

HIGH SPEED RAIL (WEST MIDLANDS - CREWE) ACT 2021

HIGH SPEED RAIL (WEST MIDLANDS - CREWE) GENERAL VESTING DECLARATION No. 2071

This **GENERAL VESTING DECLARATION** is executed on 10th JANUARY 2023 by the Secretary of State for Transport ("the Acquiring Authority").

WHEREAS:

- (1) On 11 February 2021 the High Speed Rail (West Midlands - Crewe) Act 2021 ("the High Speed Rail Act") received Royal Assent authorising the Acquiring Authority to acquire the land specified in the Schedule hereto.
- (2) Section 4(1) of the High Speed Rail Act authorises the Acquiring Authority to acquire compulsorily so much of the land within the limits of the High Speed Rail Act as may be required for Phase 2a purposes¹.
- (3) Section 4(4) of the High Speed Rail Act provides that the Compulsory Purchase (Vesting Declarations) Act 1981 ("the 1981 Act") applies as if the High Speed Rail Act were a compulsory purchase order and paragraph 3 of Schedule 9 to the High Speed Rail Act provides that the 1981 Act shall have effect subject to the modifications specified in that paragraph.
- (4) Notice pursuant to section 3A² of the 1981 Act was first published on 29 November 2022. That notice included the particulars specified in section 3A(3) of the 1981 Act.
- (5) By paragraph 4(3) of Schedule 7 to the High Speed Rail Act, Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 (exception of minerals from compulsory purchase and regulation of working of mines and minerals underlying an authorised undertaking) have effect in relation to land to which Section 4(1) of the High Speed Rail Act applies as if it were comprised in a compulsory purchase order providing for the incorporation with that Order of those Parts of that Schedule.
- (6) Paragraph 2(1) of Part 2 of Schedule 2 to the Acquisition of Land Act 1981 provides that an acquiring authority³ shall not be entitled to any mines under the land comprised in the compulsory purchase order unless they have been expressly purchased, and all mines under the land are to be deemed to be excepted out of the conveyance of that land unless expressly named and conveyed. Paragraph 3 of Part 3 of Schedule 2 to the Acquisition of Land Act 1981 makes provision where the owner of any mines or minerals in the land desires to work them.
- (7) It is expedient that such mines and minerals should be vested in the Acquiring Authority and the Acquiring Authority is to expressly purchase the Land and the freehold mines and minerals comprised in the Land, together with the right to take

¹ Phase 2a Purposes has meaning given by section 61 of the High Speed Rail Act.

² Section 3A of the 1981 Act as inserted by paragraph 3 of Schedule 7 to the High Speed Rail Act

³ Paragraph 4(4) of Schedule 7 to the High Speed Rail Act provides for Parts 2 and 3 of the Acquisition of Land Act 1981 to have effect as if references to the acquiring authority were to the Nominated Undertaker appointed under section 41(1) of the High Speed Rail Act.

possession of the mines and minerals, to win and work them and all related ancillary rights.

NOW THIS DEED WITNESSETH that, in exercise of the powers conferred on it by section 4 of the 1981 Act, the Acquiring Authority hereby declares:-

1. The Land and the freehold mines and minerals comprised in the Land described in the Schedule hereto (being part of the land authorised to be acquired by the High Speed Rail Act) and more particularly delineated and shown coloured pink on the plan annexed hereto, together with the right to enter upon and take possession of the land and mines and minerals, to win and work such mines and minerals and all related ancillary rights comprised therein⁴, shall vest in the Acquiring Authority as from the end of the period of 3 months from the date on which the service of notices required by section 6⁵ of the 1981 Act is completed.
2. For the purposes of Section 2(2) of the 1981 Act, the specified period in relation to the land comprised in this declaration is one year and one day.

4 Paragraph 4(3) of Schedule 7 to the High Speed Rail Act applies Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 (exception of minerals from compulsory purchase and regulation of working of mines or minerals underlying and authorised undertaking) to land to which Section 4(1) of the High Speed Rail Act applies, as if it were comprised in a compulsory purchase order providing for the incorporation with that Order of those Parts of that Schedule.

