

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 590

This **GENERAL VESTING DECLARATION** is executed on 20th October 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 02 September 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 Stratford-on-Avon

(1) Plot No.	(2) Description
66922	All those interests in 1652.8 square metres, or thereabouts, of public road and verges (Southam Road) including all those mines and minerals beneath being part of unregistered land
66924	All those interests in 4650.5 square metres, or thereabouts, of agricultural land (Starbold Farm) including all those mines and minerals beneath being part of HM land registry title number WK321755
66925	All those interests in 231.8 square metres, or thereabouts, of agricultural land (Southam Road) including all those mines and minerals beneath being part of unregistered land
66928	All those interests in 3980.6 square metres, or thereabouts, of agricultural land, hedgerow and enclosure (Archers Rest) including all those mines and minerals beneath being part of HM land registry title number WK430020
66929	All those interests in 17984.9 square metres, or thereabouts, of agricultural land, woodland, hedgerow and drain (Starbold Farm) including all those mines and minerals beneath being part of HM land registry title number WK451575
66934	All those interests in 705.3 square metres, or thereabouts, of access track and verge (Starbold Farm) including all those mines and minerals beneath being part of HM land registry title number WK451575
66935	All those interests in 6657.5 square metres, or thereabouts, of agricultural land and grassland (Harp Farm) including all those mines and minerals beneath being part of HM land registry title number WK451581
66936	All those interests in 1344.1 square metres, or thereabouts, of grassland (Starbold Farm) including all those mines and minerals beneath being part of HM land registry title number WK451575
66939	All those interests in 36966.2 square metres, or thereabouts, of agricultural land, hedgerow and public footpath (270/SM33/1) (Starbold Farm) including all those mines and minerals beneath being part of HM land registry title number WK451575
66940	All those interests in 2966.2 square metres, or thereabouts, of agricultural land, grassland and hedgerows (Harp Farm) including all those mines and minerals beneath being part of HM land registry title number WK451581
66945	All those interests in 3467.3 square metres, or thereabouts, of agricultural land, hedgerow and public footpath (270/SM33/1) (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
66946	All those interests in 16321.0 square metres, or thereabouts, of agricultural land, woodland and hedgerow (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK355336
66949	All those interests in 10120.1 square metres, or thereabouts, of agricultural land, hedgerows, drain and public footpath (270/SM33/1) (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
66951	All those interests in 5030.1 square metres, or thereabouts, of public road and verges (Banbury Road) including all those mines and minerals beneath being part of unregistered land
66967	All those interests in 11136.9 square metres, or thereabouts, of agricultural

	land (Kineton Road) including all those mines and minerals beneath being part of HM land registry title number WK381299
69541	All those interests in 752.2 square metres, or thereabouts, of public road and verges (Southam Road) including all those mines and minerals beneath being part of HM land registry title number WK445622 excluding the interests held by the Secretary of State for Transport
69557	All those interests in 5.3 square metres, or thereabouts, of verge (Southam Road) including all those mines and minerals beneath being part of unregistered land
70055	All those interests in 858.7 square metres, or thereabouts, of agricultural land, hedgerow and public footpath (270/SM33/1) (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70056	All those interests in 3541.9 square metres, or thereabouts, of agricultural land (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70057	All those interests in 2208.4 square metres, or thereabouts, of agricultural land (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70058	All those interests in 2523.1 square metres, or thereabouts, of agricultural land, hedgerows and drain (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70061	All those interests in 9703.6 square metres, or thereabouts, of agricultural land (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70062	All those interests in 10790.4 square metres, or thereabouts, of agricultural land and hedgerow (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70107	All those interests in 285.3 square metres, or thereabouts, of agricultural land (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912
70458	All those interests in 19544.5 square metres, or thereabouts, of agricultural land and hedgerow (Banbury Road) including all those mines and minerals beneath being part of HM land registry title number WK493912

