

## HIGH SPEED RAIL (LONDON - WEST MIDLANDS) ACT 2017

### HIGH SPEED RAIL (LONDON - WEST MIDLANDS) GENERAL VESTING DECLARATION No. 865

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

18 JANUARY 2022

#### 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 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 17 December 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 authority<sup>4</sup> 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 therein<sup>5</sup>, 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 6<sup>6</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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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 North Warwickshire

(1) Plot No.	(2) Description
54769	All interests in 5,113.08 square metres, or thereabouts, of agricultural land (Kingsbury Road, A4097) including all those mines and minerals beneath being part of HM Land Registry title number WK427043 excluding any interests held by the Secretary of State for Transport
54770	All interests in 4,939.11 square metres, or thereabouts, of public road, footways and verges (Kingsbury Road, A4097) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport
54771	All interests in 1,707.83 square metres, or thereabouts, of agricultural land and pipeline (Marston Lane) including all those mines and minerals beneath being part of HM Land Registry title number WK360790
54772	All interests in 175.55 square metres, or thereabouts, of scrubland and agricultural land (Marston Lane) including all those mines and minerals beneath excluding any interests held by Canal & River Trust
54773	All interests in 97.99 square metres, or thereabouts, of scrubland (Marston Lane) including all those mines and minerals beneath excluding any interests held by Canal & River Trust
54774	All interests in 746.04 square metres, or thereabouts, of private road and verges (Marston Lane) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport
55490	All interests in 56.58 square metres, or thereabouts, of wooded area (Kingsbury Road, A4097) including all those mines and minerals beneath being part of HM Land Registry Title Number WK385963
55491	All interests in 30.8 square metres, or thereabouts, of scrubland and garden (Kingsbury Road, A4097) including all those mines and minerals beneath being part of HM Land Registry Title Number WK427043
55493	All interests in 34.5 square metres, or thereabouts, of private road (Marston Lane) including all those mines and minerals beneath excluding any interests held by Canal & River Trust
55494	All interests in 12.11 square metres, or thereabouts, of motorway verge (M42) including all those mines and minerals beneath being part of HM Land Registry Title Number WK260602
55495	All interests in 0.3 square metres, or thereabouts, of motorway verge (M42) including all those mines and minerals beneath being part of HM Land Registry Title Number WK327874
55496	All interests in 4.03 square metres, or thereabouts, of private road (Marston Lane) including all those mines and minerals beneath being part of HM Land Registry Title Number WK335058 excluding any interests held by Canal & River Trust
55582	All interests in 72.37 square metres, or thereabouts, of private road (Marston Lane) including all those mines and minerals beneath excluding any interests held by Canal & River Trust
55583	All interests in 276.82 square metres, or thereabouts, of private road and verges (Marston Lane) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport and Canal & River Trust
55584	All interests in 235.96 square metres, or thereabouts, of private road and

	verges (Marston Lane) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport
55883	All interests in 51.59 square metres, or thereabouts, of canal bank (Birmingham and Fazeley Canal) (Marston Lane) including all those mines and minerals beneath excluding any interests held by Canal & River Trust
56094	All interests in 13.6 square metres, or thereabouts, of track and public bridleway (M23a) (Seeney Lane) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport
56095	All interests in 376.74 square metres, or thereabouts, of track and public bridleway (M23a) (Seeney Lane) including all those mines and minerals beneath excluding any interests held by the Secretary of State for Transport
56135	All interests in 114.1 square metres, or thereabouts, of agricultural land (Seeney Lane) including all those mines and minerals beneath being part of HM Land Registry Title Number WK521145
56136	All interests in 22.08 square metres, or thereabouts, of track and public bridleway (M23a) on bridge above motorway verge (M42) (Seeney Lane) including all those mines and minerals beneath being part of HM Land Registry titles WK260526 and WK304532 excluding any interests held by the Secretary of State for Transport
56139	All interests in 6.78 square metres, or thereabouts, of motorway verge (M42) including all those mines and minerals beneath being part of HM Land Registry Title Number WK260602

