



# Department for Transport

Richard Barrett  
Planning Officer, Thames Tideway Tunnel  
Department for Communities and Local Government  
Zone 5/E1  
Eland House  
Bressenden Place  
London SW1E 5DU

Martin Woods  
Head of the TWA Orders Unit  
Department for Transport  
General Counsel's Office  
Zone 1/14-18  
Great Minster House  
33 Horseferry Road  
LONDON  
SW1P 4DR

Enquiries: 020 7944 3293

Email: [transportandworksact@dft.gov.uk](mailto:transportandworksact@dft.gov.uk)

Web Site: [www.gov.uk/dft](http://www.gov.uk/dft)

Our Ref: TWA 8/2/1/TTT

6 August 2014

Dear Mr Barrett,

**PLANNING ACT 2008  
PROPOSED THAMES WATER UTILITIES LIMITED (THAMES TIDEWAY TUNNEL)  
DEVELOPMENT CONSENT ORDER  
APPLICATIONS FOR A CERTIFICATE UNDER SECTION 127(2) AND CONSENT  
UNDER SECTION 138(4): LAND IN THE OWNERSHIP OF NETWORK RAIL  
INFRASTRUCTURE LIMITED**

1. I refer to the above applications made to the Secretary of State for Transport ("SoS/T") by Thames Water Utilities Limited ("the Applicant") on 6 November 2013 in relation to land held by Network Rail Infrastructure Limited ("NR"), and to the report<sup>1</sup> submitted on 12 June 2014 by the Panel which examined those applications on behalf of the SoS/T.

2. The Panel said at paragraph 21 of its report:-

"Network Rail states in its letter to the Panel of 7 March 2014 (REP469) that it withdraws its objection to the Applicant's application for the grant of a certificate under section 127 and withdraws its representation save with regard to Article 52 of the DCO. There is no provision under PA 2008 for the partial withdrawal of a representation and it is our view therefore that the representation is not withdrawn."

The Panel accordingly recommended at paragraph 34 of its report that the SoS/T should give the certificate under section 127(2) of the Planning Act 2008 ("the 2008 Act") applied for by the Applicant. The Panel recommended also at paragraph 36 of its report that the SoS/T should give consent under section 138(4) of the 2008 Act for the

---

<sup>1</sup> The report to the Secretary of State for Transport forms Appendix E3 to the Panel's report to the Secretaries of State for Environment, Food and Rural Affairs and Communities and Local Government.

inclusion in the above proposed Order of provisions for the extinguishment of rights and the removal of apparatus in relation to NR's land.

3. The SoS/T agrees with the Panel that in the circumstances described above he is required to decide whether to give the certificate and consent applied for and has therefore considered the Panel's conclusions and recommendations on these applications. He agrees with the Panel that the operational land and interests of NR required by the Applicant can be taken without serious detriment to the carrying on of NR's undertaking, taking into account the protective provisions and the Interface and Asset Protection Agreements referred to at paragraph 27 of the report. He agrees further with the Panel that the extinguishment of rights and removal of apparatus sought by the Applicant in relation to NR's land is necessary for carrying out the Thames Tideway Tunnel project.

4. I accordingly enclose with this letter a certificate given under section 127(2) of the 2008 Act and a draft notice for the purposes of section 127(7) of the 2008 Act. Furthermore, the SoS/T gives consent by this letter under section 138(4)(b) of the 2008 Act for the inclusion in the above proposed Order of provisions for the extinguishment of rights and the removal of apparatus in relation to NR's land. I note that the decision-maker must also be satisfied that the extinguishment of rights or removal of apparatus is necessary for the purpose of carrying out the development as specified in section 138(4)(a) of the 2008 Act, as originally enacted.

Yours sincerely,

**Martin Woods**

**DEPARTMENT FOR TRANSPORT**

**THE PROPOSED THAMES WATER UTILITIES LIMITED (THAMES TIDEWAY TUNNEL) DEVELOPMENT CONSENT ORDER**

**CERTIFICATE UNDER SECTION 127(2) OF THE PLANNING ACT 2008**

**LAND IN THE OWNERSHIP OF NETWORK RAIL INFRASTRUCTURE LIMITED**

1 The proposed Thames Water Utilities Limited (Thames Tideway Tunnel) Development Consent Order, which has been submitted by Thames Water Utilities Limited to the Secretaries of State for Environment, Food and Rural Affairs and Communities and Local Government, includes provision for the compulsory acquisition of the land described in the Schedule to this certificate.

