

## STATEMENT OF COMMON GROUND

### BETWEEN PORT OF TILBURY LONDON LIMITED AND NETWORK RAIL

#### 1. INTRODUCTION AND PURPOSE

- 1.1 Application for Development Consent for a proposed port terminal at the former Tilbury Power Station ("the Application") was made by the Port of Tilbury London Limited ("PoTLL") on 31st October 2017 and was accepted for examination by the Planning Inspectorate on 21st November 2017 (reference number:TR03003).
- 1.2 This Statement of Common Ground ("SoCG") has been prepared by PoTLL and Network Rail Infrastructure Limited ("Network Rail") in accordance with the guidance published by the Department of Communities and Local Government.
- 1.3 The purpose of the SoCG is to set out agreed factual information about the Application. It is intended that the SoCG should identify matters on which PoTLL and Network Rail agree.
- 1.4 PoTLL and Network Rail are collectively referred to in this SoCG as "the parties". The parties have been, and continue to be, in direct communication in respect of the interface between the proposed port terminal at the former Tilbury power station ("Tilbury2") and Network Rail's land ownership interests.

#### 2. OVERVIEW OF THE PROPOSALS

- 2.1 PoTLL is proposing a new port terminal on the north bank of the River Thames at Tilbury, a short distance to the east of its existing Port. The proposed port terminal will be constructed on land that formed the western part of the now redundant Tilbury Power Station and is bounded to the west by a waste water treatment works and to the east by the Tilbury B power station that is presently being demolished.
- 2.2 The proposed main uses on the site will be a Roll-on/Roll-off (RoRo) terminal and a Construction Materials and Aggregates terminal (the "CMAT"), and associated infrastructure including rail and road facilities and revisions to the existing marine infrastructure. An 'infrastructure corridor' is proposed that will accommodate road and rail links to the existing rail and road network. The CMAT will include stockpiling of construction materials and some processing of aggregates for the production of asphalt and concrete products.
- 2.3 It will require works including, but not limited to:
  - creation of hard surfaced pavements;
  - improvement of and extensions to the existing river jetty including creation of a new RoRo berth;
  - associated dredging of berth pockets around the proposed and extended jetty and dredging of the approaches to these berth pockets;
  - new and improved conveyors;
  - erection of welfare buildings;
  - erection of a single 10,200 sqm. warehouse
  - a number of storage and production structures associated with the CMAT;

- the construction of a new link road from Ferry Road to Fort Road; and
  - formation of a rail spur and sidings.
- 2.4 The proposed volumes of import/export of RoRo units for the terminal exceed the threshold of 250,000 units stated in the Planning Act 2008 for throughput per annum. The Tilbury2 project therefore constitutes a Nationally Significant Infrastructure Project.
- 2.5 The application essentially seeks a DCO to approve an operational port and to allow PoTLL to benefit from its permitted development rights within the boundaries of the new port. The application seeks to establish a 'Rochdale Envelope' of development based upon the description within the DCO. Whilst future use of the site may change it would necessarily be based on the "Not Environmentally Worse Than" approach within the Rochdale Envelope defined by this application, given that any development outside of this would require a separate planning application, as it would fall beyond the scope of permitted development powers.

### 3. THE ROLE OF NETWORK RAIL AND THE APPLICATION



- 3.1 Network Rail is the owner and operator of Great Britain's railway infrastructure. It is a statutory undertaker in respect of its railway undertaking, with statutory and regulatory obligations in respect of it.
- 3.2 The Application includes provisions which would, if granted, allow PoTLL to (i) acquire Network Rail land permanently; (ii) possess Network Rail land temporarily; and (iii) acquire rights over network Rail land permanently.
- 3.3 Tilbury2 involves the following interfaces with Network Rail:
- The proposed re-routing of the existing railhead serving PoTLL's Tilbury riverside Terminal to the Tilbury2 site;
  - The proposed closure of a public footpath (Footpath 144) and unmanned pedestrian level crossing over the London, Tilbury and Southend line; and
  - The extension of a road overbridge at Fort Road that will cross the London, Tilbury and Southend line.

### 4. AGREED POSITION OF THE PARTIES

- 4.1 Network Rail and the Port of Tilbury have been in discussions since inception of the Tilbury2 project. These discussions have continued to progress positively with regard to the DCO, a Framework Agreement and the associated land transfer arrangements.
- 4.2 The parties will work together with a view to completing the Framework Agreement by the end of August following which Network Rail will withdraw its objection.
- 4.3 Network Rail confirm that they agree the Protective Provisions for the protection of Railway Interests at Part 6 of Schedule 10 to the draft DCO submitted by the Applicant at Deadline 6 [Revision 5 of the draft DCO]
- 4.4 Network Rail has appointed independent surveyors to act on its behalf to negotiate the purchase by the Port of Tilbury of land required for the Tilbury2 scheme. The Port of Tilbury has underwritten the costs of this appointment. The purchase of the land concerned has been agreed in principle and the negotiations over the value/price to be paid are to commence shortly.

- 4.5 This jointly agreed statement should be read as updating the relevant section of the "Update of Statement of Reasons Appendix F (Land Negotiations Tracker) V4" submitted for Deadline 6 (3rd August 2018).

5. **AGREEMENT**

Signed	
Name	STEPHEN SPREI
Position	SURVEYOR
Organisation	On Behalf of Network Rail
Date	15 August 2018
Signed	
Name	Peter Ward
Position	Commercial Director
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Date	15 August 2018