**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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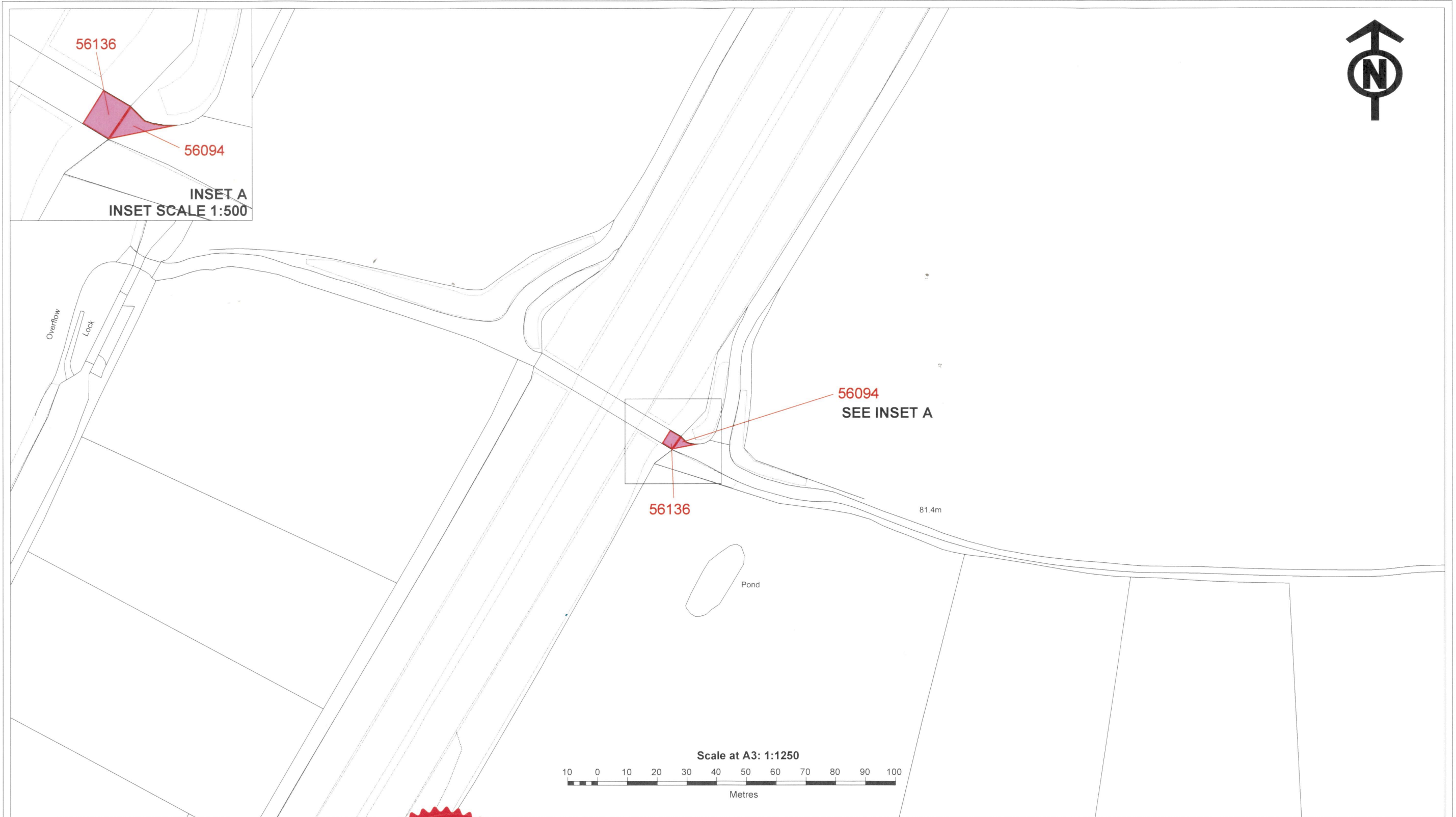
Authorised Signatory



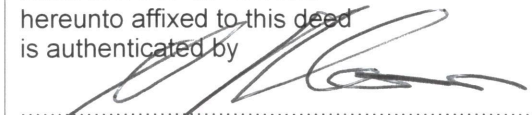
Dated : 18 JANUARY 2022

SEAL REF  
DfT GP/1070





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 18 JANUARY 2022



SEAL REF  
DFT GP/1070

CENTRE POINT: 419,683, 295,170





**INSET B**  
**INSET SCALE 1:750**

56135  
56095

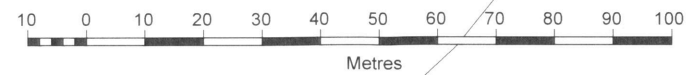
SEE INSET B

56135

56095

Ponds

Scale at A3: 1:1250



Farmhouse  
Stables

72.8m

The Farmhouse

Bunnies

CENTRE POINT: 420,358, 295,079

The CORPORATE SEAL of the  
SECRETARY OF STATE  
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Authorised by the Secretary of State for Transport

