

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 765

This **GENERAL VESTING DECLARATION** is executed on 06 DECEMBER 2021 by the Secretary of State for Transport (“the Acquiring Authority”).

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 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 One 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 3² 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 3A³ of the 1981 Act was first published on 19 November 2021. That notice included the particulars specified in section 3A(3) of the 1981 Act.
- (5) By paragraph 4(2) of Schedule 6 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 authority⁴ 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.

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 Paragraph 4(3) of Schedule 6 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 45(1) of the High Speed Rail Act.

- (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 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 therein⁵, shall vest in the Acquiring Authority as from the end of the period of 4 months from the date on which the service of notices required by section 6⁶ 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.

5 Paragraph 4(2) of Schedule 6 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.

6 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.

SCHEDULE

Buckinghamshire

(1) Plot No.	(2) Description
66083	All those interests in 1782.3 square metres, or thereabouts, of public road, verges and access splay (Steeple Claydon Road) including all those mines and minerals beneath being part of unregistered land
66087	All those interests in 743.1 square metres, or thereabouts, of agricultural land (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
66089	All those interests in 26483.9 square metres, or thereabouts, of agricultural land and outbuildings (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
66095	All those interests in 276.1 square metres, or thereabouts, of bridge carrying public road and verges (Steeple Claydon Road) over dismantled railway and woodland (Portway Farm) including all those mines and minerals beneath being part of unregistered land
66099	All those interests in 1682.8 square metres, or thereabouts, of woodland (Steeple Claydon Road) including all those mines and minerals beneath being part of unregistered land
66100	All those interests in 922.5 square metres, or thereabouts, of public road and verges (Steeple Claydon Road) including all those mines and minerals beneath being part of unregistered land
66107	All those interests in 20527.1 square metres, or thereabouts, of agricultural land, hedgerow and drain (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
66114	All those interests in 1946.8 square metres, or thereabouts, of agricultural land (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
66115	All those interests in 421.9 square metres, or thereabouts, of access track (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
66120	All those interests in 2587.6 square metres, or thereabouts, of public road and verges (West Street) including all those mines and minerals beneath being part of unregistered land
66134	All those interests in 25563.5 square metres, or thereabouts, of agricultural land and public footpath (TWY/18/2) (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
69197	All those interests in 4927.7 square metres, or thereabouts, of construction site (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
70231	All those interests in 3725.6 square metres, or thereabouts, of agricultural land (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
70234	All those interests in 1143.6 square metres, or thereabouts, of agricultural land (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
70236	All those interests in 2044.3 square metres, or thereabouts, of agricultural land and public footpath (TWY/18/2) (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number

	BM353053
70241	All those interests in 3275.2 square metres, or thereabouts, of public road, verges, access splay and drains (Greatmoor Road) including all those mines and minerals beneath being part of unregistered land
70242	All those interests in 1378.7 square metres, or thereabouts, of agricultural land, hedgerow and drain (Briar Hill Farm) including all those mines and minerals beneath being part of HM land Registry title number BM114672
70244	All those interests in 2433.1 square metres, or thereabouts, of public road and verges (Greatmoor Road) including all those mines and minerals beneath being part of unregistered land
70245	All those interests in 40160.7 square metres, or thereabouts, of agricultural land (Elm Tree Farm) including all those mines and minerals beneath being part of HM land Registry title number BM342738
70340	All those interests in 413.3 square metres, or thereabouts, of access track (Portway Farm) including all those mines and minerals beneath being part of HM land Registry title number BM353053
71368	All those interests in 6272.5 square metres, or thereabouts, of agricultural land (Addison Road) including all those mines and minerals beneath being part of HM land Registry title number BM92250

