

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 785

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 17 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 3 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

District of Warwick

(1) Plot No.	(2) Description
54679	All interests in 6,668.76 square metres, or thereabouts, of agricultural land (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK459020
54680	All interests in 9,434.6 square metres, or thereabouts, of agricultural land and construction site (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK459020
54682	All interests in 28,927.12 square metres, or thereabouts, of agricultural land (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK461405
54685	All interests in 27,372.81 square metres, or thereabouts, of agricultural land, private access track and verge (Burnt Heath Farm) (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK461405
54775	All interests in 7,951.62 square metres, or thereabouts, of agricultural land and construction site (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK459020
55069	All interests in 2,811.34 square metres, or thereabouts, of wooded area and stream (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK459020
55091	All interests in 7,631.52 square metres, or thereabouts, of construction site (Welsh Road) including all those mines and minerals beneath
55497	All interests in 2,713 square metres, or thereabouts, of agricultural land and construction site (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK459020
55498	All interests in 1,735.54 square metres, or thereabouts, of wooded area and agricultural land (Burnt Heath Farm) (Welsh Road) including all those mines and minerals beneath being part of HM Land Registry title WK461405
55499	All interests in 834.01 square metres, or thereabouts, of agricultural land (Burnt Heath Farm) (Long Itchington Road) including all those mines and minerals beneath being part of HM Land Registry title WK461405
55500	All interests in 1,094.32 square metres, or thereabouts, of public road and verges (Long Itchington Road) including all those mines and minerals beneath
55501	All interests in 68,603.54 square metres, or thereabouts, of construction site, car parks, hardstanding and grassed area (Fosse Way, B4455) including all those mines and minerals beneath being part of HM Land Registry title WK461405 excluding any interests held by the Secretary of State for Transport

