

**LANDS EVIDENCE**

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

**Summary Statement of Evidence of  
Darren Kempson  
Senior Surveyor, West Coast  
Land, Planning and External affairs,  
Strategic Infrastructure  
National Grid Electricity Transmission plc**

## **1. SUMMARY AND CONCLUSIONS**

- 1.1 My name is Darren Kempson and I am a Senior Surveyor AssocRICS. I have worked for National Grid for over 16 years securing legal and land rights and managing stakeholder engagement associated with major projects.
- 1.2 I have met with and spoken to all the landowners affected by the Project or their agents where relevant, and have maintained regular contact with the majority of these landowners including the four parties that submitted objections.
- 1.3 The Order Land spans both sides of the River Thames at Tilbury in Thurrock and Gravesend in Kent and includes land on the banks of the river and the riverbed. Full compulsory acquisition powers are sought over the land edged red and shaded pink on the Order Maps, whereas the land edged red and shaded blue on those maps included for the compulsory acquisition of new rights over that land. The majority of the land on the north side of the river is owned by the PoTLL.
- 1.4 The land forming part of the River Thames over which Tunnelling rights are sought comprises riverbank and riverbed and is owned by the PLA.
- 1.5 The land on the south side of the River Thames includes land owned by the RSPB, the majority of which is let to the Mayor's Office for Policing and Crime and used as a rifle range.
- 1.6 The Order Land comprises:
  - 1.6.1 All interests in land needed for the permanent headhouse and SEC at Tilbury owned by PoTLL.

- 1.6.2 All interests not currently in either NGET's or PoTLL's ownership in NGET's existing electricity substation site which is on the north side of the Thames, required for the removal of overhead lines and the realignment of overhead lines to the new tower.
- 1.6.3 All interests not currently in NGET's ownership of the land needed for the new SEC and related infrastructure on the south side of the Thames at Gravesend.
- 1.7 NGET seeks to acquire new rights in land for:
  - 1.7.1 the tunnel and cables under the River Thames and to maintain a protection zone.
  - 1.7.2 the new and diverted overhead lines, decommissioning working areas and associated infrastructure at both the Tilbury and Gravesend ends of the scheme.
  - 1.7.3 the use of land as a construction compound over land owned by PoTLL.
  - 1.7.4 access for construction and operational purposes over private roads land to the north owned by PoTLL and to the south owned by NRIL. NGET already has rights of access over the NRIL owned track to the south but it needs additional rights to ensure ability to construct and have operational access to Project works.
  - 1.7.5 carrying out surveys and monitoring of the tunnel on land owned by the PoTLL; and
  - 1.7.6 land owned by PoTLL needed to drain into existing watercourses on the north side and RSPB on the south side, with some leased to National Highways and MOPAC

- 1.8 The rights 'packages' have been tailored to ensure that a proportionate approach to compulsory purchase is taken.
- 1.9 There are a number of statutory undertakers who are affected by the Order.
- 1.10 Because NGET is itself a statutory undertaker the special parliamentary procedure otherwise required is disapplied by virtue of section 17(3) and Schedule 3 paragraph 4(3) of the Acquisition of Land Act 1981.
- 1.11 NRIL, is a statutory undertaker to which section 16 of the Acquisition of Land Act 1981 provisions apply. NGET remains in active discussions with NRIL.
- 1.12 NGET'S overarching Land Rights Strategy was adopted in 2010 to provide a consistent methodology for acquiring land and rights for NGET's infrastructure projects, in particular aimed at securing permanent rights to protect the long-term lifespan of the infrastructure.
- 1.13 NGET considers it essential to secure the grant of permanent rights akin to easements for the overhead lines rather than wayleaves (whether by negotiation or through the Order)
- 1.14 NGET seeks freehold acquisition over part of PoTLL's land for the purposes of a new head house and SEC and related infrastructure.
- 1.15 PoTLL submitted an objection to the Order but extensive engagement resulted in the completion of a number of agreements. Following which, PoTLL withdrew their objection in respect of a request for modification to plot 3/7.
- 1.16 DWPL have now withdrawn their objection following successful negotiations.

