

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 897

This **GENERAL VESTING DECLARATION** is executed on 31st January 2022 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 14 January 2022. 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 North Warwickshire

(1) Plot No.	(2) Description
53870	All interests in 40,625.76 square metres, or thereabouts, of agricultural land, woodland (Siding Wood) and dismantled railway (Chester Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number MM82529
53871	All interests in 78,749.68 square metres, or thereabouts, of agricultural land, stream (Hollywell Brook), river, bed and banks thereof (River Blythe) and public footpath (M96) (Chester Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM986263 and WM986260
53890	All interests in 1,373.77 square metres, or thereabouts, of public road verge (Chester Road, A452 and Packington Lane) including all those mines and minerals beneath being part of HM Land Registry title number MM82529
53942	All interests in 4,079.76 square metres, or thereabouts, of public road, verge, grassed area and scrubland (Packington Lane) including all those mines and minerals beneath
55502	All interests in 2,471.78 square metres, or thereabouts, of agricultural land, pylon and overhead electricity cables (Chester Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number MM82529
55503	All interests in 2,155.45 square metres, or thereabouts, of agricultural land and wooded area (Chester Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number MM82529

Metropolitan Borough of Solihull

(1) Plot No.	(2) Description
53873	All interests in 1,133.87 square metres, or thereabouts, of public road and verges (Kenilworth Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM939835
53874	All interests in 23.84 square metres, or thereabouts, of agricultural land (Kenilworth Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM986263
53875	All interests in 14,137.91 square metres, or thereabouts, of agricultural land (Kenilworth Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM986263
53880	All interests in 5,577.69 square metres, or thereabouts, of private access road, car park, agricultural land, scrubland and grassed area (Chester Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM487161
53882	All interests in 285.82 square metres, or thereabouts, of public road, verges and electricity substation (Kenilworth Road, A452) including all those mines and minerals beneath being part of HM Land Registry title number WM939835

53885	All interests in 60,639.98 square metres, or thereabouts, of public roads and verges (Kenilworth Road, A452, Coventry Road, A45, Stonebridge Roundabout, Birmingham Road, A45 and Chester Road, A452) partly on bridge over brook (Hollywell Brook Rough) (Chester Road, A452) including all those mines and minerals beneath
53886	All interests in 16,205.76 square metres, or thereabouts, of public roads and verges (Chester Road, A452 and Packington Lane) partly beneath bridge carrying public road and verges (Chester Road, A452) including all those mines and minerals beneath
53888	All interests in 47.89 square metres, or thereabouts, of public road verge (Kenilworth Road, A452) including all those mines and minerals beneath
55007	All interests in 398.4 square metres, or thereabouts, of public road verge (Chester Road, A452) including all those mines and minerals beneath
55008	All interests in 1,156.18 square metres, or thereabouts, of public road, verge and accessway (Chester Road, A452) including all those mines and minerals beneath
55009	All interests in 14.76 square metres, or thereabouts, of public road verge (Chester Road, A452) including all those mines and minerals beneath
55010	All interests in 54.08 square metres, or thereabouts, of public road verge (Chester Road, A452) including all those mines and minerals beneath
55011	All interests in 529.27 square metres, or thereabouts, of motorway and verges (M42) including all those mines and minerals beneath
55012	All interests in 2,627.91 square metres, or thereabouts, of motorway, scrubland and verges (M42) including all those mines and minerals beneath
55733	All interests in 73.83 square metres, or thereabouts, of public road and verge (Middle Bickenhill Lane) including all those mines and minerals beneath being part of HM Land Registry title number MM130176
55903	All interests in 138.86 square metres, or thereabouts, of public road and verges (Chester Road, A452) including all those mines and minerals beneath
55904	All interests in 367.04 square metres, or thereabouts, of public road and verges (Chester Road, A452) including all those mines and minerals beneath
55905	All interests in 136.1 square metres, or thereabouts, of motorway and verges (M42) including all those mines and minerals beneath

