

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 919

This **GENERAL VESTING DECLARATION** is executed on 4th February 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 31 January 2020. That notice included the particulars specified in section 3A(3) of the 1981 Act.
- (5) Having given and published notice pursuant to section 3A of the 1981 Act on 31 January 2020 in exercise of the powers conferred on it by section 4 of the 1981 Act, the Acquiring Authority executed a general vesting declaration on 20 February 2020 ("the Declaration") to vest in the Acquiring Authority the land specified in the Schedule to the Declaration ("the Land") together with the right to enter upon and take possession of the Land.
- (6) Having completed service of the notice required by section 6 of the 1981 Act on 26 February 2020, the Land vested in the Acquiring Authority on 27 May 2020. Title to the freehold Land registered under HM Land Registry title number SF660568, SF660571, SF660563, SF660583, SF660581, SF660577, SF543506, SF463893, SF146346, SF538907 and unregistered land.
- (7) 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

¹ Phase One Purposes has the 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.

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.

- (8) 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.
- (9) Mines in the Land have not been so expressly purchased and were not so expressly named and conveyed, and the Acquiring Authority's title to the freehold of the Land registered under HM Land Registry title number SF660568, SF660571, SF660563, SF660583, SF660581, SF660577, SF543506, SF463893, SF146346, SF538907 and unregistered land excepts the mines and minerals together with ancillary powers of working them.
- (10) The Land forms part of land which is included within the title to the freehold land registered under HM Land Registry title number SF660568, SF660571, SF660563, SF660583, SF660581, SF660577, SF543506, SF463893, SF146346, SF538907 and unregistered land but in respect of that part, only the freehold mines and minerals are included in the title.
- (11) It is expedient that such mines and minerals should now be vested in the Acquiring Authority and the Acquiring Authority is to expressly purchase 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.
- (12) Notice of the Acquiring Authority's intention to execute a general vesting declaration to expressly purchase the freehold mines and minerals comprised in the Land, together with the right to win and work them and all related ancillary rights, was published on 06 December 2021 pursuant to section 3A⁵ of the 1981 Act. That notice included the particulars specified in section 3A(3) of the 1981 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.

⁵ 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.

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 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 take possession of the mines and minerals, to win and work such mines and minerals and all related ancillary rights, 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.

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 Lichfield

(1) Plot No.	(2) Description
55787	All those mines and minerals beneath private access tracks, scrubland, ponds and public bridleway (Streethay 8) (Broad Lane)
55788	All those mines and minerals beneath agricultural land (Broad Lane) being part of HM Land Registry title number SF539351
55790	All those mines and minerals beneath agricultural land and track (Broad Lane) being part of HM Land Registry title number SF156192 and SF603361
55792	All those mines and minerals beneath public roads, verges and accessway (Broad Lane and Cappers Lane)
55793	All those mines and minerals beneath agricultural land (Broad Lane)
55978	All those mines and minerals beneath private road and canal bank (Wyrley and Essington Canal) (Cappers Lane)
55979	All those mines and minerals beneath agricultural land and private road (Cappers Lane) being part of HM Land Registry title number SF517722
55980	All those mines and minerals beneath agricultural land (Cappers Lane) being part of HM Land Registry title number SF497155
55981	All those mines and minerals beneath agricultural land (Cappers Lane)
55982	All those mines and minerals beneath agricultural land (Cappers Lane) being part of HM Land Registry title number SF497155
55983	All those mines and minerals beneath agricultural land and private road (Cappers Lane) being part of HM Land Registry title number SF506398
55984	All those mines and minerals beneath agricultural land and private road (Cappers Lane) being part of HM Land Registry title number SF497155
55985	All those mines and minerals beneath public road and verges (Cappers Lane)
55986	All those mines and minerals beneath private road and verges (Cappers Lane) being part of HM Land Registry title number SF506398
55987	All those mines and minerals beneath private accessway and car park (Cappers Lane) being part of HM Land Registry title number SF497155
55988	All those mines and minerals beneath private accessway and car park (Cappers Lane) being part of HM Land Registry title number SF587430
55989	All those mines and minerals beneath agricultural land (Cappers Lane) being part of HM Land Registry title number SF517722
55990	All those mines and minerals beneath agricultural land (Cappers Lane)
55991	All those mines and minerals beneath agricultural land and private accessway (New Fulfen Cottage) (Cappers Lane)
55992	All those mines and minerals beneath agricultural land (Cappers Lane)
55996	All those mines and minerals beneath agricultural land (Broad Lane)
56000	All those mines and minerals beneath wooded area (Broad Lane)
56004	All those mines and minerals beneath agricultural land and watercourse (Cappers Lane)
56005	All those mines and minerals beneath agricultural land (Cappers Lane) being part of HM Land Registry title number SF541100
56010	All those mines and minerals beneath public road verge (Broad Lane) excluding any interest held by Network Rail Infrastructure Limited
56012	All those mines and minerals beneath public road verge (Broad Lane) being part of HM Land Registry title number SF547568 excluding any interest held