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

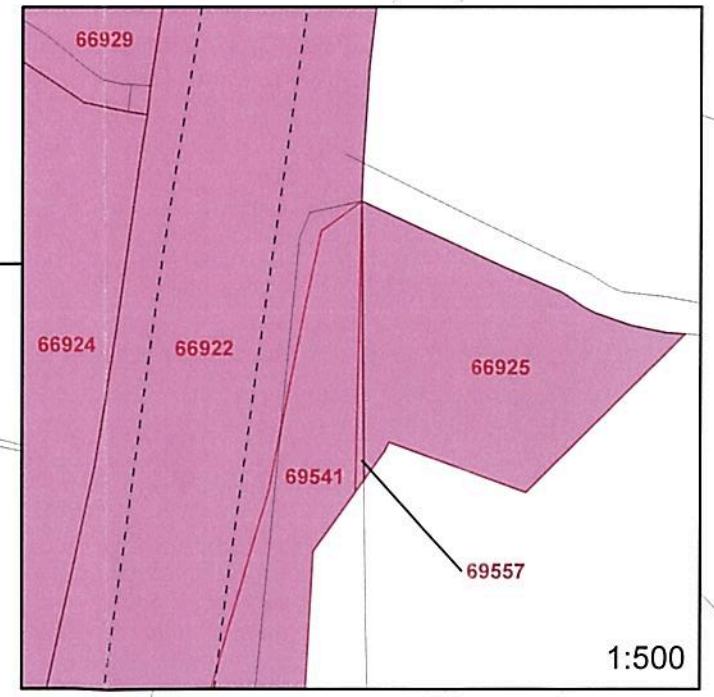
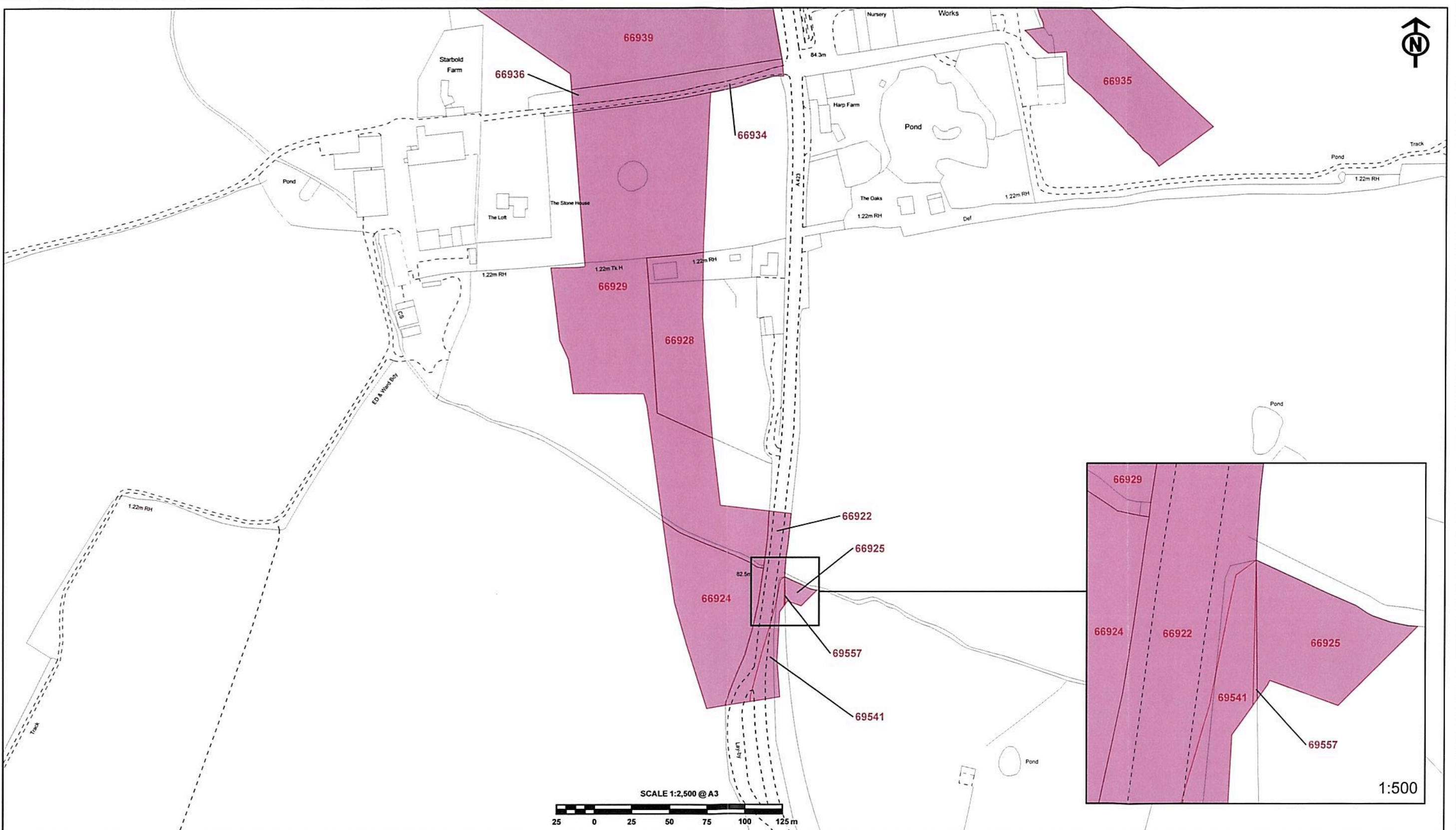