2 This land was acquired by Network Rail Infrastructure Limited for the purposes of its undertaking and the Secretary of State for Transport is satisfied that the land is used for the purposes of carrying on that undertaking.

3 The Secretary of State for Transport, in exercise of the powers conferred by section 127(2) of the Planning Act 2008, certifies that he is satisfied that the nature and situation of the land described in the Schedule are such that it can be purchased and not replaced without serious detriment to the carrying on of the undertaking of Network Rail Infrastructure Limited.

**Martin Woods**  
**Head of the TWA Orders Unit**  
**Department for Transport**

On behalf of the Secretary of State for Transport

6 August 2014

## SCHEDULE - NETWORK RAIL INFRASTRUCTURE LIMITED

Borough	Plot Number	Description
City of London	42	788 square metres. Subsoil below bridge (Blackfriars Railway Bridge) carrying railway and works (Elephant and Castle and Blackfriars) over river (River Thames) and bed thereof.
	43	166 square metres. Subsoil below bridge (Blackfriars Railway Bridge) carrying railway and works (Elephant and Castle and Blackfriars) over river (River Thames) and bed thereof.
	53	683 square metres. Subsoil below bridge carrying railway and works (Cannon Street and London Bridge) and river (River Thames) and bed thereof.
City of Westminster	32	895 square metres. Subsoil below bridge (Hungerford Bridge) carrying railway and works (London Waterloo East and Charing Cross) above river (River Thames) and bed thereof.
London Borough of Hammersmith & Fulham	179	314 square metres. Subsoil below bridge carrying railway (London Overground) and works (Clapham Junction and Imperial Wharf) over river (River Thames) and bed thereof.
London Borough of Lewisham	187	1166 square metres. Subsoil below viaduct carrying railway and works (Deptford and Greenwich over arches (76 to 92, off Creekside).
	190	53 square metres. Subsoil below bridge (BR525 NKL) carrying railway and works (Deptford and Greenwich) over public road and footways (Creekside).
	192	1964 square metres. Subsoil below viaduct carrying railway and works (Deptford and Greenwich) over arches (60 to 74, off Creekside).
	199	4 square metres. Subsoil below bridge (NKL526) carrying railway (Greenwich and Deptford) and works.
	200	32 square metres. Subsoil below watercourse (Deptford Creek), bed thereof below Footbridge (Ha'penny Hatch).
London Borough of Newham	15	740 square metres. Subsoil below railway and works (Hammersmith and City line and District line).

<b>Borough</b>	<b>Plot Number</b>	<b>Description</b>
London Borough of Southwark	4	436 square metres. Subsoil below bridge carrying railway and works (Cannon Street and London Bridge) and river (River Thames) and bed thereof.
London Borough of Wandsworth	67	324 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above arches (9 to 13) hardstanding and car park.
	68	178 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above arches.
	69	345 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above watercourse (Bell Lane Creek) foreshore, banks and bed thereof.
	70	62 square metres. Subsoil below land (off North Passage).
	72	40 square metres. Subsoil below hardstanding adjacent to watercourse (Bell Lane Creek).
	230	1468 square metres. Subsoil below bridge (Grosvenor Bridge) carrying railway (Victoria and Battersea Park) over river (River Thames) and bed thereof.
Royal Borough of Greenwich	8	2 square metres. Subsoil below hardstanding (Deptford Creek).
	9	11 square metres. Subsoil below public footway (between Ha'penny Hatch and Norman Road).
	10	13 square metres. Subsoil below hardstanding and shrubbery (Deptford Creek).
	11	28 square metres. Public footway (between Ha'penny Hatch and Norman Road).
	12	1 square metre. Hardstanding and shrubbery (Deptford Creek).
	13	49 square metres. Hardstanding and shrubbery (off Norman Road).
	18a	4 square metres. Public footway (between Ha'penny Hatch and Norman Road).