	by Network Rail Infrastructure Limited
56013	All those mines and minerals beneath agricultural land, brook (Mare Brook), woodland (Fulfen Wood), private access track, pylon and overhead electricity cables (Broad Lane)
56014	All those mines and minerals beneath agricultural land (Broad Lane)
56015	All those mines and minerals beneath agricultural land, pond and public footpath (Streethay 6) (A38)
56016	All those mines and minerals beneath agricultural land, track and public footpath (Steethay 6) (A38) being part of HM Land Registry title number SF275056
56017	All those mines and minerals beneath scrubland (A38) being part of HM Land Registry title number SF542584
56018	All those mines and minerals beneath agricultural land and private access track (A38) being part of HM Land Registry title number SF275056
56025	All those mines and minerals beneath public road verge (Broad Lane)
56059	All those mines and minerals beneath scrubland (Broad Lane)
55789	All those mines and minerals beneath agricultural land (Broad Lane) being part of HM Land Registry title number SF543506 excluding any interests held by the Secretary of State for Transport
55995	All those mines and minerals beneath agricultural land (Broad Lane) being part of HM Land Registry title number SF538907 excluding any interests held by the Secretary of State for Transport
55998	All those mines and minerals beneath outbuilding and garden (Ivy Cottage) (Broad Lane) being part of HM Land Registry title number SF146346 excluding any interests held by the Secretary of State for Transport
55999	All those mines and minerals beneath wooded area and buildings (Broad Lane) being part of HM Land Registry title number SF463893 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

