

**THE ELECTRICITY ACT 1989 AND THE ACQUISITION OF LAND ACT 1981 THE
NATIONAL GRID ELECTRICITY TRANSMISSION PLC (GRAIN TO TILBURY)
COMPULSORY PURCHASE ORDER 2024**

OPENING STATEMENT

ON BEHALF OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC

Introduction

1. This is an inquiry into the National Grid Electricity Transmission Plc (Grain to Tilbury) Compulsory Purchase Order 2024 (“CPO”) made by National Grid Electricity Transmission Plc (“NGET”) on 14 November 2024 pursuant to section 10 and Schedule 3 to the Electricity Act 1989. NGET seeks confirmation of the CPO by the Secretary of State for Energy Security and Net Zero.
2. Four objections were originally made to the CPO¹ but as of 2 June 2025, all outstanding objections were withdrawn.² As such, this CPO is unopposed.

The Acquiring Authority

3. NGET is the Acquiring Authority. It is responsible for developing, operating and maintaining the high voltage electricity transmission system in England and Wales. The transmission system carries electricity from generators to consumers via a network of substations, overhead lines and underground cables. NGET is responsible for ensuring that there is sufficient electricity transmission infrastructure available to support energy demands in England and Wales. Pursuant to its transmission licence, granted under section 6 (a)(b) of the Electricity Act 1989, NGET is obliged to operate the transmission system in an efficient, economic and co-ordinated manner.

¹ By Network Rail; Denton Wharf Properties Ltd; Southern Gas Networks PLC and the Port of Tilbury London Limited

² The Port of Tilbury London Ltd withdrew its objection on 3 February 2025, subject to a minor modification to the CPO, which NGET has requested – **CD D7, p.2948 and p.2946 – 2947**; Denton Wharf Properties Ltd withdrew its objection on 8 April 2025 – **CD D7, p.2944**; Southern Gas Networks withdrew its objection by email on 30 May 2025; and Network Rail withdrew its objection and s.16 objection by letters dated 30 May 2025.

The CPO scheme

4. The Grain to Tilbury Project (“the **Project**”) is required to replace existing, outdated transmission infrastructure in order to meet future energy demands and ensure resilience in the transmission network. Its principal elements comprise a new 2.2km tunnel under the River Thames to carry 12 new cross-linked polyethylene cables which will replace the existing tunnelled section of the Tilbury to Grain and Tilbury to Kingsnorth 400kV circuits; sealing end compounds at both ends of the new tunnel, in Tilbury and Gravesend; the diversion of existing overhead lines into the new tunnel which requires the construction of two new gantries and the removal and decommissioning of existing overhead lines and towers. Temporary construction compounds are also required at both Tilbury and Gravesend to facilitate the delivery of the Project.

Need for and benefits of the Project

5. As explained in the Statement of Reasons;³ Statement of Case;⁴ and in Mr Driscoll’s evidence, as part of its commitment to tackling climate change, the Government has set legally binding targets to become net zero for all greenhouse gases by 2050 and has committed to a 68% reduction in greenhouse gas emissions by 2030. In order to achieve this, a large amount of renewable energy is expected to connect into the electricity transmission network on the east coast of England. Forecasts reveal that the existing Tilbury to Grain and Tilbury to Kingsnorth circuits will become significantly overloaded in their current capacity and therefore require uprating. The Project is required to replace the existing, outdated infrastructure so as to increase its capacity and ensure that the transmission network is prepared for future demand.
6. There is a wealth of policy support for the improvement of electricity transmission infrastructure. National policy recognises that a significant amount of infrastructure is required to ensure that energy can be transported to where it is needed and explains that high-quality infrastructure is crucial for economic growth, boosting productivity and competitiveness.⁵ It explains that there is an urgent need for new electricity network infrastructure to be brought forward at pace to meet Government energy objectives.⁶ The

³ Statement of Reasons, **CD C4**

⁴ Statement of Case, **CD C5**

⁵ NPS EN-1, para. 2.1.3, **CD A4**

⁶ NPS EN-1, para. 3.3.65, **CD A4**

security and reliability of present and future energy supply is highly dependent on having an electricity network which will enable the new energy generation, storage and connection infrastructure that the country needs to meet the rapid increase in electricity demand required to transition to net zero.⁷ The Energy White Paper;⁸ Net Zero Strategy;⁹ British Energy Security Strategy;¹⁰ Powering Up Britain documents¹¹ and Clean Power 2030 Action Plan¹² all recognise the vital role of new electricity transmission infrastructure if the UK's net zero ambitions are to be met.

7. In light of Government targets, there is an urgent need for the Project to be operational by 2030. In December 2022, the Office of Gas and Electricity Markets (“Ofgem”) introduced a new regulatory approval and funding framework, known as Accelerated Strategic Transmission Investment (“ASTI”) projects in order to streamline the funding and delivery of onshore transmission projects required to deliver the Government’s 2030 net zero ambitions. The Grain to Tilbury Project has been selected as one of 26 ASTI projects on the basis that it needs to be operational by 2030 and there is clear evidence that the consumer benefits of applying the accelerated delivery framework will exceed any consumer detriment.
8. The selection of the Project under the ASTI framework is testament to its importance and urgency. It will replace and modernise existing, outdated infrastructure; deliver increased capacity to meet future energy demand and consumer connection requirements; assist in the transition to a net zero economy and contribute to energy security and reliability of supply.