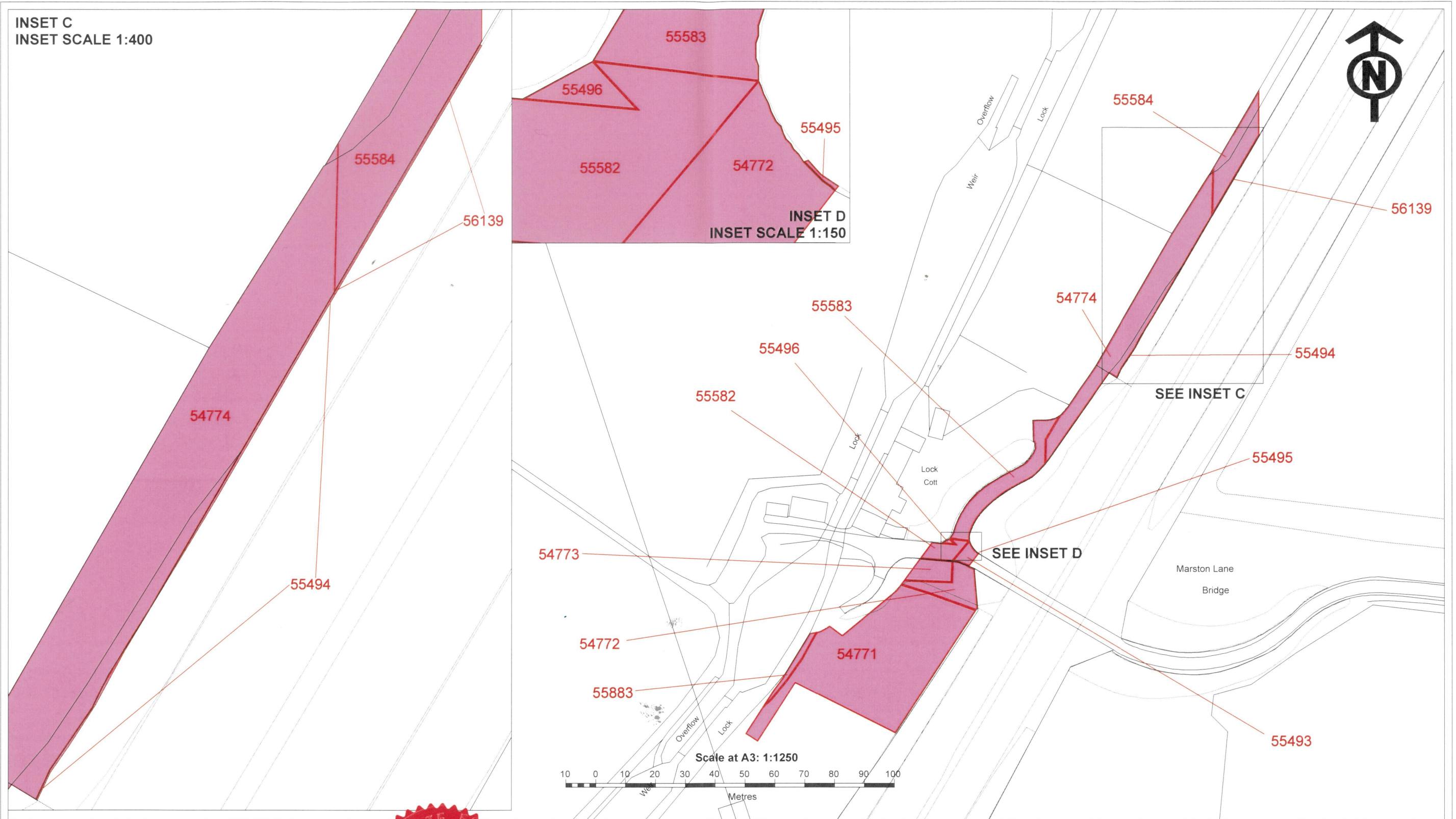
Dated 18 JANUARY 2022




SEAL REF  
DFT GP/11070







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 15 JANUARY 2022



SEAL REF  
DFT GP / 1070

CENTRE POINT: 419,114, 294,508

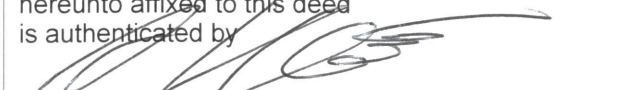






CENTRE POINT: 419,408, 293,958