Authorised Signatory

Dated : 20TH OCTOBER 2021

SEAL REF
DFT GP / 0722





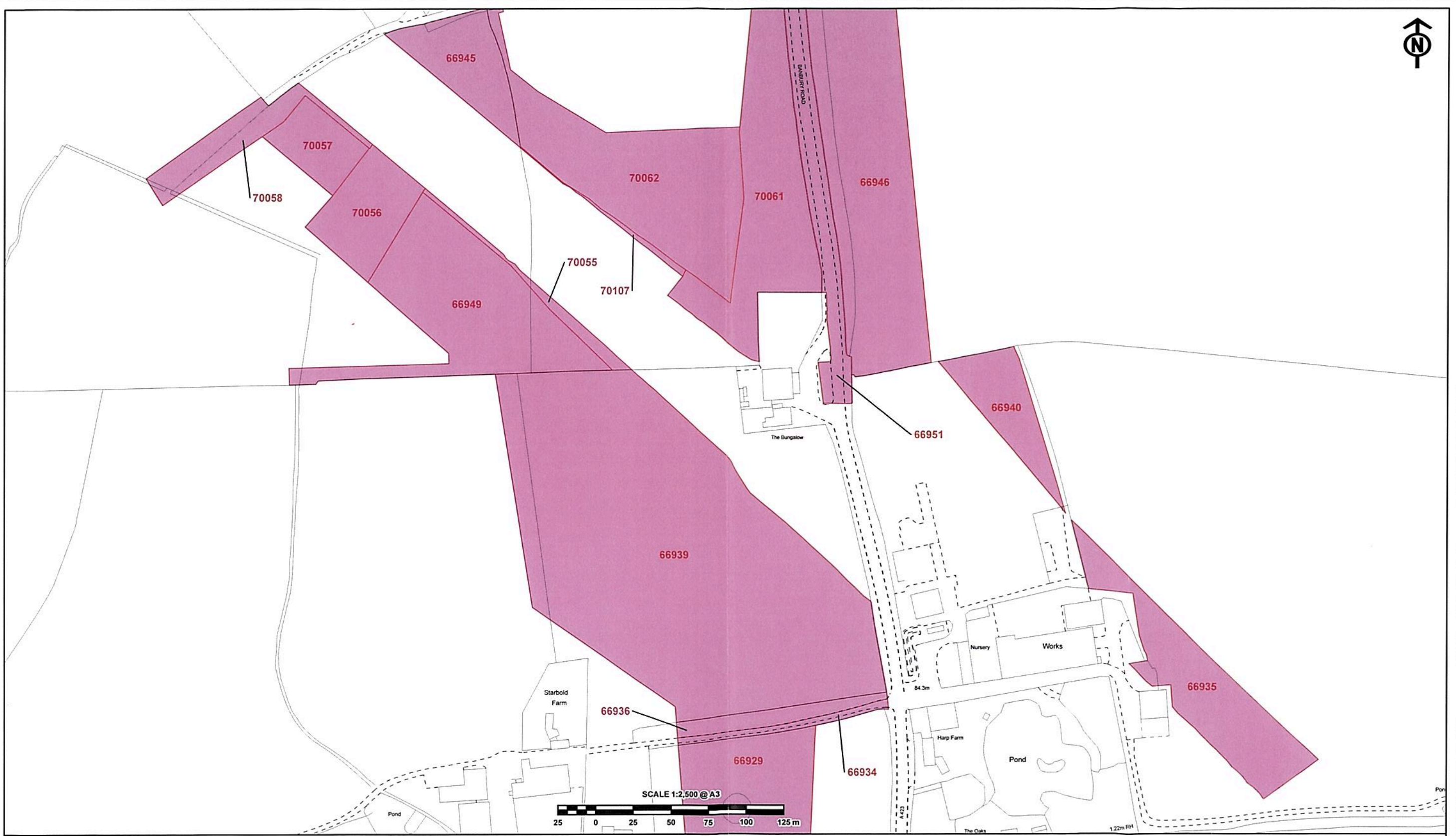
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by

