

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017**

**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 109**

This **GENERAL VESTING DECLARATION** is executed on  
by the Secretary of State for Transport (“the Authority”).

27<sup>th</sup> September 2018

**WHEREAS:**

- (1) On 23 February 2017 the High Speed Rail (London – West Midlands) Act 2017 (“the High Speed Rail Act”) received Royal Assent authorising the Authority to acquire the land specified in the Schedule hereto.
- (2) Section 4(1) of the High Speed Rail Act authorises the Authority to acquire compulsorily so much of the land within the limits of the High Speed Rail Act as may be required for Phase One purposes<sup>1</sup>.
- (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<sup>2</sup> of Schedule 6 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 3A<sup>3</sup> of the 1981 Act was first published on 28 August 2018. That notice included the particulars specified in section 3A(3) of the 1981 Act.

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

1. 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, shall vest in the Authority as from the end of the period of 3 months from the date on which the service of notices required by section 6<sup>4</sup> of the 1981 Act is completed.

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.

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1 Phase One Purposes has meaning given by section 67 of the High Speed Rail Act

2 Paragraph 3 as substituted by section 11 of, and paragraph 6 of Schedule 14 to, the High Speed Rail Act.

3 Section 3A of the 1981 Act as inserted by paragraph 3(a) of Schedule 6 to the High Speed Rail Act as substituted by section 11 of, and paragraphs 6 and 7 of Schedule 14 to, that Act.

4 Section 6 as modified by paragraph 3(c) of Schedule 6 to the High Speed Rail Act, as substituted by section 11 of, and paragraph 6 of Schedule 14 to, that Act

In this declaration, "Operational Railway" shall have the following meaning: all and any infrastructure and works comprising the Stechford and Aston railway line, including but not limited to the railway, track, railway sidings, level crossing, and the kinematic envelope occupied by a rail vehicle using the aforementioned railway line.

In this declaration, "Railway Structure" shall have the following meaning: the physical structure and spans of the viaduct carrying the Operational Railway, including the arches and all supports, piers, footings, columns, pillars and foundations but excluding the airspace within the arches, the land beneath such airspace, and the land and airspace above the Operational Railway.

## SCHEDULE

City of Birmingham

(1) Plot No.	(2) Description
25946	All interests in 8,006.13 square metres, or thereabouts, of river, banks and bed thereof (River Rea), grassed area, yard, private access roads, level crossing, tracks, railway siding, viaduct carrying railway and works (Stechford and Aston Line) (Aston Church Road) excluding the interests of Network Rail Infrastructure Limited in the Operational Railway and the Railway Structure
25947	All interests in 3,182.49 square metres, or thereabouts, of scrapyard, premises and viaduct carrying railway and works (Stechford and Aston Line) (Aston Church Road) excluding the interests of Network Rail Infrastructure Limited in the Operational Railway and the Railway Structure
25949	All interests in 678.49 square metres, or thereabouts, of scrapyard and premises (Aston Church Road)
26648	All interests in 194.93 square metres, or thereabouts, of river, bed and banks thereof (River Rea) and public road and footway partly on viaduct (Aston Church Road)

**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



Authorised Signatory

Dated: 27<sup>th</sup> September 2018

SEAL REF No. DF19155



HIGH SPEED RAIL (LONDON - WEST MIDLANDS) ACT 2017  
GENERAL VESTING DECLARATION No. 109  
SHEET 1 of 1



Registered in England. Registration Number 06791686.  
Registered office: 2 Snowhill, Queensway, Birmingham, B4 6GA.



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



Authorised by the Secretary of State for Transport

Dated 27th September 2018