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

  
.....  
Authorised by the Secretary of State for Transport

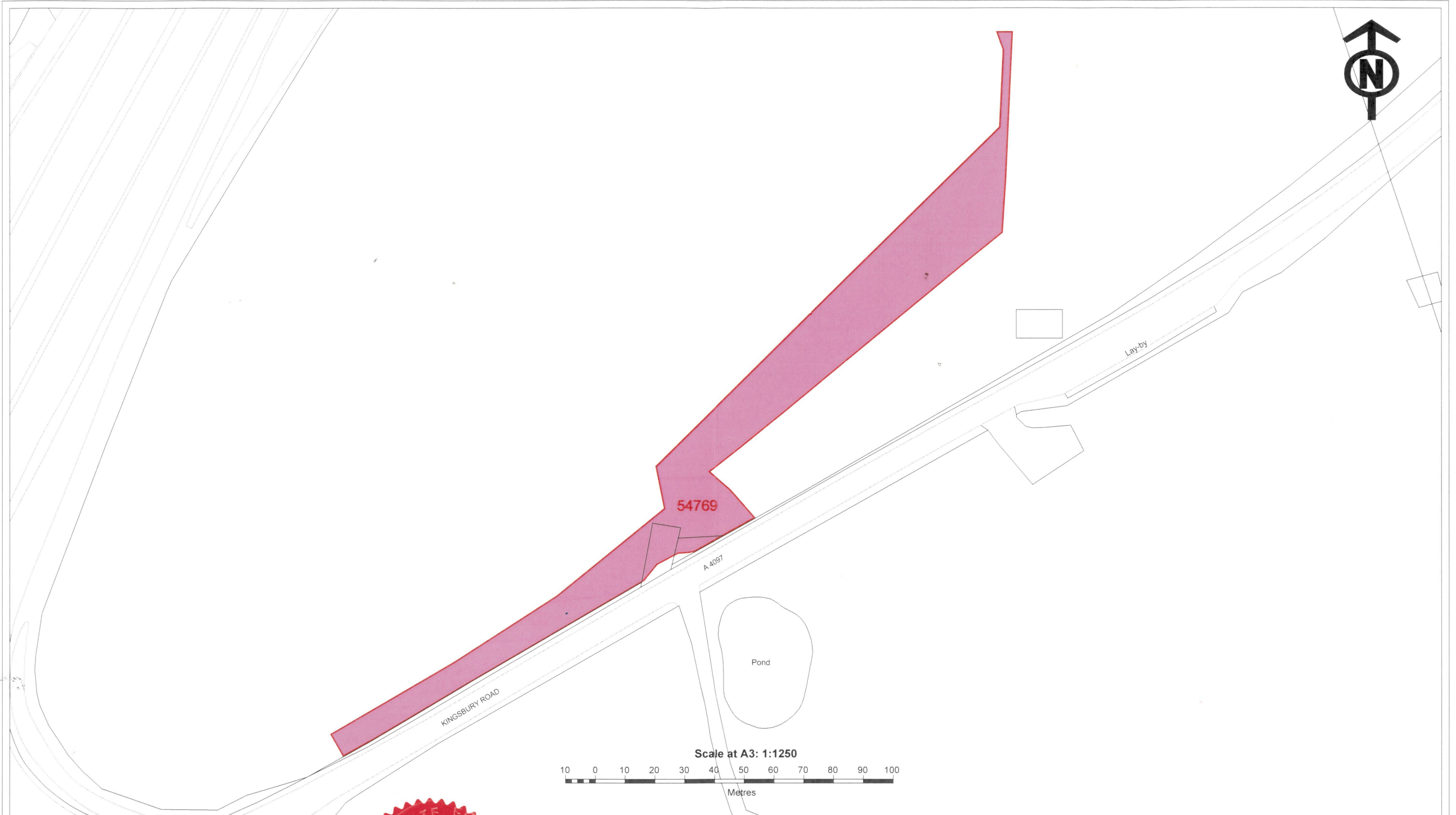
Dated 18 JANUARY 2022



SEAL REF  
DFT GP / 1070







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 18 JANUARY 2022



SEAL REF  
DFT GP/1070

CENTRE POINT: 419,408, 293,958