Dated: 4th February 2022



SEAL REF
DfT GP / 1150



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

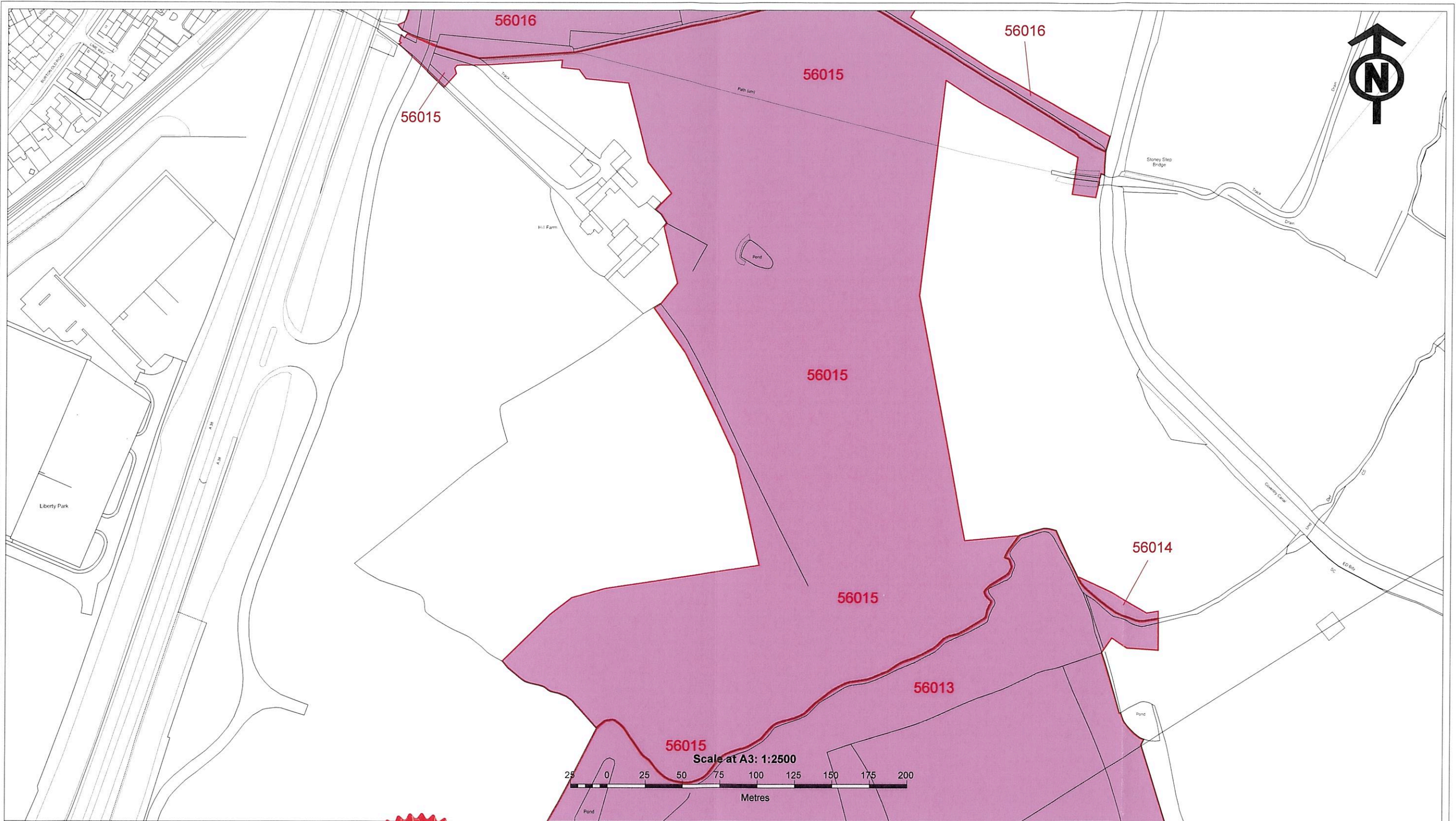
[Signature]
Authorised by the Secretary of State for Transport

