



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

**THE THURROCK FLEXIBLE GENERATION PLANT DEVELOPMENT CONSENT ORDER 2022
NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION**

The above order, made under the Planning Act 2008 by the Secretary of State for the Department for Business, Energy and Industrial Strategy and published on 16 February 2022, 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.

The order includes provision authorising the acquisition for the purpose of the construction and operation of a gas-fired electricity generating station and associated underground gas and electricity connections with a maximum generating capacity totalling 620 megawatts ("MW") through the use of up to 48 gas reciprocating engines and for the construction and operation of a battery storage facility with a rated electrical output of 150MW and storage capacity of up to 600MWh).

A copy of the order has been deposited at Tilbury Hub, 6 Civic Square, Tilbury RM18 8AD, Chadwell St Mary Library, Brentwood Rd, Chadwell St Mary, Grays RM16 4JP and Thurrock Council Offices, Civic Offices, New Rd, Grays RM17 6SL, and may be inspected at all reasonable hours.

A copy of the order is also available to view online in the 'Documents' section of the Applicant's website:

<http://thurrockpower.co.uk>

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 proceeding 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 Thurrock Power 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.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give Thurrock Power Limited at:

1st Floor, 145 Kensington Church Street, London, W8 7LP

Email: contact@thurrockpower.co.uk

Telephone: 0207 186 0580

information about the person's name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3.

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 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 listed in the table below and as shown on the land plans shaded pink (compulsory acquisition of all interests and rights in land) and shaded blue (rights (including restrictions) to be compulsorily acquired and new rights to be created (including to be imposed) and in relation to which it is proposed to suspend or extinguish easements, servitudes and other private rights) (the land subject to powers of compulsory acquisition).

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

- (a) so much of the Order land as is specified by Article 19 (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 22 (compulsory acquisition of rights) of the Order.

The purpose for which new rights may be acquired and restrictions may be imposed is described in Schedule 5 to the Order and includes:

- (a) Rights to install, use, protect, retain, inspect, maintain, repair and replace electrical cables and associated infrastructure and to take vehicular access for the same.
- (b) Rights to impose restrictive covenants for the protection of electrical cables and associated infrastructure installed in the land.
- (c) Rights of access, including vehicular access, to create and maintain replacement common land.
- (d) Rights to install, use, protect, retain, inspect, maintain, repair and replace a gas pipeline and associated infrastructure, and to take vehicular access for the same.
- (e) Rights to impose a restrictive covenant for the protection of gas pipeline and associated infrastructure installed in the land.
- (f) Rights of access, including vehicular access, to create and maintain habitat creation and enhancement land.
- (g) Rights to use, repair, improve or alter existing accesses, tracks, roads or ways.

Thurrock Power Limited may override any existing easements and other rights under Article 20 of the Order and may suspend or extinguish private rights in land pursuant to Article 23 of the Order. Thurrock Power 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 28 of the Order and may temporarily use the Order land to maintain the authorised development pursuant to Article 29 of the Order.

The land subject to powers of compulsory acquisition is as described in the tables below:

LAND TO BE ACQUIRED	
Plot numbers of land as shown on the land plans relating to the Order as made	Description of the land
01/05, 01/08, 02/03	Arable field and drain, east of Fort Road, Tilbury
01/06, 01/07	Arable field, east of Fort Road, Tilbury
01/12, 01/13	Grassland south of Parsonage Common, Tilbury
01/16	Grassland, drains, pylons and overhead transmission lines, south of Parsonage Common, Tilbury.
01/17	Arable field, drains, pylons and overhead transmission lines, south of Parsonage Common, Tilbury.
01/18	Trees and shrubbery, north of Walton Common, Tilbury
01/23	Grassland, drain, trees and overheard transmission lines, east of Walton Common, Tilbury
01/24	Grassland, shrubbery, overhead transmission lines and drains on the south side of the railway, south of Parsonage Shaw, Tilbury.
01/26, 01/26a	Grassland and drain, east of Walton Common, Tilbury
01/27	Arable field, south east of Walton Common, Tilbury
01/29	Track, north east of Tilbury Power Station, Tilbury.
02/05	Trees at Parsonage Common, West Tilbury.
02/06	Arable field, track, drains, pylons and overhead transmission lines, south of Parsonage Common, West Tilbury.
02/07	Arable field, shrubbery, drains, pylons, overhead transmission lines at Parsonage Shaw, West Tilbury
02/12	Grassland, track and drain, south of Parsonage Shaw, West Tilbury.
02/14	Arable field, track and drains, west of Parsonage Shaw, West Tilbury.
03/01a	Arable land, pylons and overhead transmission lines and drain, south of Station Road, Tilbury.
03/11	Agricultural and arable fields, trees and shrubbery at Goshem's Farm, East Tilbury.
04/06	Private access road (unnamed), quarryland and grassland, east of Tilbury Power Station.
05/05	Grassland, east of Fort Road, Tilbury

LAND OVER WHICH NEW RIGHTS ARE TO BE ACQUIRED OR RESTRICTIONS IMPOSED

Plot numbers of land as shown on the land plans relating to the Order as made	Description of the land
01/09	Grassland, overhead transmission lines and pylons, north of Tilbury Power Station, Tilbury
01/10, 01/15	Hardstanding at Tilbury Power Substation, Tilbury
01/14	Arable field, overhead transmission lines and drain, Parsonage Common, Tilbury
01/25	Arable field, drains, south east of Parsonage Common, Tilbury.
02/01	Arable field and drain, north west of Parsonage Common, Tilbury
02/02	Arable field and drain, west of Parsonage Common, Tilbury.
02/04	Parsonage Common, south of Cooper Shaw Road, Tilbury
02/08, 02/09	Grassland and drain at Parsonage Common, West Tilbury.
02/10	Highway verge and hardstanding (Cooper Shaw Road), west of Parsonage Common, West Tilbury
02/11	Shrubbery at Parsonage Shaw, West Tilbury
02/13	Arable field, track, pylons and overhead transmission lines, west of Parsonage Shaw, West Tilbury
03/01	Arable land, pylons and overhead transmission lines and drain, south of Station Road, Tilbury
03/02	Arable land and drain, south of Station Road, Tilbury.
03/03	Public footpath (Footpath 146), trees and drain, south west of Station Road, East Tilbury.
03/04	Agricultural field, trees and shrubbery, west of Gravelpit Farm, Tilbury.
03/05, 03/08	Public highway (Station Road), West Tilbury.
03/06	Arable field, grassland, trees and shrubbery at Gravelpit Farm, Tilbury.
03/09	Grassland and arable field at Goshem's Farm, East Tilbury

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 Thurrock Flexible Generation Plant Development Consent Order 2022 which authorises compulsory acquisition comes into force, the undertaker (hereinafter called Thurrock Power 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 Thurrock Power Limited at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after Thurrock Power 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 Thurrock Power Limited together with the right to enter on the land and take possession of it. Every person on whom Thurrock Power 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 Thurrock Power 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

THURROCK FLEXIBLE GENERATION PLANT DEVELOPMENT CONSENT ORDER 2022

To: Thurrock Power Limited

[I][We](delete as applicable) being [a person][persons](delete as applicable) 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] (delete as applicable) that land, give you the following information, pursuant to section 134(7)(cza) of the Planning Act 2008.

- 1. Name and address of informant(s) (i).....
- 2. Land in which an interest is held by informant(s) (ii).....
- 3. Nature of interest (iii).....

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.