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

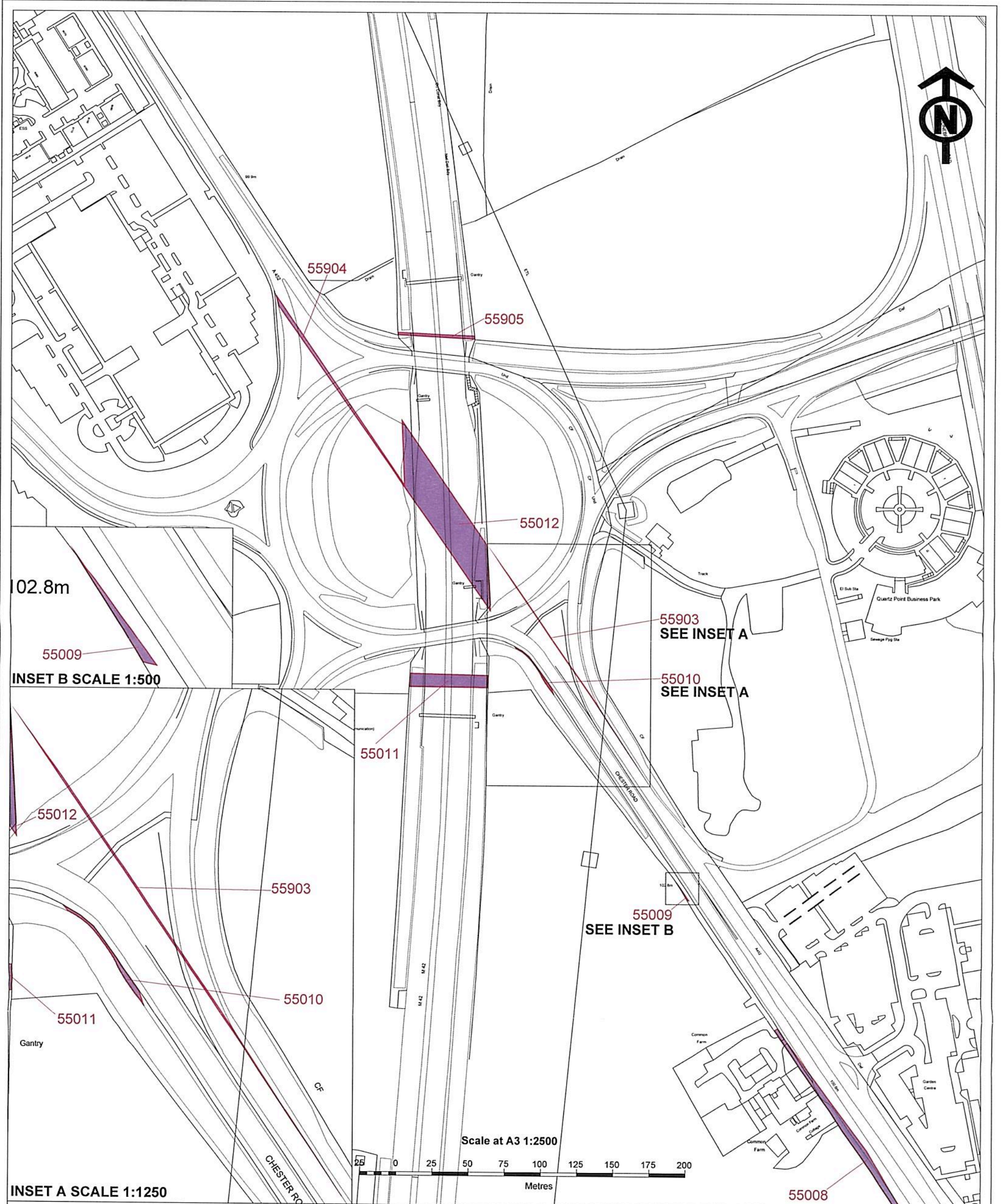
Niall Lamb
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Authorised Signatory