5 Section 6 as modified by paragraph 3(c) of Schedule 7 to the High Speed Rail Act

SCHEDULE

Borough of Newcastle-under-Lyme

(1) Plot No.	(2) Description
125183	All those interests in 7193.70 square metres, or thereabouts, of house, outbuildings, garden and copse (Bar Hill Cottage) including all those mines and minerals beneath being part of HM Land Registry title number SF396453 and unregistered land excluding any interests held by Secretary of State for Transport
125192	All those interests in 1414.99 square metres, or thereabouts, of access track and verge carrying public footpath (Madeley 24), (Bower End Lane) including all those mines and minerals beneath being part of HM Land Registry title number SF268230
125194	All those interests in 2190.85 square metres, or thereabouts, of access track and verge carrying public footpaths (Madeley 24 and 26), (Bower End Lane) including all those mines and minerals beneath being part of HM Land Registry title number SF306245
125195	All those interests in 3030.10 square metres, or thereabouts, of access track, verge, access splays, copse and public footpath (Madeley 24), (Bar Hill Road) including all those mines and minerals beneath being part of HM Land Registry title number SF653200
125200	All those interests in 103.11 square metres, or thereabouts, of copse and garden (Fairfield House) including all those mines and minerals beneath being part of HM Land Registry title number SF213022 and unregistered land excluding any interests held by Secretary of State for Transport
125201	All those interests in 388.05 square metres, or thereabouts, of copse and garden (Fairfield House) including all those mines and minerals beneath being part of HM Land Registry title number SF213022 and unregistered land excluding any interests held by Secretary of State for Transport
125202	All those interests in 2020.10 square metres, or thereabouts, of house, outbuildings, hardstanding, garden and copse (Drummer Stile) including all those mines and minerals beneath being part of HM Land Registry title number SF162435 and unregistered land excluding any interests held by Secretary of State for Transport
127471	All those interests in 3325.53 square metres, or thereabouts, of agricultural land and hedgerow (Bower End Lane) including all those mines and minerals beneath being part of HM Land Registry title number SF306245

IN WITNESS WHEREOF the Secretary of State for Transport has hereunto set its corporate seal on the day in the year first written above.

The **CORPORATE SEAL** of the SECRETARY OF STATE FOR TRANSPORT hereunto affixed to this deed is authenticated by