**DEPARTMENT FOR TRANSPORT**

**NOTICE UNDER SECTION 127(7) OF THE PLANNING ACT 2008**

**THE THAMES WATER UTILITIES LIMITED (THAMES TIDEWAY TUNNEL)  
ORDER 2014**

**LAND IN THE OWNERSHIP OF NETWORK RAIL INFRASTRUCTURE LIMITED**

The above Order, which was made on 3 September 2014 by the Secretaries of State for Environment, Food and Rural Affairs and Communities and Local Government, includes provision authorising the compulsory acquisition of the land described in the Schedule to this notice.

This land was acquired by Network Rail Infrastructure Limited for the purposes of its undertaking and the Secretary of State for Transport is satisfied that the land is used for the purposes of carrying on that undertaking.

The Secretary of State for Transport, in exercise of the powers conferred by section 127(2) of the Planning Act 2008, has certified that he is satisfied that the nature and situation of the land described in the Schedule are such that it can be purchased and not replaced without serious detriment to the carrying on of the undertaking of Network Rail Infrastructure Limited.

**Martin Woods**  
**Head of the TWA Orders Unit**  
**Department for Transport**

On behalf of the Secretary of State for Transport

**SCHEDULE**

<b>Borough</b>	<b>Plot Number</b>	<b>Description</b>
City of London	42	788 square metres. Subsoil below bridge (Blackfriars Railway Bridge) carrying railway and works (Elephant and Castle and Blackfriars) over river (River Thames) and bed thereof.
	43	166 square metres. Subsoil below bridge (Blackfriars Railway Bridge) carrying railway and works (Elephant and Castle and Blackfriars) over river (River Thames) and bed thereof.

<b>Borough</b>	<b>Plot Number</b>	<b>Description</b>
	53	683 square metres. Subsoil below bridge carrying railway and works (Cannon Street and London Bridge) and river (River Thames) and bed thereof.
City of Westminster	32	895 square metres. Subsoil below bridge (Hungerford Bridge) carrying railway and works (London Waterloo East and Charing Cross) above river (River Thames) and bed thereof.
London Borough of Hammersmith & Fulham	179	314 square metres. Subsoil below bridge carrying railway (London Overground) and works (Clapham Junction and Imperial Wharf) over river (River Thames) and bed thereof.
London Borough of Lewisham	187	1166 square metres. Subsoil below viaduct carrying railway and works (Deptford and Greenwich over arches (76 to 92, off Creekside).
	190	53 square metres. Subsoil below bridge (BR525 NKL) carrying railway and works (Deptford and Greenwich) over public road and footways (Creekside).
	192	1964 square metres. Subsoil below viaduct carrying railway and works (Deptford and Greenwich) over arches (60 to 74, off Creekside).
	199	4 square metres. Subsoil below bridge (NKL526) carrying railway (Greenwich and Deptford) and works.
	200	32 square metres. Subsoil below watercourse (Deptford Creek), bed thereof below Footbridge (Ha'penny Hatch).
London Borough of Newham	15	740 square metres. Subsoil below railway and works (Hammersmith and City line and District line).
London Borough of Southwark	4	436 square metres. Subsoil below bridge carrying railway and works (Cannon Street and London Bridge) and river (River Thames) and bed thereof.
London Borough of Wandsworth	67	324 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above arches (9 to 13) hardstanding and car park.
	68	178 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above arches.

<b>Borough</b>	<b>Plot Number</b>	<b>Description</b>
	69	345 square metres. Subsoil below viaduct carrying railway and works (Putney and Wandsworth Town) above watercourse (Bell Lane Creek) foreshore, banks and bed thereof.
	70	62 square metres. Subsoil below land (off North Passage).
	72	40 square metres. Subsoil below hardstanding adjacent to watercourse (Bell Lane Creek).
	230	1468 square metres. Subsoil below bridge (Grosvenor Bridge) carrying railway (Victoria and Battersea Park) over river (River Thames) and bed thereof.
Royal Borough of Greenwich	8	2 square metres. Subsoil below hardstanding (Deptford Creek).
	9	11 square metres. Subsoil below public footway (between Ha'penny Hatch and Norman Road).
	10	13 square metres. Subsoil below hardstanding and shrubbery (Deptford Creek).
	11	28 square metres. Public footway (between Ha'penny Hatch and Norman Road).
	12	1 square metre. Hardstanding and shrubbery (Deptford Creek).
	13	49 square metres. Hardstanding and shrubbery (off Norman Road).
	18a	4 square metres. Public footway (between Ha'penny Hatch and Norman Road).