Dated 4th February 2022



SEAL REF
DfT GP /1150

CENTRE POINT: 414,516, 310,478



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

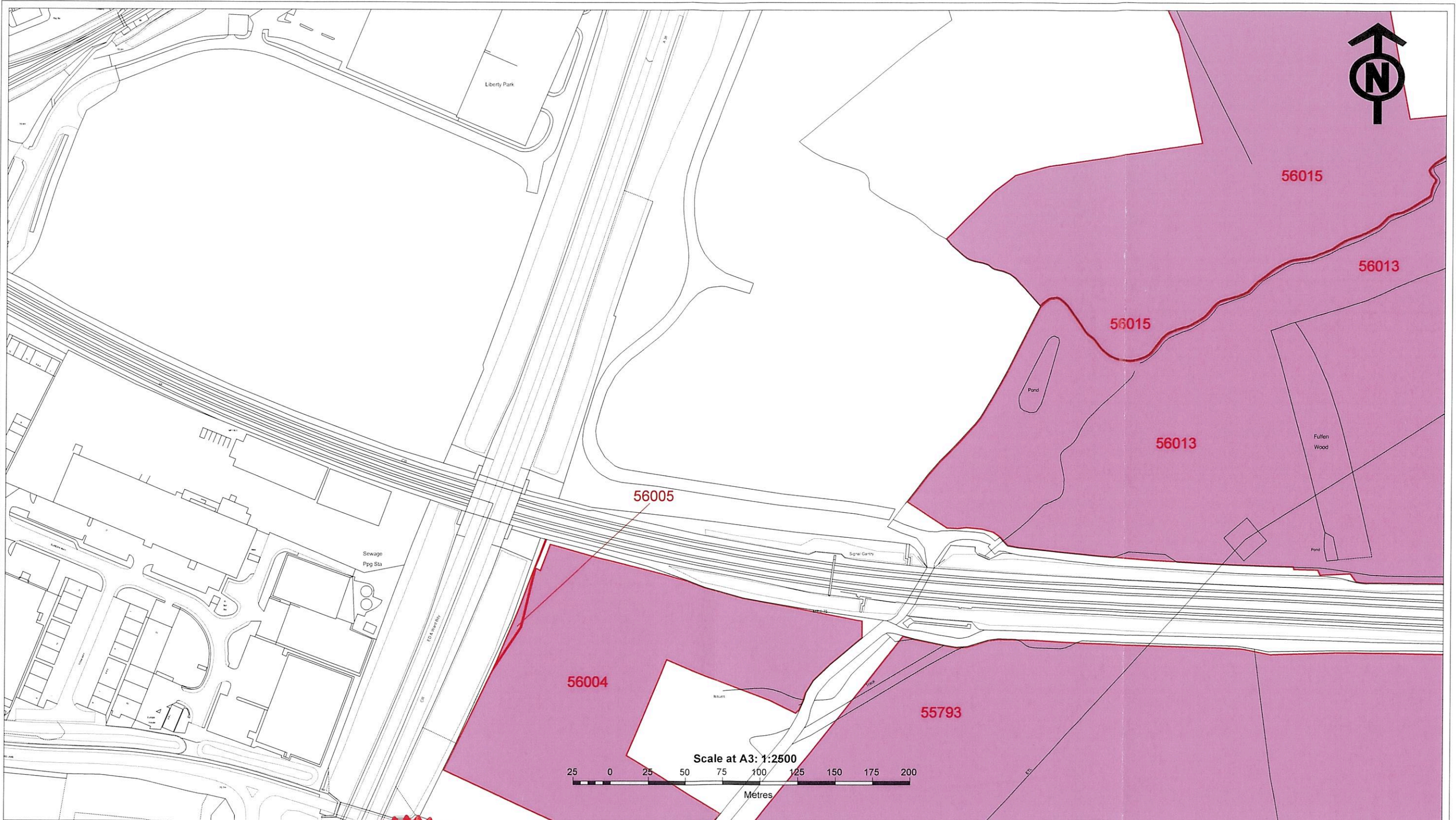
[Signature]
Authorised by the Secretary of State for Transport