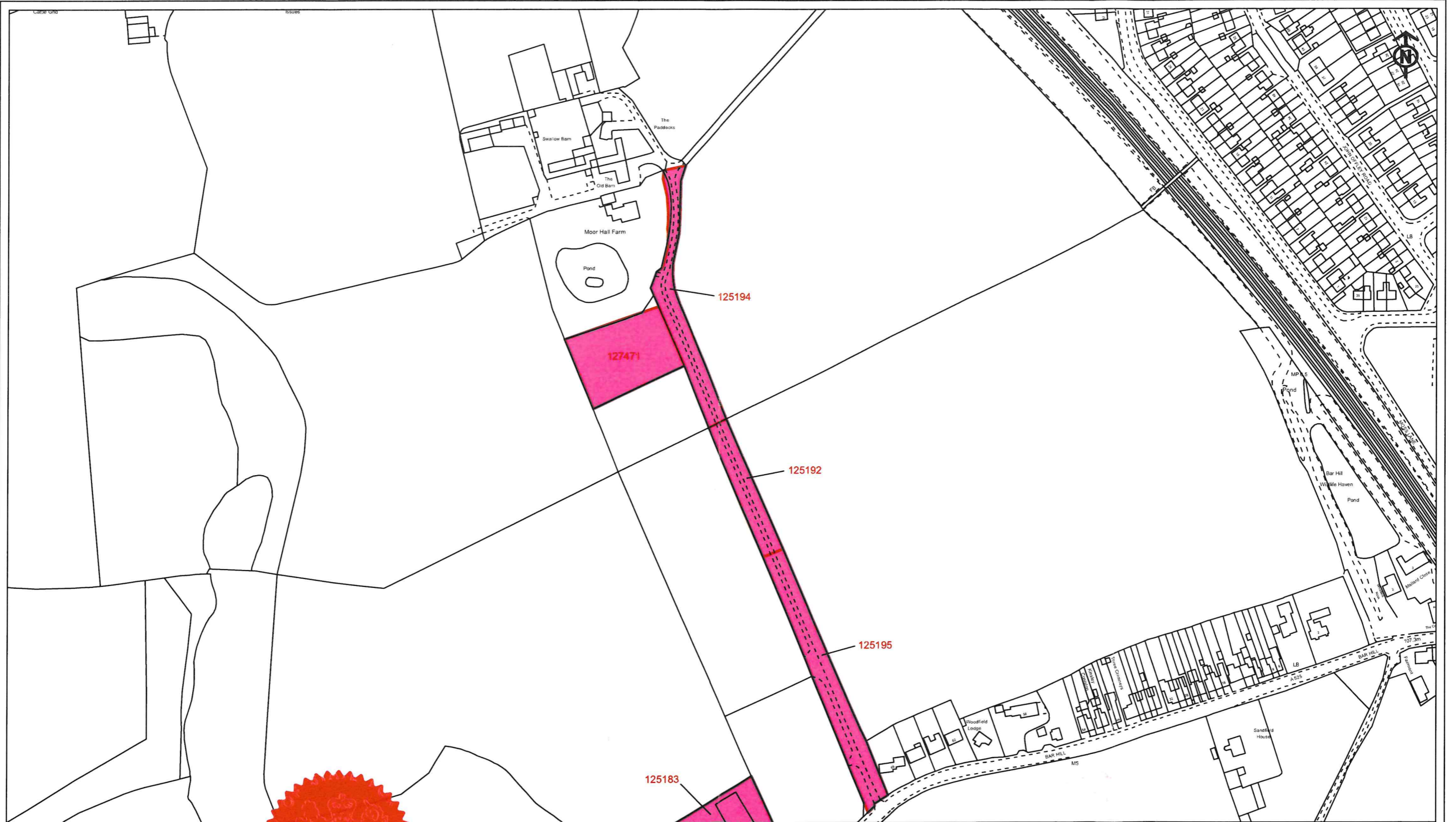
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Authorised Signatory