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

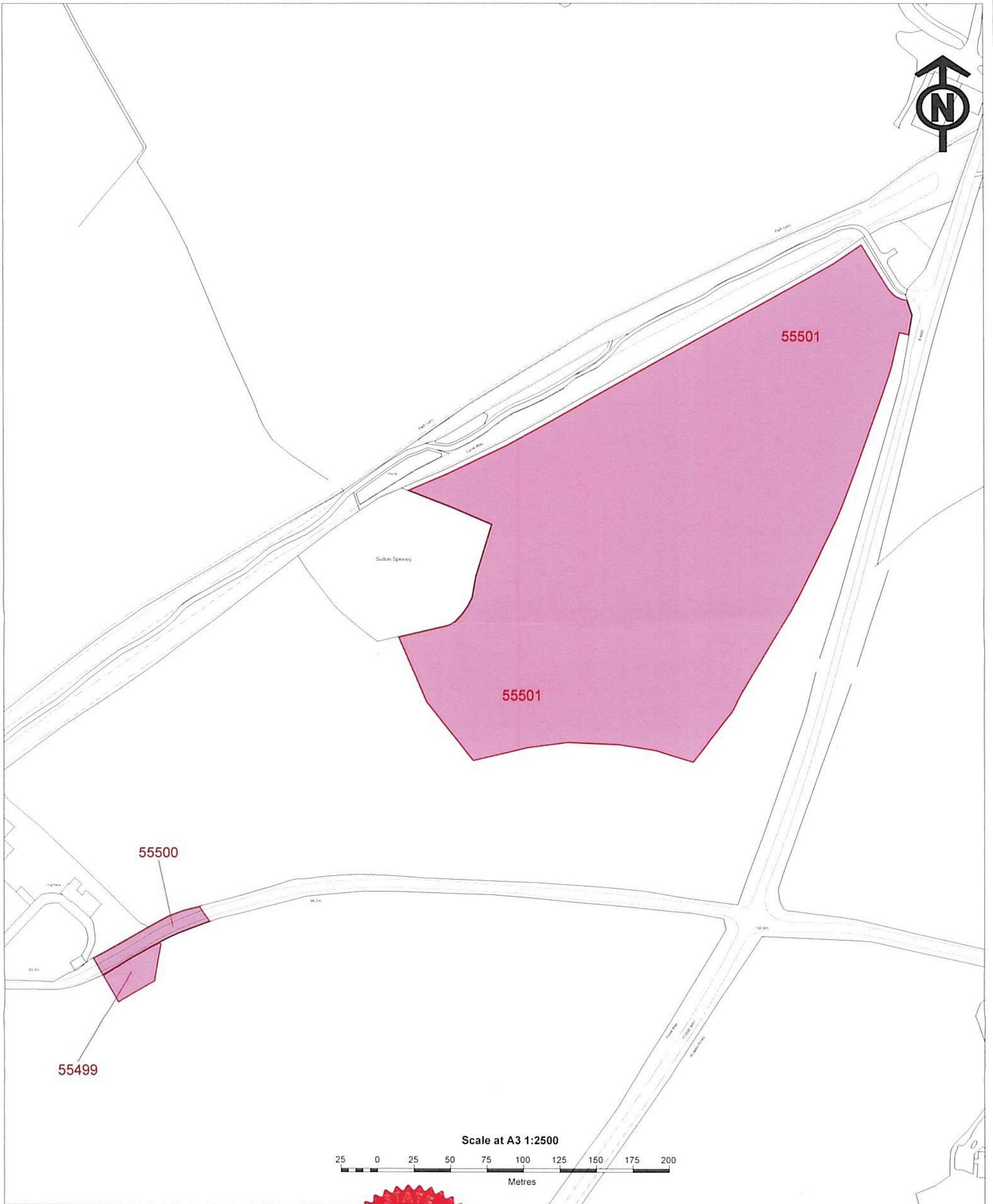


SEAL REF
DfT GP 10926

Dated : 06 DECEMBER 2021



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



CENTRE POINT: 437,241, 265,291

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Authorised by the Secretary of State for Transport

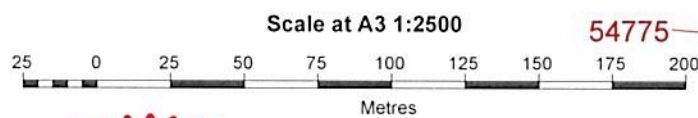
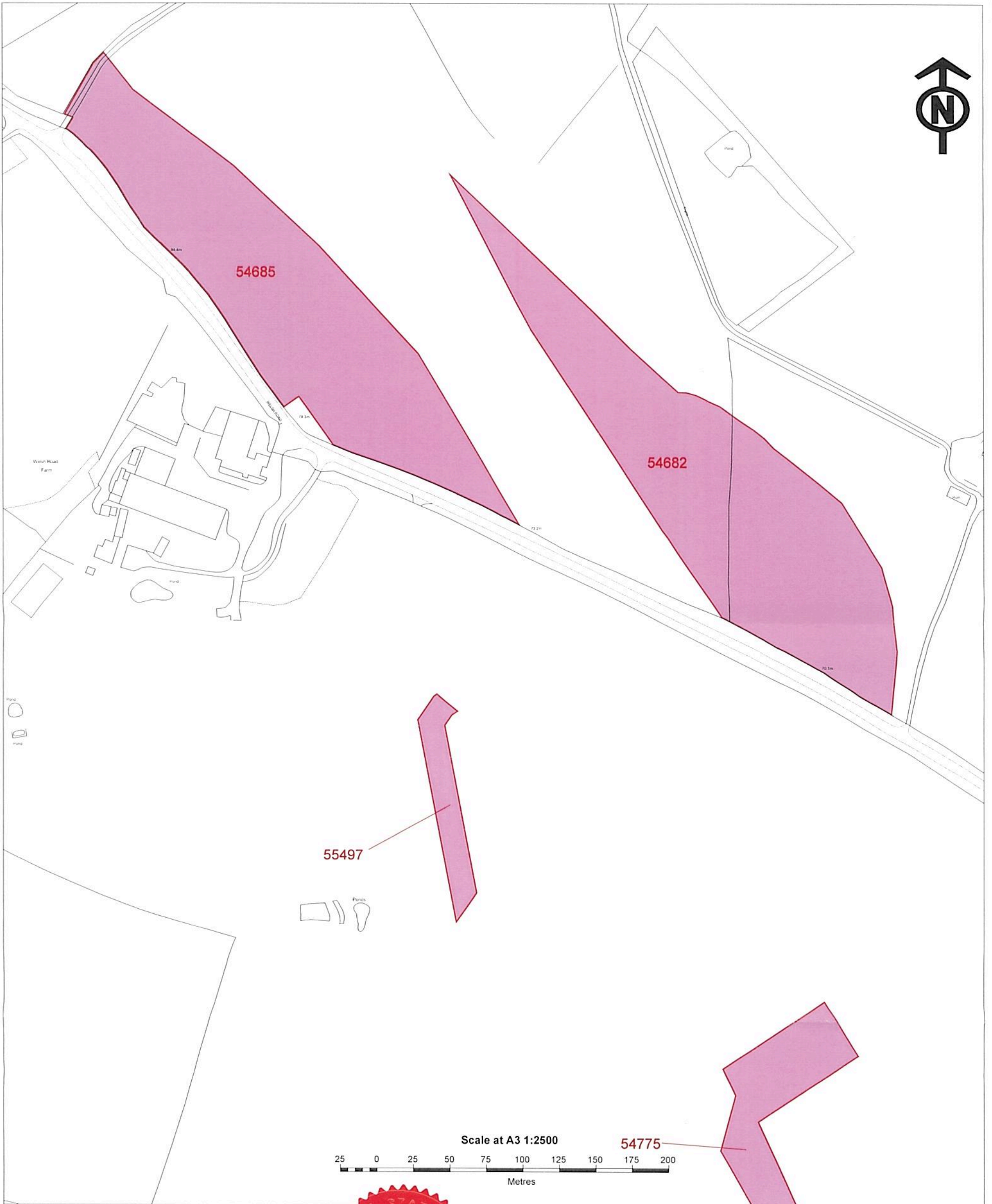
Dated 06 DECEMBER 2021



