

THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (LONDON POWER TUNNELS 2) (CIRCUIT 2 – NEW CROSS TO HURST) COMPULSORY PURCHASE ORDER 2019

The Electricity Act 1989 and the Acquisition of Land Act 1981

- 1 Notice is hereby given that the Secretary of State for Business, Energy and Industrial Strategy, in exercise of his powers under the above Acts, on 4 February 2021 confirmed with modifications The National Grid Electricity Transmission PLC (London Power Tunnels 2) (Circuit 2 – New Cross to Hurst) Compulsory Purchase Order 2019 submitted by National Grid Electricity Transmission PLC.
- 2 The order as confirmed provides for the purchase, for the purposes of an underground tunnel and electricity cables from a substation east of Sandgate Street, Southwark (“the New Cross Substation”), to a substation off Stable Lane, Bexley (“the Hurst Substation”), via sites with access shafts and headhouses south of Nelson Mandela Road, Greenwich, and east of Eltham Grid Substation, south of Falconwood Field, Greenwich, together with related works to facilitate the transmission of electricity within and across London, of the land and the new rights described in Schedule 1 hereto.
- 3 A copy of the order as confirmed by the Secretary of State for Business, Energy and Industrial Strategy and of the map referred to therein have been deposited online at www.londonpowertunnels.co.uk/statement-of-reasons/. Due to the current public restrictions arising from Covid-19, if you require hard copy documents please request these by email to lpt@dalcourmaclaren.com or telephone 0800 160 1376 or in writing to London Power Tunnels 2, F.A.O. N Page, Dalcour Maclaren, Unit 1, Staplehurst Farm, Weston on the Green, Bicester, OX25 3QU.
- 4 The order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the order.
- 5 Once the order has become operative, National Grid Electricity Transmission PLC may acquire any of the land 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 below.
- 6 Every person who, if a general vesting declaration were executed under section 4 of that Act in respect of the land comprised in the order (other than land in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such land, is invited to give information in writing to London Power Tunnels 2, National Grid Electricity Transmission PLC at 1-3 Strand, London WC2N 5EH or by email to lpt@dalcourmaclaren.com about the person's name, address and interest in land, using a prescribed form. The relevant prescribed form is set out in Schedule 3 below.

SCHEDULE 1

LAND AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED

Land to the south of Nelson Mandela Road, Greenwich for a headhouse site and shaft and land east of the Eltham Grid Substation, south of Falconwood Field, Greenwich for a headhouse site and shaft.

Rights associated with the construction and operation of a tunnel and electricity cables project over land between the New Cross Substation and the Hurst Substation, via sites with access shafts and headhouses south of Nelson Mandela Road, Greenwich, and east of Eltham Grid Substation, south of Falconwood Field, Greenwich. These rights cover the rights required for all construction related activity associated with the project, including (but not limited to) access, all construction-related activities, laying and moving services, airspace rights and fencing and

hoarding. There are also rights for access during the operational phase in locations where there is to be an above ground installation.

These rights are labelled as "Construction Compound Rights", "Construction Access Rights", "Operational Access Rights" and "Tunnel and Cable Rights" in the order and schedule, each of which is defined in detail at paragraph 6 of the order.

SCHEDULE 2

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

Power to execute a general vesting declaration

1. Once the National Grid Electricity Transmission PLC (London Power Tunnels 2) (Circuit 2 – New Cross to Hurst) Compulsory Purchase Order 2019 has become operative, National Grid Electricity Transmission PLC (hereinafter called "the Acquiring Authority") may acquire any of the land¹ 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 the Acquiring Authority at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after the Acquiring Authority 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 contained in the confirmation notice of the order. 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 the Acquiring Authority together with the right to enter on the land and take possession of it. Every person on whom the Acquiring Authority 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 a 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.

Modification with respect to certain tenancies

4. In the case of certain tenancies, the position stated above is subject to modification. 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 the Acquiring Authority 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 National Grid Electricity Transmission PLC (London Power Tunnels 2) (Circuit 2 – New Cross to Hurst) Compulsory Purchase Order 2019

To: National Grid Electricity Transmission PLC

[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 compulsory purchase 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 the provisions of section 15 of, or paragraph 6 of Schedule 1, to the Acquisition of Land Act 1981.

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 interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

¹ For the purposes of Schedules 2 and 3 of this notice "land" includes the new rights described in Schedule 1 of this notice.

Gareth Burden
Project Director
National Grid Electricity Transmission PLC
Dated: 17 February 2021