Dated 4th February 2022



SEAL REF
DFT GP /1150

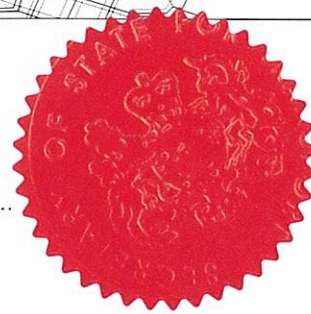
CENTRE POINT: 414,554, 310,024



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

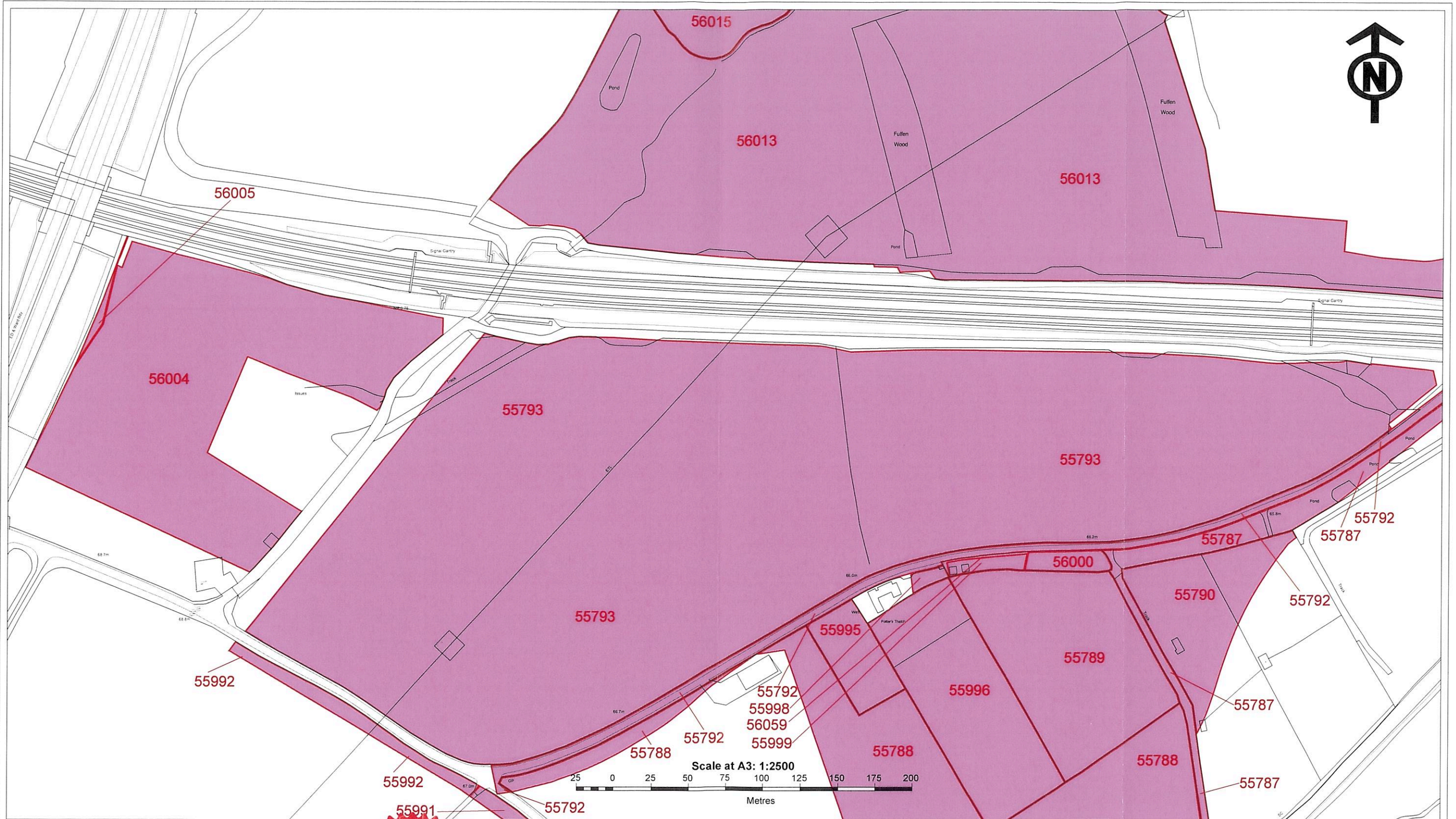
Nick Clegg
Authorised by the Secretary of State for Transport

