

9.128 CAH1 Action 1 - Advanced Land Acquisition Thurrock Council Programme Confirmation

1.1 Request from the Examining Authority:

'Please provide a joint site-by-site position statement on progress in CA negotiations between Thurrock Council and the Applicant. Where in-principle agreement to enter into advance negotiations has been reached, please record this separately from any positions about the timing of acquisition (which may or may not have been agreed).' [[EV-047a](#)]

1.2 Following Compulsory Acquisition Hearing 1 (CAH1), the Applicant met with the Property Advisors for Thurrock Council on 5 October 2023 to further discuss the approach to land acquisition and compensation.

Permanent Acquisition of Land, Temporary Land with Permanent Rights and Temporary Land.

1.3 The Applicant confirmed that it is in a position and has funding available to acquire any Thurrock Council owned land, rights or temporary land by agreement at such point the Council may wish to dispose of the land or alternatively enter into an option agreement to secure the drawing down of the land in the future. The Heads of Terms for the standard National Highways option agreement was shared with the Council by email on 3 October 2023.

1.4 During the meeting the Council's advisors stated they would need to seek instructions from their client. It was confirmed on 20 October 2023 that the Council may be prepared to enter into an option agreement for land required permanently, subject to contract. The Council is reviewing the option agreement and will revert with its comments on the draft in due course.

1.5 The Applicant has previously shared a spreadsheet with the Council that details on a plot-by-plot basis the land use for each Thurrock plot, a further updated spreadsheet was circulated ahead of meeting on 3 October 2023 this is being reviewed by the Council. Now a potential approach to securing land by agreement has been reached, subject to contract, both parties will work through each plot on an individual basis and agree the approach to be taken in each case.

Advance Notice of Programme

1.6 Thurrock Council had previously requested that the Applicant enter into a legally binding agreement to tie in the dates and durations of the temporary land plots. The Applicant could not enter into such an agreement and offered a draft Memorandum of Understanding (MOU) to the Council which, as it was not legally binding, the Council did not want to enter into.

- 1.7 At the recent meeting it was agreed that the Applicant would enter into a commitment with regard to the advance notice of the programme, phasing of works and sharing of information in relation to the Thurrock plots. The Applicant has suggested some initial wording to the Council in its draft Memorandum of Understanding and comments are awaited. The Council will respond to the Applicant after Deadline 6, noting that the Council is keen for the Applicant's commitments to be binding. Both parties will work together to agree appropriate wording.