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

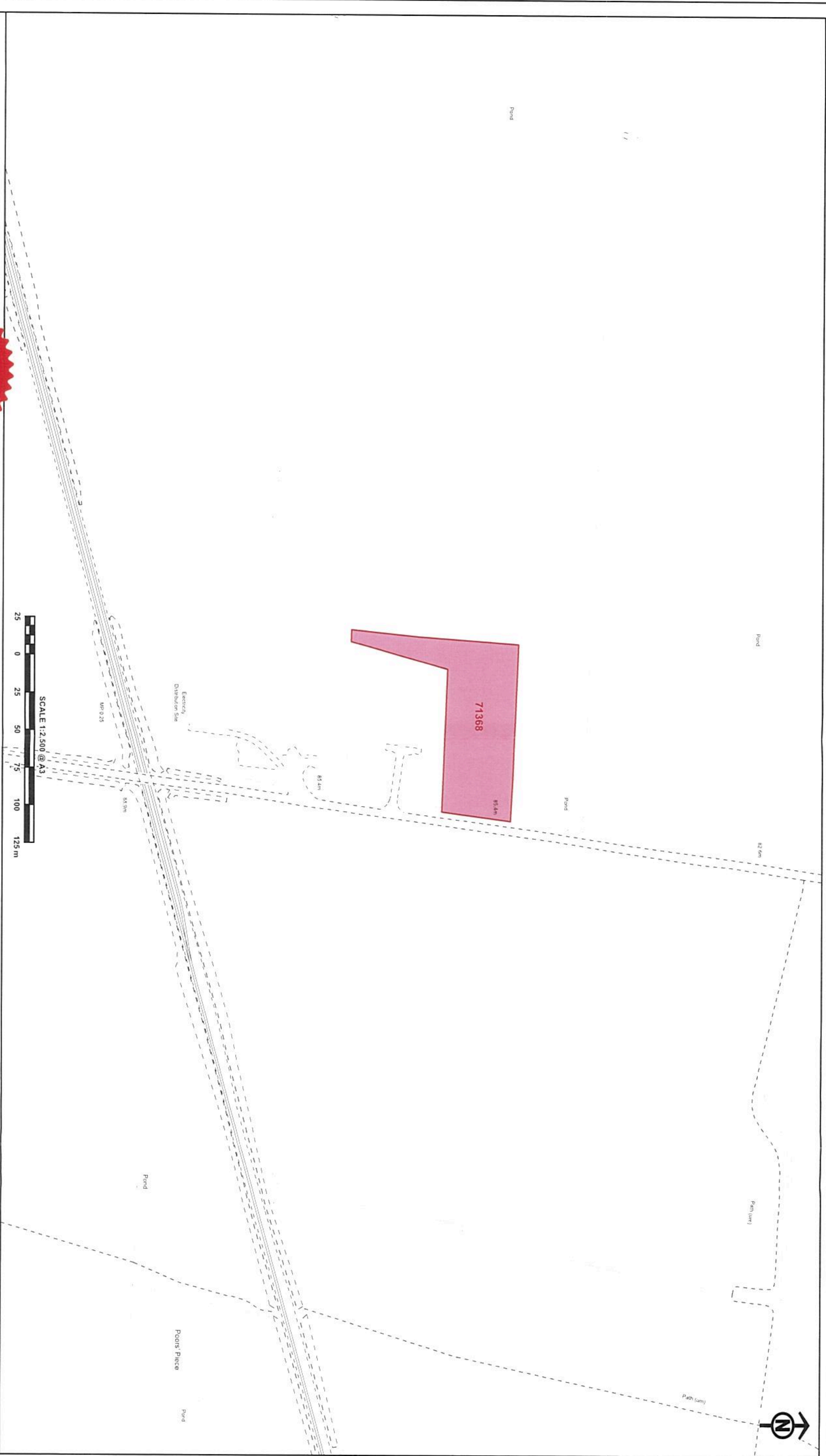
The **CORPORATE SEAL** of the SECRETARY OF STATE FOR TRANSPORT hereunto affixed to this deed is authenticated by