Dated 4th February 2022



SEAL REF
DIT GP 11150

CENTRE POINT: 414,264, 309,744



CENTRE POINT: 414,545, 309,543

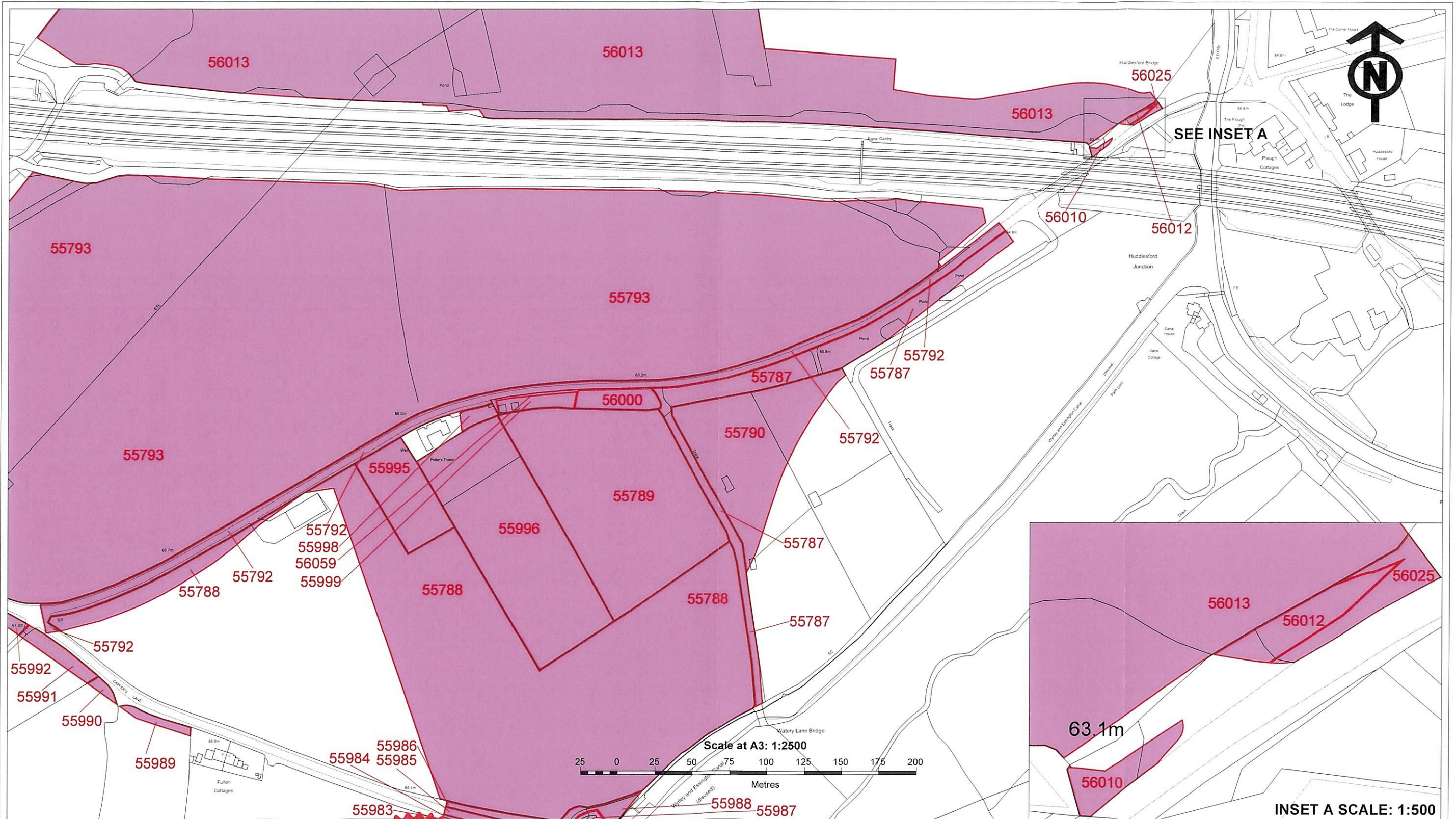
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by