Compulsory purchase powers

9. NGET has sought to minimise interference with affected land by seeking to acquire the freehold interest in land only where this is required for permanent infrastructure associated with the sealing end compounds at Tilbury and Gravesend. In all other

⁷ NPS EN-5, paras 1.1.1 – 1.1.5, **CD A5**

⁸ Energy White Paper, **CD A15**

⁹ Net Zero Strategy, **CD A14**

¹⁰ British Energy Security Strategy, **CD A13**

¹¹ Powering Up Britain – Energy Security Plan, **CD A10** and Powering Up Britain – The Net Zero Growth Plan, **CD A11**

¹² Clean Power 2030 Action Plan, **CD A3**

instances, NGET has sought bespoke packages of rights¹³ over land to enable requisite works to be carried out and operated without unduly burdening the land.

10. As explained in the evidence, NGET has a clear idea of how it proposes to use the affected land, all of which is required to facilitate the construction; delivery and operation of the Project.

Efforts to acquire by agreement

11. NGET has made genuine and reasonable efforts to acquire the relevant land and rights by agreement. As explained in the evidence of Mr Kempson, there has been an extensive programme of engagement with affected parties, the result of which is the majority of affected landowners raised no objection to the CPO.¹⁴
12. As to those objectors who did originally object to the CPO, the majority of the Order Land is in the freehold ownership of the Port of Tilbury London Limited, on the north side of the River Thames. The Port submitted an objection to the CPO in December 2024 but in the intervening period, NGET has entered into a number of voluntary agreements. In light of those agreements, the Port has now withdrawn its objection.¹⁵ Denton Wharf Property Limited also submitted an objection which has now also been withdrawn following successful negotiation with NGET.¹⁶ Network Rail Infrastructure Limited withdrew its objection on 30 May 2025 following the conclusion of voluntary agreements and Southern Gas Networks, which does not own any interest in the Order Land but does have apparatus under part of it, also withdrew its objection on 30 May 2025 following the conclusion of an Asset Protection Agreement.
13. The fact that there are no outstanding objectors to the CPO is testament to the efforts that NGET has made to liaise with affected persons; explain the Project and the nature of the land and rights required; and allay any concerns they have over the exercise of compulsory purchase powers.

¹³ As defined in the CPO, **CD C1**

¹⁴ National Highways; the Port of London Authority; the RSPB; the Environment Agency are all affected landowners who have not objected to the CPO.

¹⁵ PoTLL withdrawal of objection, subject to a minor modification to the CPO which has been agreed with NGET, **CD D7**

¹⁶ Denton Wharf Property Limited withdrawal of objection, **CD D7**

Impediments to the delivery of the project

14. There are no impediments to the delivery of the Project. Ms McGregor's evidence explains that planning permission has been granted by both Gravesend and Thurrock Councils for all aspects of the Project that require such permission.¹⁷ NGET submitted an application for s.37 consent for the new overhead lines to the Department for Energy Security and Net Zero in June 2024. There have been no objections to the application and NGET anticipate that it will be determined concurrently with the decision on the CPO. There are a number of additional or secondary consents that will be required, such as a River Works Licence and temporary Public Rights of Way diversion but these requirements are typical for this type of development and NGET is confident that they will be agreed with relevant authorities so as to enable the delivery of the Project.

15. As explained in the evidence of Mr Driscoll and Mr Hyett, NGET has extensive experience of building, operating and maintaining linear infrastructure schemes including large-scale tunnelling projects. NGET's investments, including for the Grain to Tilbury Project, are funded via Ofgem's regulatory framework. ASTI projects are funded through pre-construction funding; early construction funding and then an application for full project costs via a project assessment process. NGET has already received £8.9m in pre-construction funding and a proportion of the total Project costs pursuant to an early construction funding application. The next funding stage is the project assessment submission which was made in March 2025 and is expected to be determined within 6 months of submission. Given that the Project is an ASTI project; the funding that has been awarded to date and the continuous engagement between NGET and Ofgem throughout the process, there is a high degree of confidence that full funding will be awarded to enable the Project to be delivered.

16. Rightly, in their original (and subsequently withdrawn) objections, none of the objectors raised any concern about the availability of funding or suggested that there were any other impediments to the delivery of the Project.

¹⁷ Planning permission granted by Thurrock Council, **CD B1** and by Gravesend Council, **CD B3**

Conclusion

17. In conclusion, there is a compelling case in the public interest for confirming the CPO. The need for and benefits of the Project outweigh the private loss to affected persons. NGET has a clear idea of how it intends to use the land; can show that necessary resources are available; there are no impediments to the delivery of the Project; and proper and reasonable efforts have been made to acquire the land and rights through voluntary agreements. As such, in due course, NGET will invite the Secretary of State to confirm the CPO subject to the minor modification requested on 4 March 2025.¹⁸

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¹⁸ Eversheds Sutherland letter of 4 March 2025, **CD D7, p.2946 - 2947**