.....
Authorised Signatory



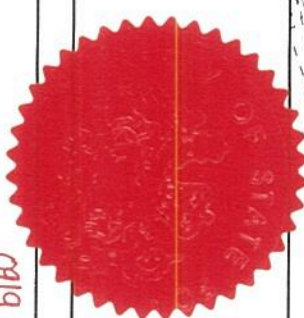
SEAL REF
DfT GP /0919

Dated : 06 DECEMBER 2021



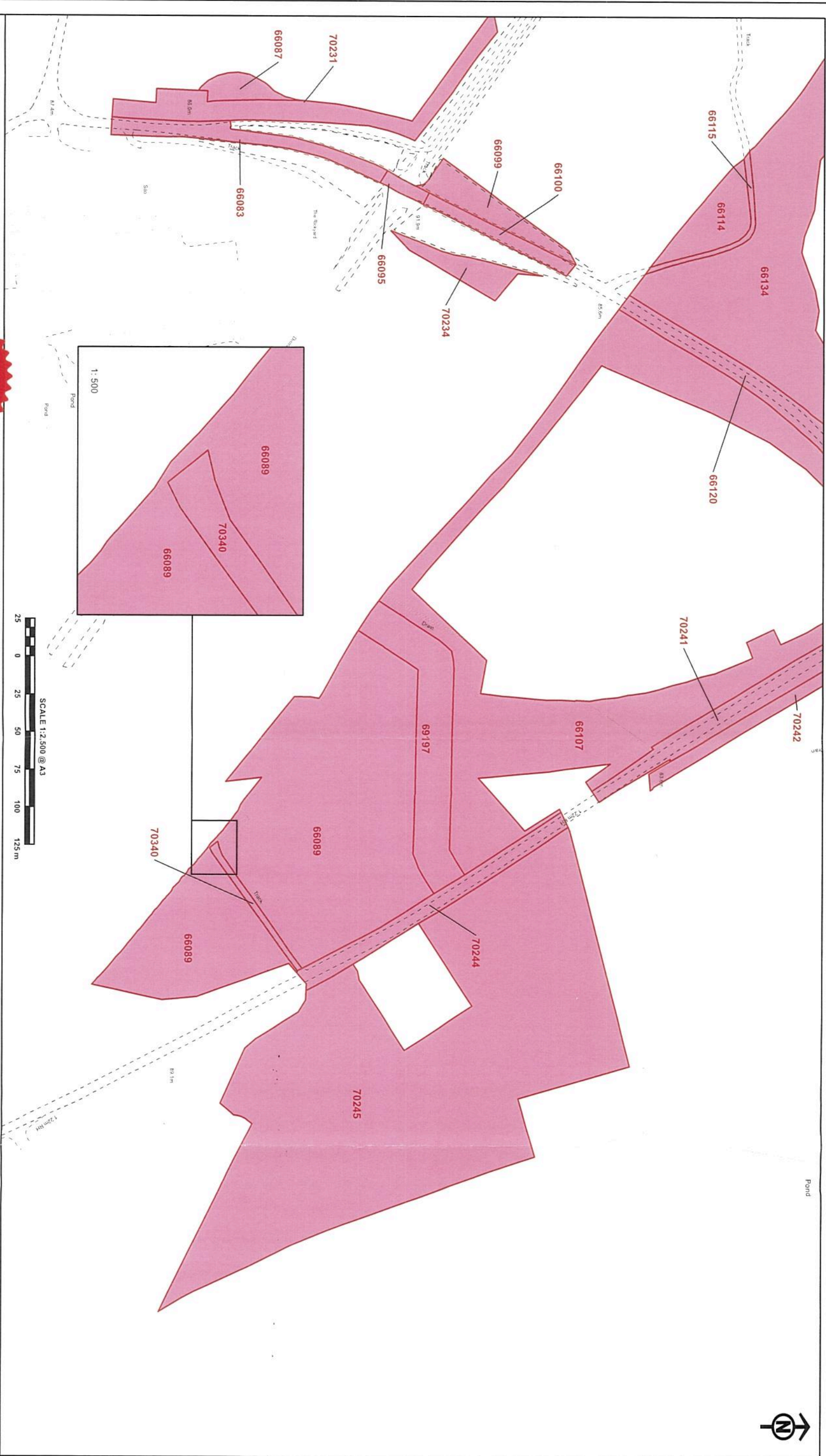
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by

Authorised by the Secretary of State for Transport
Dated 06 DECEMBER 2021



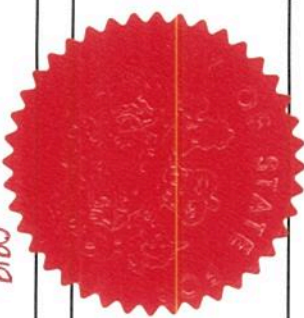
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CENTRE POINT: 469,436; 226,121