Nord Luff
Authorised by the Secretary of State for Transport

Dated 4th February 2022



SEAL REF
DfT GP / 1150

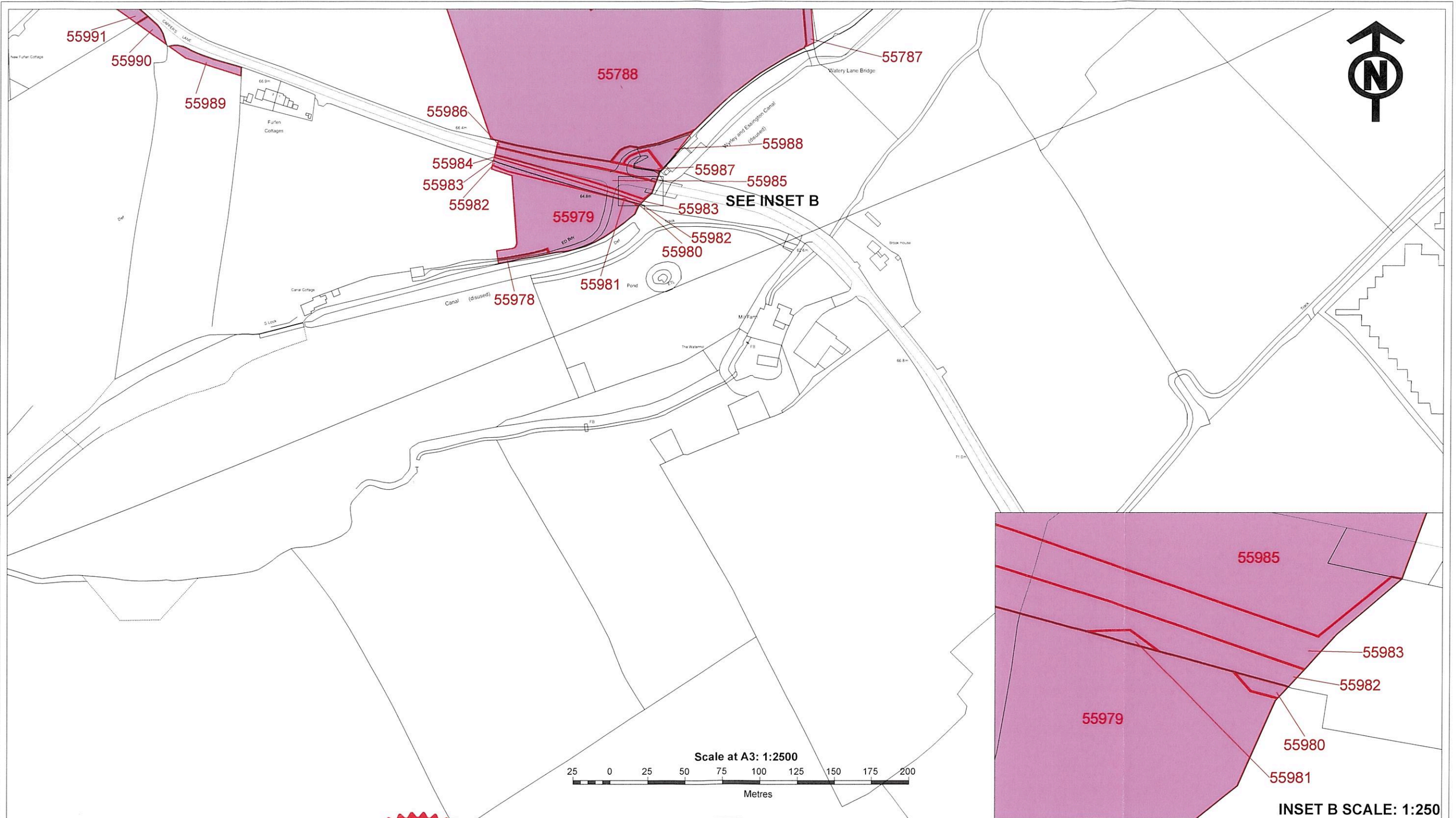


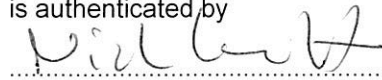
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
Niall Carr
Authorised by the Secretary of State for Transport

Dated 4th February 2022



SEAL REF
DIT GP/1150



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 4th February 2022



SEAL REF
DFT GP / 1150

INSET B SCALE: 1:250
CENTRE POINT: 414,815, 309,996

