



Department  
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Your ref: LKS/NJE/147833.YO70869  
Our ref:

6 May 2015

Dear Ms Spencer,

**The National Grid Nemo Link Limited (Pegwell Bay) Compulsory Purchase Order 2014**

I refer to our letter dated 1 April 2015 in which it is confirmed that the Secretary of State has accepted the above Order for confirmation.

In that letter, we indicated that we had written to all remaining objectors requesting they confirm to the Secretary of State no later than 17 April 2015, if their objection to the Order remains or if they wish to withdraw their objection. I can confirm that the following objections to the Order remain:

- National Trust
- Kent Wildlife Trust
- The Baypoint Club
- St. Nicholas Court Farms
- Alexandra and James Pace

It is the Secretary of State's intention to hold a local public inquiry into the above Order in accordance with Rule 3(2) of The Compulsory Purchase (Inquiries Procedure) Rules 2007 ("the 2007 Rules"). The Secretary of State will be appointing an Inspector from the Planning Inspectorate to conduct this inquiry on his behalf.

In accordance with Rule 10(1)(a) of the 2007 Rules, the date fixed by the Secretary of state for the holding of an inquiry shall not be later than 22 weeks after the relevant date. However Rule 10(1)(c) provides that where the Secretary of State is satisfied that in all the circumstances of the case it is impracticable to hold the inquiry within the period mentioned in sub-paragraph

(a) or (b) (as the case may be) the earliest practicable date after the end of that period. The Secretary of State will liaise with the Planning Inspectorate to set the inquiry date as soon as possible depending upon Inspector availability. The exact timing of the inquiry and any pre-inquiry meeting (if the appointed Inspector thinks this is desirable) will be notified to you and the remaining objectors in due course.

The date of this letter should be treated by Nemo Link Limited "the acquiring authority" as the "relevant date" in Rule 2 of the 2007 Rules which is defined to mean "the date of the authorising authority's notice under paragraph (2) or (3) of Rule 3."

Whilst the inquiry date is yet to be determined, I would draw your attention to Rule 7 that governs the service of the Statement of Case. Rule 7(1)(b) requires the acquiring authority to serve its Statement of Case to the remaining objectors (and to the Secretary of State as authorising authority) no later than six weeks after the "relevant date" which means **by 17 June 2015**.

It should be noted that under section 21 of the National Trust Act 1907, any land that is held inalienably by the National Trust and is intended to be compulsorily acquired, shall be subject to special parliamentary procedure under section 18(2) of the Acquisition of Land Act 1981. If National Trust's objection remains after the local public inquiry has closed, the Order will be required to undergo special parliamentary procedure in relation to the proposed compulsory acquisition of plots 2, 3 and 11 owned by National Trust. This ultimately means that the Order would be approved (or not) by Parliament rather than by the Secretary of State before it could have effect.

The Secretary of State would strongly encourage the acquiring authority to continue their engagement with the remaining objectors to discuss proposals that may help reach a mutual agreement with parties.

Letters have been sent today to the above remaining objectors informing them of this matter. A copy is attached for your information.

Yours sincerely,

*Denise Libretto*

Denise Libretto  
Head of Networks  
National Infrastructure Consents