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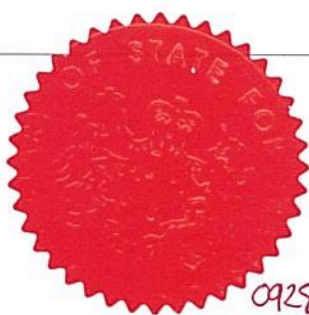


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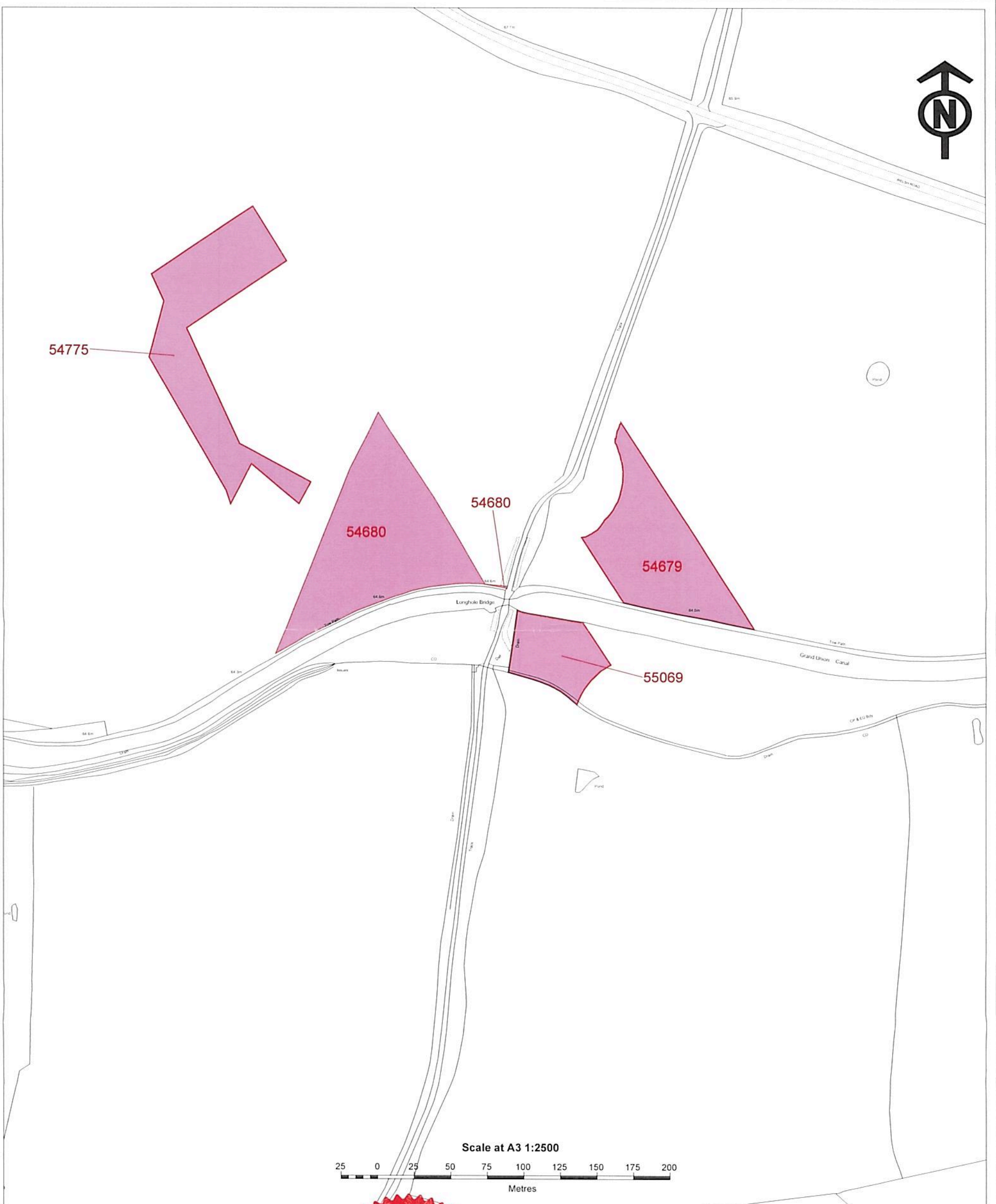