Dated: 31st January 2022



SEAL REF
DfT GP / 1126

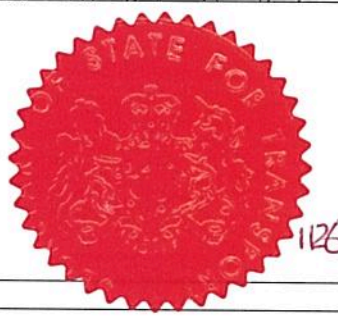


INSET A SCALE 1:1250

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

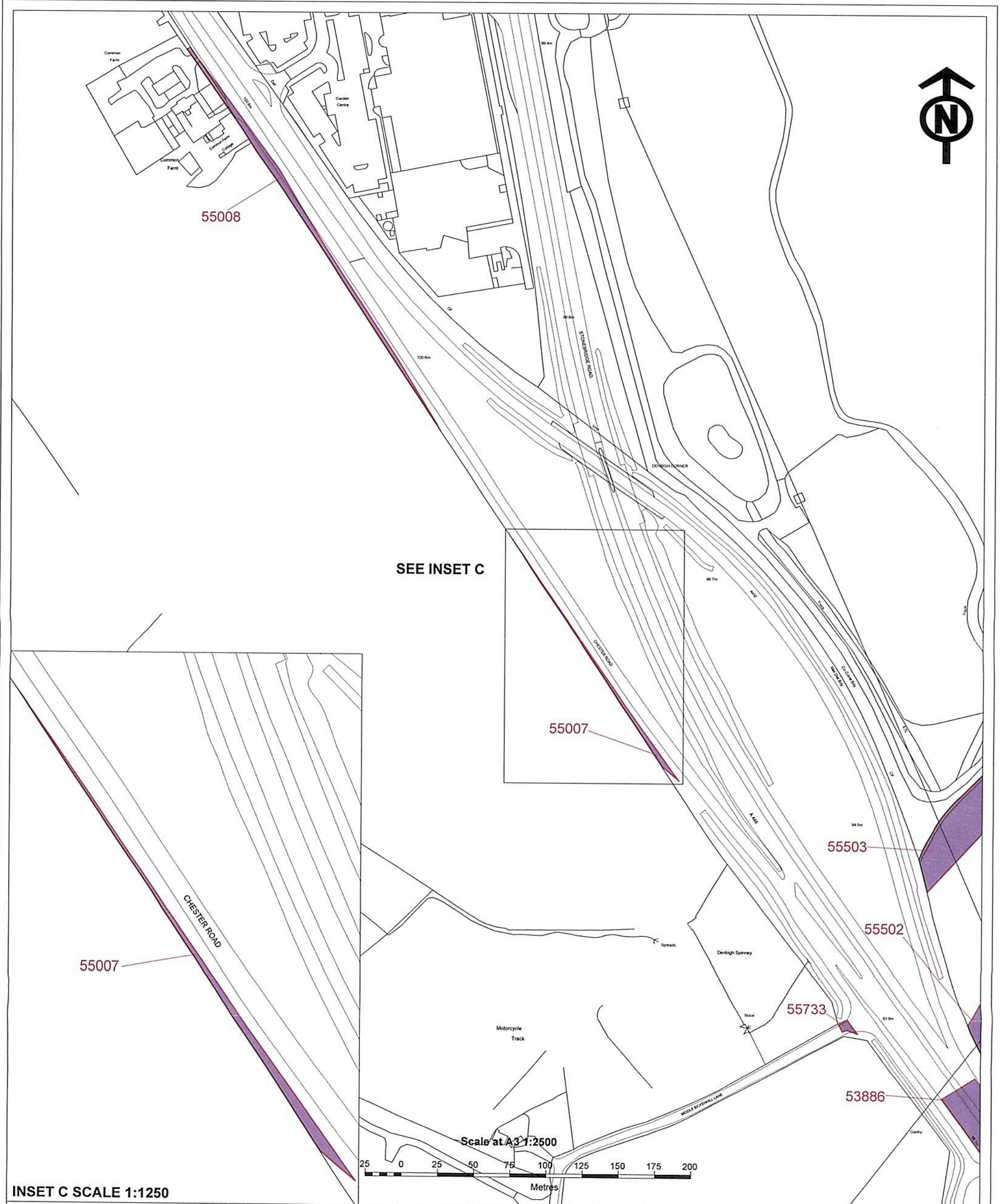
Nick Luff
Authorised by the Secretary of State for Transport