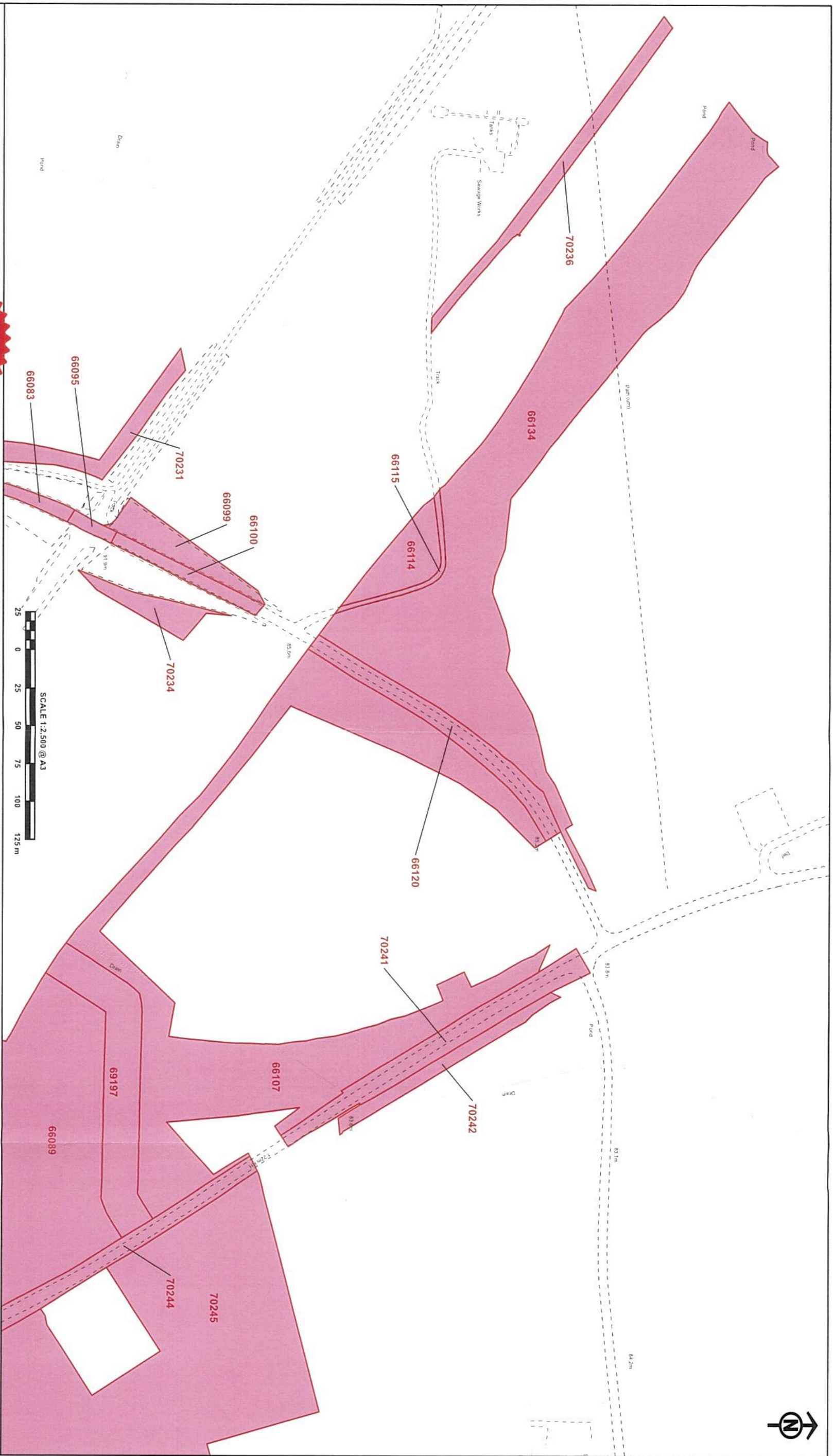
The CORPORATE SEAL of the
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hereunto affixed to this deed
is authenticated by

Authorised by the Secretary of State for Transport
Dated 06 DECEMBER 2011



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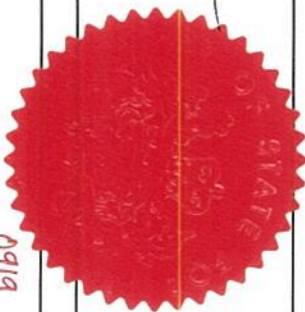
CENTRE POINT: 467 724, 226 220



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Authorised by the Secretary of State for Transport

Dated 06 DECEMBER 2021



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