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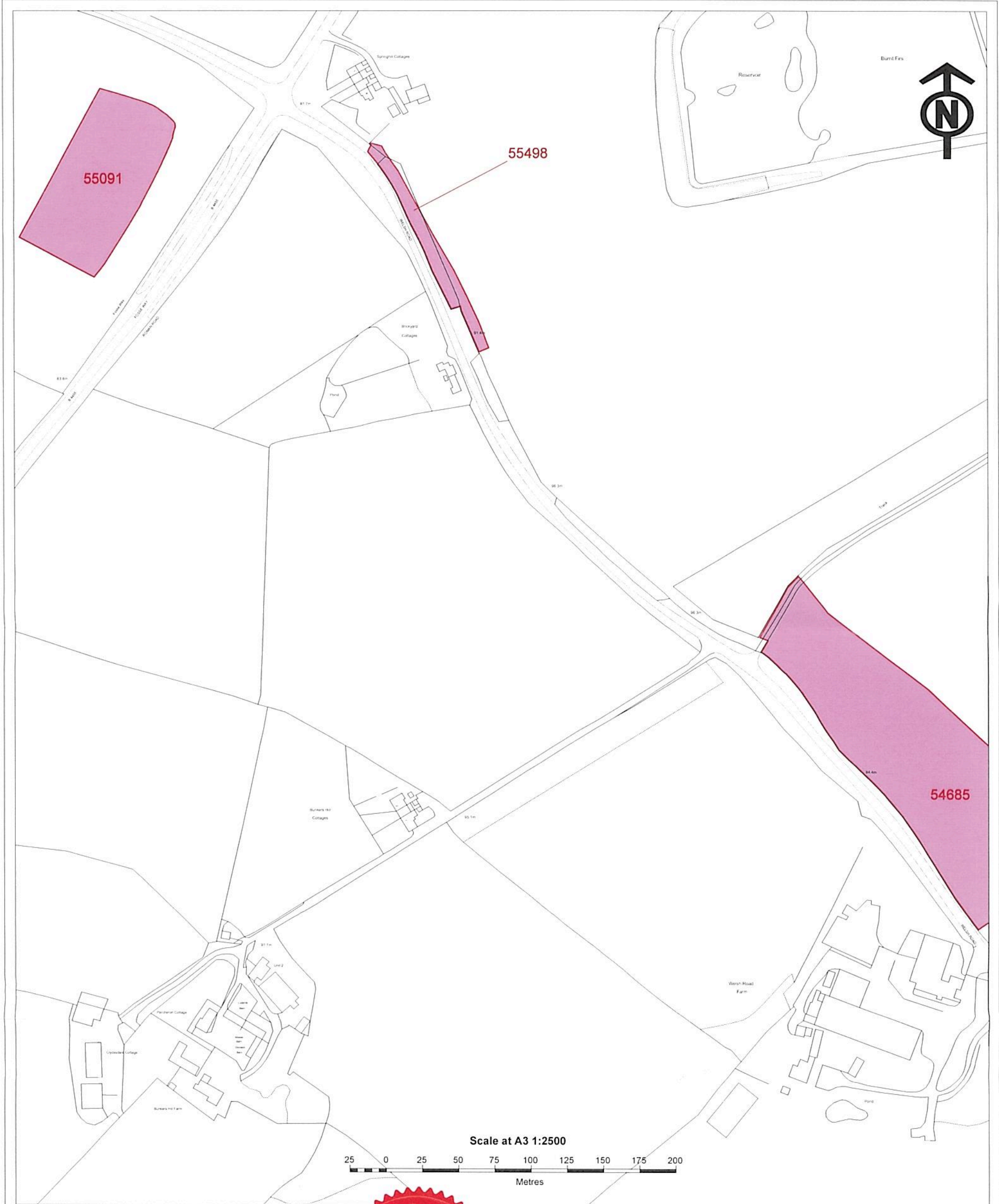


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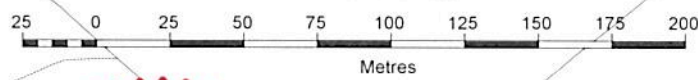
CENTRE POINT: 438,056, 264,013



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Scale at A3 1:2500



CENTRE POINT: 437,033, 265,156

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Dated 06 DECEMBER 2021



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