Authorised by the Secretary of State for Transport

Dated 20TH OCTOBER 2021



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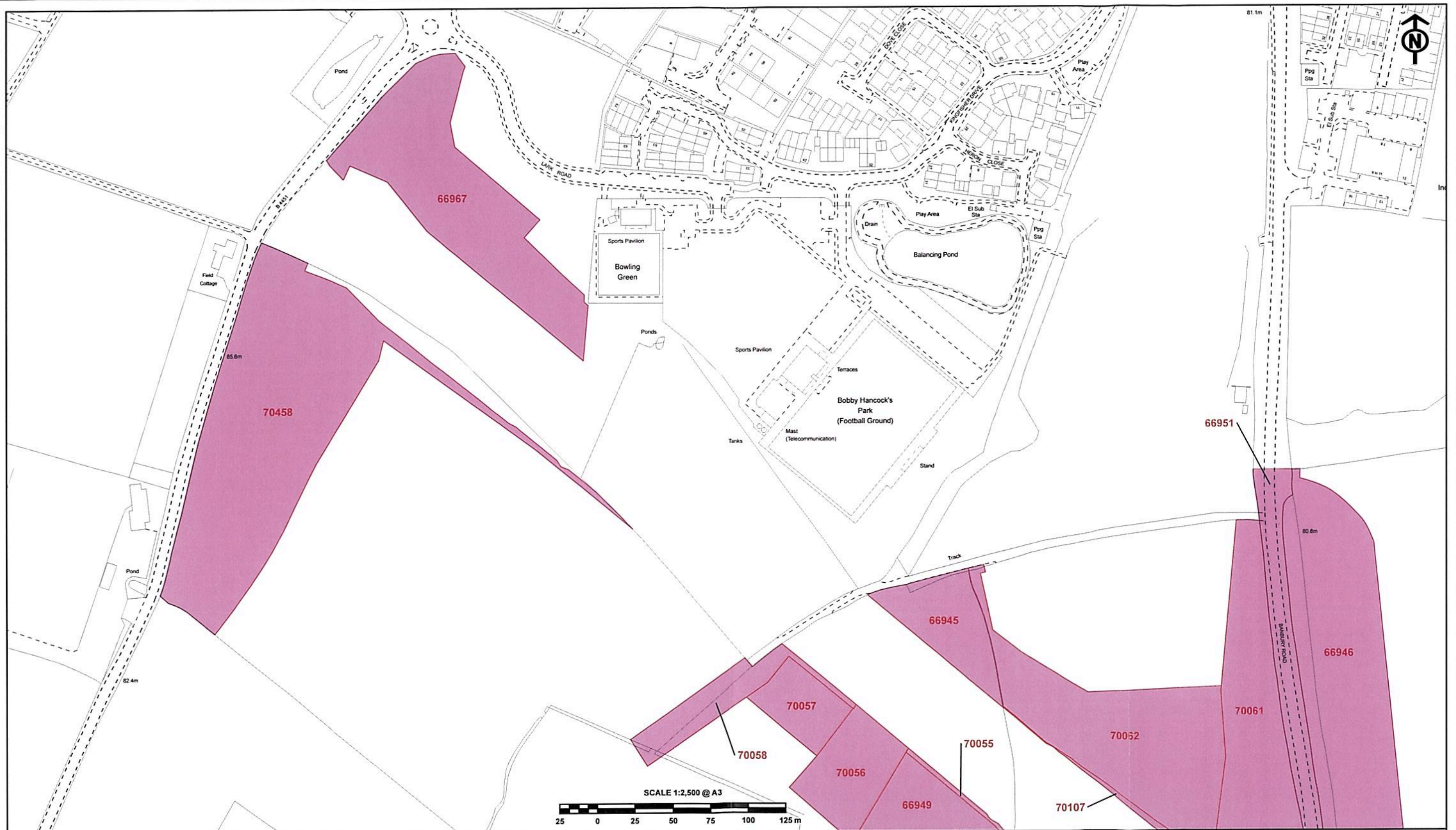
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Dated 20th October 2021



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