Dated 31st January 2022



126

CENTRE POINT: 419,804, 285,380



SEE INSET C

INSET C SCALE 1:1250

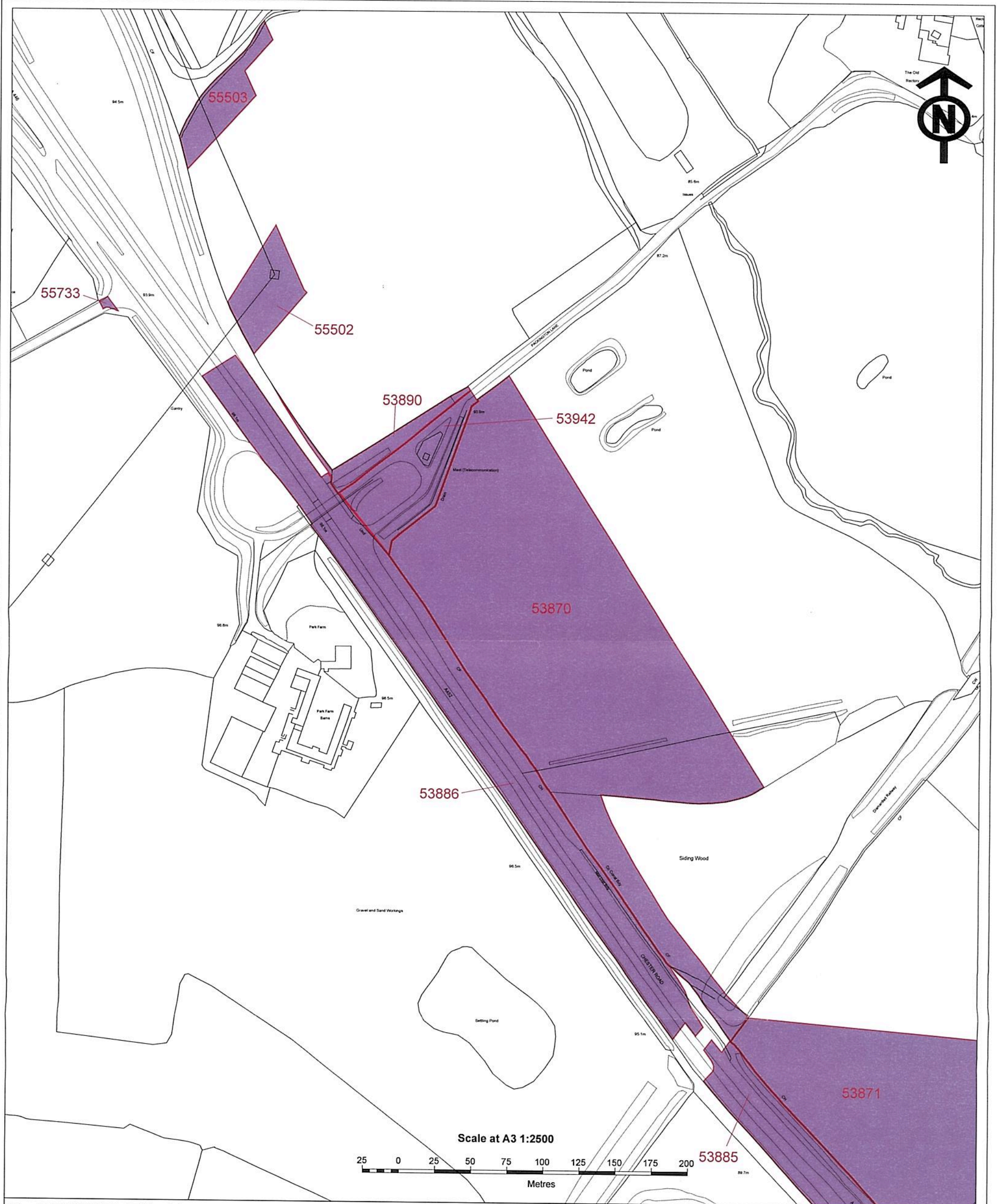
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by

