 to, the Acquisition of Land Act 1981.
- 1.3 PoTLL and National Grid Electricity Transmission Plc (NGET) have been negotiating the terms of an agreement for the land and rights required for the Grain to Tilbury tunnel replacement project (“the Project”), but a number of matters remains outstanding. The agreement is required to provide the necessary protections from the exercise of the CPO powers to avoid serious detriment to PoTLL’s statutory undertaking. Accordingly, whilst no agreement is in place, PoTLL objects to confirmation of the CPO.

2. Grounds of this Objection

2.1 Drafting errors

- 2.1.1 The CPO purports to exclude PoTLL’s interests from the effect of the CPO in respect of plot 3/7. However, the CPO incorrectly refers to “Port of Tilbury Limited”. This error must be corrected by modification of the CPO on confirmation to refer to the correct PoTLL entity: Port of Tilbury **London** Limited.

2.2 Serious detriment

- 2.2.1 As statutory harbour authority, the land held by PoTLL that is included within the CPO is subject to the test in section 16 of, and paragraph 3 of Schedule 3 to, the Acquisition of Land Act 1981. To include a statutory undertaker’s land within a compulsory purchase order, it must be possible for (a) that land to be purchased or subject to new rights and not replaced, or (b) purchased and replaced by other land, without causing serious detriment to the carrying on of the statutory undertaking for which that land is held.

Registered Office:
Leslie Ford House,
Tilbury, Essex RM18 7EH
Registered in England (No. 2659118)

2940

- 2.2.2 All land included in the CPO that is located north of the river Thames is owned by PoTLL. The land includes the access road serving that part of the operational Port of Tilbury known as Tilbury2 and development land, designated as part of the Thames Freeport, in relation to which a planning application for port expansion proposals is being actively developed and for which a Scoping Opinion has been obtained.¹
- 2.2.3 The imposition of rights over this land will interfere with the use of the existing Port, interfere with the Port expansion proposals being developed, and will sterilise the land for development purposes. This land cannot be replaced as its value to the statutory undertaking is inherently linked to its location, adjacent to the existing Port, and its designation as part of the Tilbury Tax Site within the Thames Freeport.
- 2.2.4 This conflict between the powers within the CPO and the purposes for which PoTLL holds this land can be and must be resolved through negotiation, to:
- (a) enable appropriate management and oversight of construction traffic through the operational Port, and its co-existence with other projects utilising the Port roads, including the Lower Thames Crossing – the absence of which could cause congestion or restrict access to Tilbury2, affecting PoTLL’s ability to comply with its Open Port duty;
 - (b) put in place land use agreements which avoid any permanent sterilisation of land that is not required for the operational Project, ensuring that the Port can continue to be developed to meet demand and support the economy as the closest port and Freeport to London; and
 - (c) extinguish existing easements, other rights over and interests in land that are rendered unnecessary and redundant from the realignment of NGET’s existing infrastructure as part of the Project, further reducing and avoiding any unnecessary sterilisation that would restrict and impede the Port’s growth.

2.3 Excessive powers within the CPO

- 2.3.1 The powers within the CPO are excessive for two reasons. First, rights sought for temporary purposes are nevertheless stated to be capable of use for the purpose of the decommissioning of the Authorised Project. Secondly, the rights purport to affect land adjoining the Order Land, despite this not being included within the CPO or specifically identified.
- 2.3.2 In respect of temporary purposes, the Statement of Reasons confirms at paragraph 7.3 that some rights are only required for temporary purposes, such as the creation of construction compounds, and *will only be exercised during the construction phase* [emphasis added]. However, the rights packages described in the CPO, including for Construction Access Rights, Construction and Operational Access Rights and Construction Compound Rights, state that they may be used for the purposes of constructing, installing, commissioning, removing *and decommissioning* of the Authorised Project” [emphasis added].
- 2.3.3 This appears to be an error in drafting, and can be simply corrected by the removal of the words “and decommissioning” from the definitions of the temporary rights packages in order to bring the CPO’s powers in line with what is described in the Statement of Reasons. However, as drafted, the reference to decommissioning of the Authorised Project means the power will enable NGET to “prevent or remove any works or use of the land that may interfere with the

¹ Thurrock Council Planning Reference 24/01023/SCO, available at: <https://regs.thurrock.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SKD65LQG0YG00>.

exercise" of these construction rights for the purpose of decommissioning the Project at the end of its lifespan, at least 40 years in the future.

- 2.3.4 Similarly, the inclusion in the CPO of rights of access over adjoining land appears to be an error in drafting. The undefined 'adjoining land', not specified within the CPO, will cause significant uncertainty over where NGET has a right of access. Removing references to adjoining land, or clarifying that the adjoining land must also be land in which NGET has existing rights, would provide certainty over the scope of the CPO powers and the extent of rights acquired pursuant to the CPO, if confirmed.

3. **Conclusion**

- 3.1 For the reasons set out above, PoTLL objects to the CPO being confirmed in its current form. PoTLL seeks to remedy these concerns by agreement with NGET, with that agreement providing the protection necessary to avoid serious detriment to PoTLL's undertaking and dealing with the matters identified above. Without an agreement or the CPO being modified as set out above, the CPO will cause serious detriment to PoTLL's statutory undertaking and PoTLL therefore objects to its confirmation.

Yours faithfully



Peter Ward
Commercial Director

Copied to: Secretary of State for Transport



Rail Sponsorship and Stakeholders
Department of Transport
Zone 3/18
Great Minister House
33 Horseferry Road
London SW1P 4DR

Network Rail
1 Puddle dock, Queen Victoria Street
London EC4V 3DN
T 07771 827 758
E Stephen.sprei@networkrail.co.uk

29/11/2024

Special Delivery

Dear Sirs

**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024**

Operational land of Network Rail has been included in the above Order to which an objection has been lodged and a copy of Network Rail's objection is enclosed for your use.

