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Secretary of State for Energy Security and Net Zero
Energy Infrastructure Planning Delivery Team
3 - 8 Whitehall Place
London
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Your reference

Our reference

CXS/CXS/11007023/3
UKM/129991164.1

By Email Only: John.McKenna@energysecurity.gov.uk

13 November 2023

Dear Sir

OUR CLIENT: OUTBACK UK PROPCO I A LTD

PLOT NUMBERS: 34, 35, 36 and 46

OBJECTION TO THE SOUTHERN GAS NETWORKS PLC (KINGSFERRY GAS PIPELINE REPLACEMENT PROJECT) COMPULSORY PURCHASE ORDER 2023

We are instructed by Outback UK Propco I A Ltd (“**Client**”) and are writing to register our Client’s objection to the Southern Gas Networks Plc (Kingsferry Gas Pipeline Replacement Project) Compulsory Purchase Order 2023 (“**the CPO**”).

Our Client, jointly with Knauf UK GMBH, owns the privately maintained Ridham Dock Road, part of which has been included within the red line boundary of the Order Map and the CPO for the purposes of the acquisition by Southern Gas Networks Plc (“**SGN**”) of Access Rights, Pipeline Rights, Pipeline Construction Rights and Drilling Rights. This land comprises Plots 36 and 46 as shown on the Order Map.

Our Client is also listed in Schedule 1 to the CPO as reputed owner in respect of Plots 34 and 35. We understand these plots to comprise adopted highway and that our Client has been included in respect of a potential right to claim title to the subsoil pursuant to the ad medium filum presumption.

As well as Ridham Dock Road, our client owns the industrial estate known as Ridham Dock. Ridham Dock is currently fully tenanted and comprises 17 sites let to 8 tenants.

Our Client objects to the CPO on the basis that it has serious concerns regarding the impact that the acquisition of rights will have upon its ability to use Ridham Dock Road to access its property at Ridham Dock. At present, Ridham Dock Road provides the sole means of access to Ridham Dock due to the junction improvement works which are currently taking place on the A249 and which prevent access via the only other suitable access road to the south.

Insufficient information has been provided by Southern Gas Networks PLC (“**SGN**”) as to the timing of the proposed works or its proposals for alternative access arrangements for our Client during that

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time. There has been no information provided as to the anticipated completion date of the junction improvement works being carried out by National Highways and our client is concerned that without a robust mechanism to ensure that access to Ridham Dock Road is not restricted until alternative access is provided, it will suffer significant harm to its premises. We have requested this information from SGN's solicitors separately and are awaiting a response.

Separately, our Client has met with its tenants in occupation at Ridham Dock to discuss the proposed CPO and confirms that they share the same concerns regarding access. It is important to note that as the tenants of Ridham Dock are industrial occupiers, any alternative access arrangements to be secured or provided by SGN must also be guaranteed to be suitable for the safe use of HGV traffic. We understand that separate objections will be submitted by the tenants impacted by the proposed CPO.

Our Client acknowledges the importance of SGN's proposed project and is open to discussing its concerns further with SGN to explore ways in which the necessary rights can be granted whilst protecting its interests.

We are happy to assist the Secretary of State should any further information be required at this stage in relation to our Client's objection.

Yours faithfully

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