Nick Lord
Authorised by the Secretary of State for Transport

Dated 31st January 2022



CENTRE POINT: 420,241, 284,577

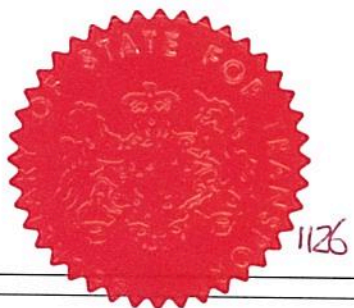


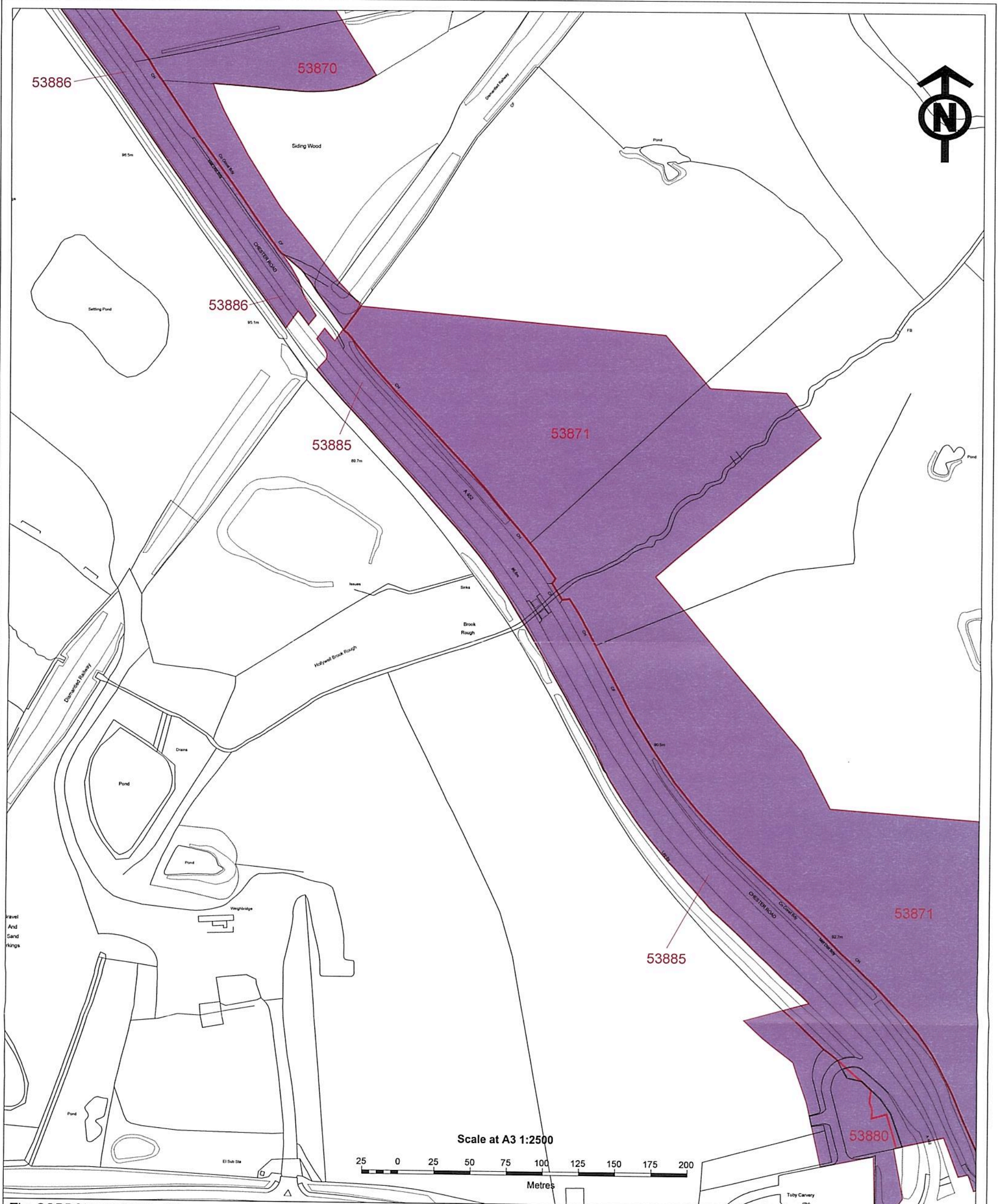
CENTRE POINT: 420,751, 284,082

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

Nick Leitch
Authorised by the Secretary of State for Transport

Dated 31st January 2022

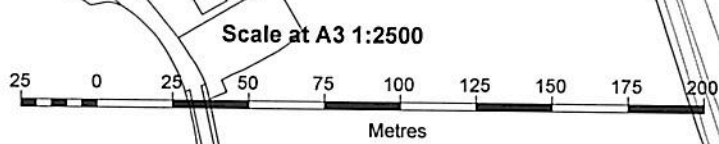
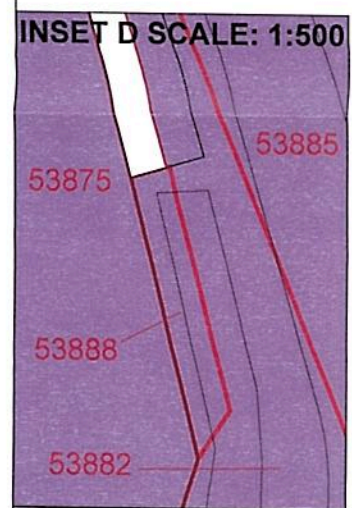