In the circumstances I am making representations to you under Section 16 and Schedule 3 Part 11 of the Acquisition of Land Act 1981 and would request that the above Order not be confirmed as drawn.

It is envisaged that negotiations are likely to take place between the parties with a view to securing a resolution.

Yours faithfully

stephen sprei
Stephen Sprei
Surveyor

Crawford's

Chartered Surveyors

The Court
The Street
Charmouth
Dorset
DT6 6PE

E mail: andrew@crawfordscs.net

Tel: 07969 889 779

8th April 2025

D Kempson Esq
Senior surveyor
West Coast land
Planning and External affairs
National Grid

By email only

Dear Mr Kempson

**The National Grid Electricity Transmission PLC (Grain to Tilbury)
Compulsory Purchase Order 2024**

Denton Wharf Properties Limited – Plots 9/011 and 9/010

Further to our recent discussions I confirm that my client, Denton Wharf Properties Ltd, are prepared to withdraw their objection to the proposed compulsory purchase order referred to above with immediate effect. A copy of the letter of objection is attached for reference.

In the circumstances I would be grateful if you would treat this letter as withdrawing the objection.

Please will you confirm receipt of this letter.

Yours sincerely



Andrew Crawford

Laura Howard

From: Jeffrey, Martin
Sent: 04 March 2025 15:23
To: Inglis, Anna-Maria (Energy Security)
Cc: Farrell, Rhiannan; Jeffrey, Martin
Subject: RE: Grain to Tilbury Compulsory Purchase Order 2024 Procedural Email [ES-CLOUD_UK.FID9840204]
Attachments: TKRE CPO Letter to DESNZ modification(238042996.1).pdf; POTLL_Withdrawal of Objection(154101040.2).pdf

Dear Anna-Maria

Please see attached letter relating to a minor modification to the Order, as per the letter from the Port of Tilbury London Limited, in their objection withdrawal letter

I will forward a copy to the Port and their solicitors

If you have any queries please do not hesitate to contact me

Kind regards

Martin

FAO: Anna Maria Inglis
Department for Energy Security and Net Zero
Licensing and Consents Unit
3 Whitehall Place
London
SW1A 2AW

Date: 4th March 2025
Your ref:
Our ref: JEFFREM\342777.000194
Direct: +44 161 831 8575
Email: martinjeffrey@eversheds-sutherland.com

By e-mail only: annamaria.inglis@energysecurity.gov.uk

Dear Sir/Madam

RE: The National Grid Electricity Transmission Plc (Grain to Tilbury) Compulsory Purchase Order 2024

We write in relation to the above Order which was made on Thursday 14th November 2024

Port of Tilbury London Limited withdrew their objection on 3rd February 2024 subject to a request for a modification of the Order on confirmation to refer to the correct entity being Port of Tilbury **London** Limited.

For the avoidance of doubt, we confirm that the Acquiring Authority agrees with the modification requested, and that the Order should be modified as shown on the extract of Table 1 below with the wording underlined and in bold.

Number on the Plan (1)	Extent description and situation of the Land (2)
3/7	<p>All Interests in approximately 4585 square metres of land being part of electricity substation site, part of private road, electricity pylon and overhead lines, north east of Substation Road and east of railway line, Thurrock; Excluding the Interest of the Acquiring Authority & Excluding the Interests of the Port of Tilbury London Limited</p> <p>Freehold - EX639032</p> <p>Leasehold - EX826359</p>

Please do not hesitate to contact Martin Jeffrey by e-mail at: martinjeffrey@eversheds-sutherland.com

Yours sincerely

Eversheds Sutherland(International)LLP

Eversheds Sutherland (International) LLP

Encl.

Copied to

-Peter Ward, Port of Tilbury London
-Judith Pike, Walker Morris



PORT OF
TILBURY
LONDON

PORT OF TILBURY LONDON LIMITED

LESLIE FORD HOUSE,
TILBURY FREEPORT, TILBURY,
ESSEX, RM18 7EH
SWITCHBOARD: +44 (0)1375 852200

Secretary of State for Energy Security and Net Zero
c/o Anna Maria Inglis
Department for Energy Security and Net Zero
Licensing and Consents Unit
3 Whitehall Place
London
SW1A 2AW

3 February 2024

Dear Secretary of State,

**WITHDRAWAL OF OBJECTION TO CONFIRMATION OF THE NATIONAL
GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024**

- 1.1 Further to my letter dated 20 December 2024 setting out PoTLL's objection to confirmation of the National Grid Electricity Transmission Plc (Grain to Tilbury) Compulsory Purchase Order 2024 ("the CPO"), I am writing to advise that the Port of Tilbury London Limited (PoTLL) has now entered into an agreement with National Grid Electricity Transmission Plc in respect of the interests in and rights over land required for its Grain to Tilbury project.
- 1.2 The terms of that agreement provide PoTLL with suitable protections from the operation and effect of the CPO, if confirmed. Accordingly, PoTLL withdraws its objection to confirmation of the CPO in full, save for the following ground:
- The CPO purports to exclude PoTLL's interests from the effect of the CPO in respect of plot 3/7. However, the CPO incorrectly refers to "Port of Tilbury Limited". This error must be corrected by modification of the CPO on confirmation to refer to the correct PoTLL entity: Port of Tilbury **London** Limited.
- 1.3 Subject to this modification being made, PoTLL confirms it has no objection to confirmation of the CPO by the Secretary of State.

Yours faithfully

Peter Ward
Commercial Director

Copied to: Secretary of State for Transport