- 1.17 Their land has been included in the Order to facilitate construction of the new overhead lines, drainage works, the tunnel, Tilbury SEC/headhouse and the northern/Tilbury construction compound.
- 1.18 NGET continues to liaise with National Highways to understand any interfaces between the Project and LTC and is confident that both projects can be managed appropriately. National Highways has not objected to the Order.
- 1.19 PLA own the freehold of the riverbed and banks of the River Thames for which Tunnel rights are required. Discussions have been progressed for a draft works licence for the construction of the tunnel. The PLA has not objected to the Order.
- 1.20 The RSPB own freehold interests in the Order Land on the south side of the River Thames, at Gravesend, the majority of which is let to MOPAC and used as a rifle range. The land is required for the tunnel and its protection zone; for the decommissioning of the existing overhead line; for drainage and for the installation of the new overhead lines. Construction and operational access rights are also required, principally along the route of the existing rifle range access road. The parties have been negotiating an agreement for lease and this is near to being agreed. The RSPB and MOPAC have not objected to the Order.
- 1.21 The EA own land on the banks of the River Thames comprising grass land and footpath over which rights are sought for the Tunnel, its protection and for monitoring and survey purposes. The EA has not objected to the Order.
- 1.22 NRIL own freehold interests in land that comprise a private road known as the Thames and Medway Canal Towpath, along which a public footpath and a public cycle route.

- 1.23 Construction and operational access rights are sought over this land. NGET currently enjoys some rights of access over this land to its existing Gravesend headhouse but it is necessary to include the rights in the Order, in order to obtain rights to construct and operate the new tunnel, headhouse and other infrastructure.
- 1.24 Network Rail objected to the Order and submitted a representation under Section 16 and Schedule 3 of the ALA 1981 to the Department for Transport. Discussions are ongoing with Network Rail to secure and/or modify the access rights it requires over the access road.
- 1.25 SGN own and operate low and medium pressure gas mains within and in the vicinity of the Order boundary. SGN objects to the Order due to concerns that it may adversely affect the integrity of and /or access to these gas mains. The parties are engaging in seeking to agree asset protection arrangements to resolve SGN's concerns.
- 1.26 I have complied with relevant parts of the CPO Guidance, namely:
- 1.27 Extensive contact has been made with landowners and efforts have been made to acquire their interests voluntarily.
- 1.28 NGET has spent considerable time seeking to understand the impact of the Order on those with an interest in land.
- 1.29 Through seeking to understand the impacts, NGET has been able to progress negotiations for agreement and in the case of PoTLL this has succeeded, and their objection withdrawn. This is a significant achievement in securing more than half the Order land and rights by voluntary agreement. Modifications to the order land have been made where possible, further to engagement.
- 1.30 There were originally four objections to the Order, but two have withdrawn (PoTLL and DWPL). As at the time of writing this

Statement, NRIL has not elaborated on its grounds of objection to explain its position.

- 1.31 The private access road in the Order is on the other side of the canal to the railway. It is not believed that NRIL use the track regularly for access to the railway and any usage they do have is shared with a number of other third party users that also have access rights down the track. NGET seeks access for Construction and Operational Access Rights only over that access track.
- 1.32 NGET's intention is not to prevent or adversely affect NRIL's and third parties' existing rights over the access. During construction, NGET will put in place traffic management measures that would prevent any blockages along the single lane track that services the land. Access will be maintained for all NRIL employees during the Project.
- 1.33 SGN states that it has gas mains in the Order Land or the vicinity and that it has concerns that the TBM may adversely affect the integrity of and /or access to these gas mains which form an essential part of the local gas network.
- 1.34 Their main concerns are the assets affected by the TBM removal and the route it will take. SGN seek security that should assessments be carried out that indicate the pipe line will be at risk that an APA will be entered into ahead of the TBM removal.
- 1.35 A draft asset protection agreement is now in circulation, and NGET is willing to provide asset protection commitments via the agreement in respect of the apparatus under the Order Land.
- 1.36 To summarise the key points:
  - 1.36.1 all of the land included in the Order is required for the project;

- 1.36.2 a proportionate approach has been taken to land acquisition, with freehold only sought where necessary and otherwise using tailored packages of rights to minimise and focus rights and impact over each plot of land;
- 1.36.3 NGET's strategy is to reach voluntary agreement where possible, through early engagement, clear communication of the requirements, seeking to mitigate impacts where possible, making fair and incentivised offers for rights, and continuing negotiations through the hearings phase to minimise compulsory acquisition;
- 1.36.4 of 4 objections received, 2 have been withdrawn
- 1.36.5 there is a need for rights to be permanent, to allow NGET to secure the future operation of the network
- 1.36.6 there have been no objections challenging the need for the Project, just seeking to mitigate the impacts on individual holdings and businesses.



## 2. **DECLARATION**

I believe that the facts stated in this proof of evidence are true. I confirm that the opinions expressed in this proof of evidence are my true and professional opinions.



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**Darren Kempson**

**May 2025**