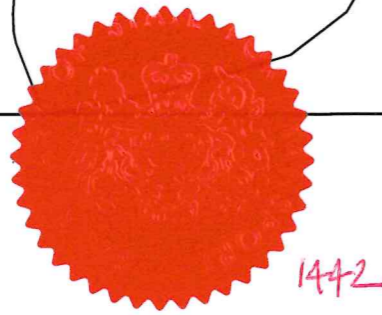
Dated: 10th JANUARY 2023



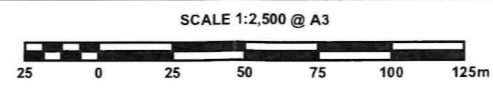
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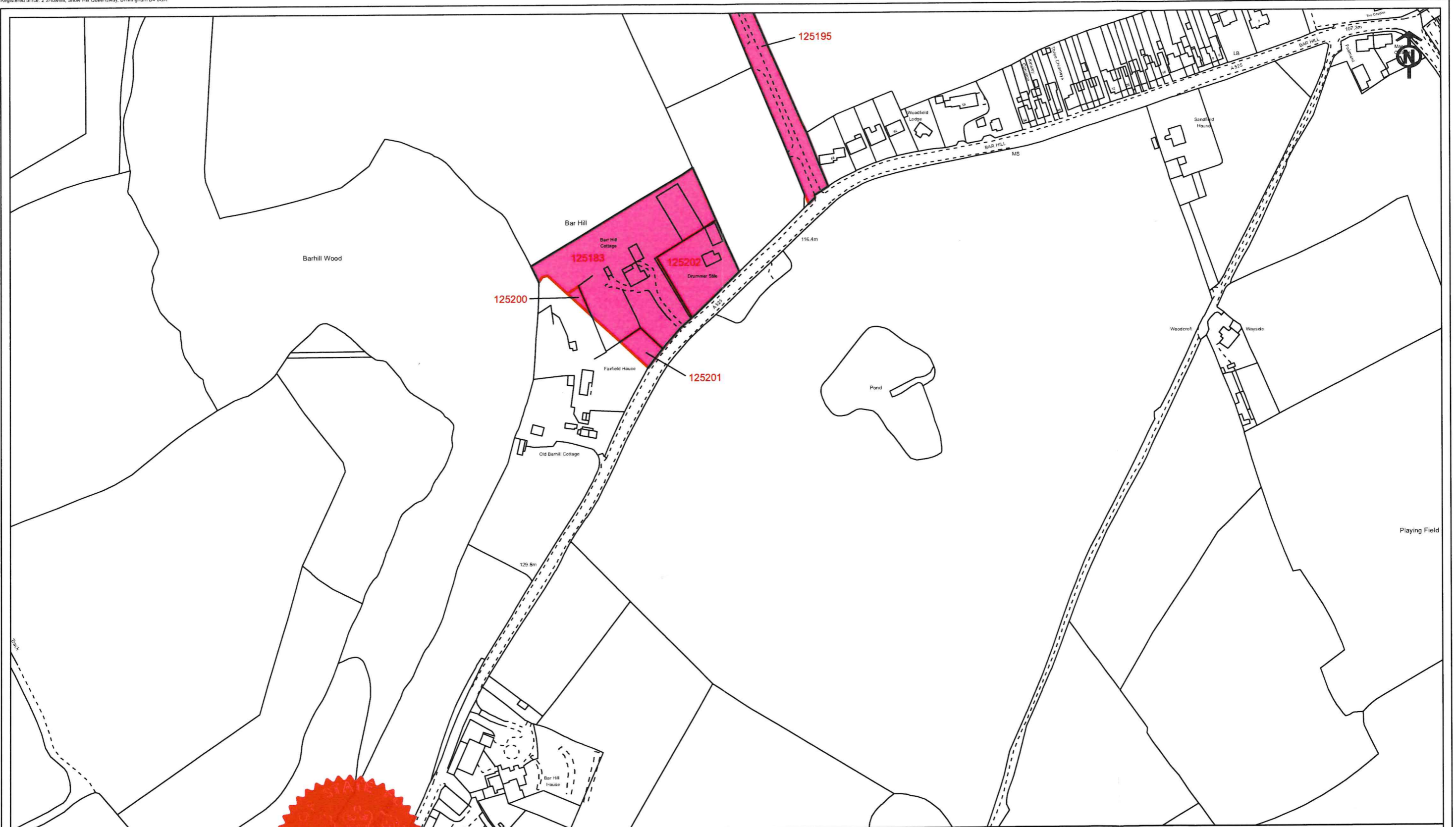
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
N. J. L. W. H.
Authorised by the Secretary of State for Transport
Dated 10th JANUARY 2023



1442



CENTRE POINT: 376,608, 344,352

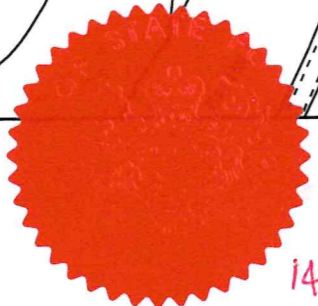


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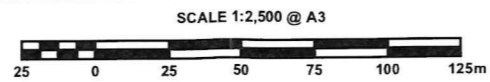
N. J. L. W. H.

Authorised by the Secretary of State for Transport

Dated 10th JANUARY 2023



1442



CENTRE POINT: 376,652, 343,929