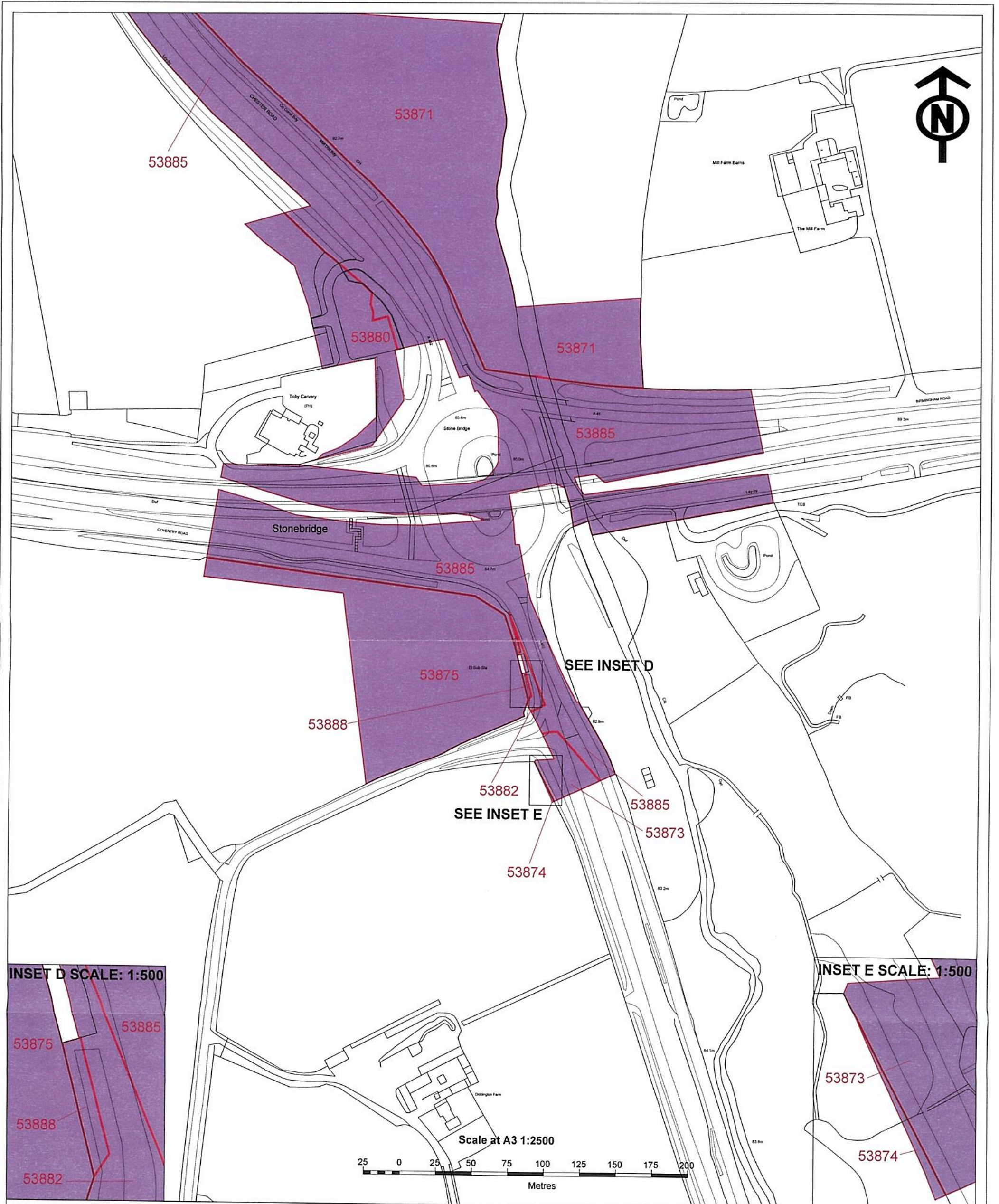




CENTRE POINT: 421,027, 283,589

The CORPORATE SEAL of the
 SECRETARY OF STATE
 hereunto affixed to this deed
 is authenticated by
Nick Leith
 Authorised by the Secretary of State for Transport
 Dated 31st January 2022





CENTRE POINT: 421,373, 283,033

The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
Nick Clegg
Authorised by the Secretary of State for Transport
Dated 31st January 2022



