

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

### HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 751

This **GENERAL VESTING DECLARATION** is executed on 08 DECEMBER 2021 by the Secretary of State for Transport (“the 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 Authority to acquire the land specified in the Schedule hereto.
- (2) Section 4(1) of the High Speed Rail Act authorises the 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 5(1)(a) of the High Speed Rail Act provides that section 4(1) of the High Speed Rail Act includes the power to acquire any easements or other rights as may be required for Phase One purposes by the creation of new easements or other rights, or by acquiring easements or other rights already in existence.
- (4) Section 5(2) of the High Speed Rail Act provides that the terms of an easement created under section 5(1)(a) may include terms imposing a restrictive covenant over the land for the purpose of making the easement effective.
- (5) Section 5(4A) of the High Speed Rail Act provides that the power in section 4(1) includes power to acquire rights or impose restrictive covenants for the benefit of a person other than the Acquiring Authority.
- (6) 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.
- (7) Notice pursuant to section 3A<sup>3</sup> of the 1981 Act was first published on 10 November 2021. That notice included the particulars specified in section 3A(3) of the 1981 Act.

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<sup>1</sup> Phase One Purposes has meaning given by section 67 of the High Speed Rail Act

<sup>2</sup> Paragraph 3 as substituted by section 11 of, and paragraph 6 of Schedule 14 to, the High Speed Rail Act.

<sup>3</sup> 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 Authority hereby declares:-

1. The Rights over the land specified and described in column 1 and column 2, and detailed in column 3 of the Second Schedule hereto and more particularly shown shaded blue on the plan annexed hereto shall vest in the Authority as from the end of the period of 3 months from the service of notices required by section 6<sup>4</sup> of the 1981 Act is completed.
2. Save insofar as they comprise or affect interests of Excluded Persons, the Restrictive Covenants over the land specified and described in column 1 and column 2, and detailed in column 4 of the Second Schedule hereto and more particularly shown hatched and shaded blue on the plan annexed hereto shall vest in the Authority as from the Vesting Date.
3. Each Right and Restrictive Covenant shall so vest in and be enforceable by the Authority for the benefit of each and every part of the Authority's land registered under Land Registry Title Number MX131244 and the remainder of the HS2 Property to the intent that the Rights and the Restrictive Covenants may be imposed and enforced by the Authority and by its successors in title and assigns of the whole of any part of MX131244 and the remainder of the HS2 Property for the purposes of the exercise thereof.

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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<sup>4</sup> 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



**FIRST SCHEDULE**

<b>Term</b>	<b>Meaning</b>
Excluded Persons	those persons (if any) listed in column 5 of the Second Schedule
HS2 Property	all land infrastructure property and equipment owned occupied controlled or used by or on behalf of the Authority or its Nominated Undertaker in connection with the operation use or maintenance of Phase One of High Speed 2 or which is or has been acquired or used for the purposes of Phase One of High Speed 2
Nominated Undertaker	High Speed 2 (HS2) Limited or any other person whose name appears in an Order made under section 43(1) of the High Speed Rail Act
Plot	a plot of land with the number specified in column 1 and described in column 2 of the Second Schedule



**SECOND SCHEDULE**

1 Plot No.	2 Description of the Land	3 Purpose of the New Rights	4 Purpose of the Restrictive Covenants	5 Excluded Persons
09799	Rights and restrictive covenants in 123.52 square metres, or thereabouts, of construction site, pumping station, hardstanding and premises (east of Mandeville Road)	<p>Rights at all times to enter and be upon the Land with or without personnel, vehicles, plant, equipment, materials and machinery to:</p> <ul style="list-style-type: none"> <li>- adjust, alter, maintain, repair, replace, renew, upgrade and inspect a security fence, including carrying out site clearance works;</li> <li>- remove, fell, trim, or lop, trees, bushes, or other vegetation on the Land which in the opinion of the Acquiring Authority and/or his representatives could enable the security fence to be climbed, and create a risk of the ventilation shaft which it is protecting being accessed by unauthorised persons;</li> <li>- remove any buildings, structures, equipment and other materials which in the opinion of the Acquiring Authority and/or his representatives could enable the security fence to be climbed, and create a risk of the ventilation shaft which it is protecting being accessed by unauthorised persons.</li> </ul>	Covenants not to erect any buildings or structures, plant or grow any trees, or store any equipment or materials or plant or grow any shrubs or other vegetation exceeding two feet in height on, or increase the ground level of, the Land.	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

  
.....  
Authorised Signatory



SEAL REF  
DfT GP 10913

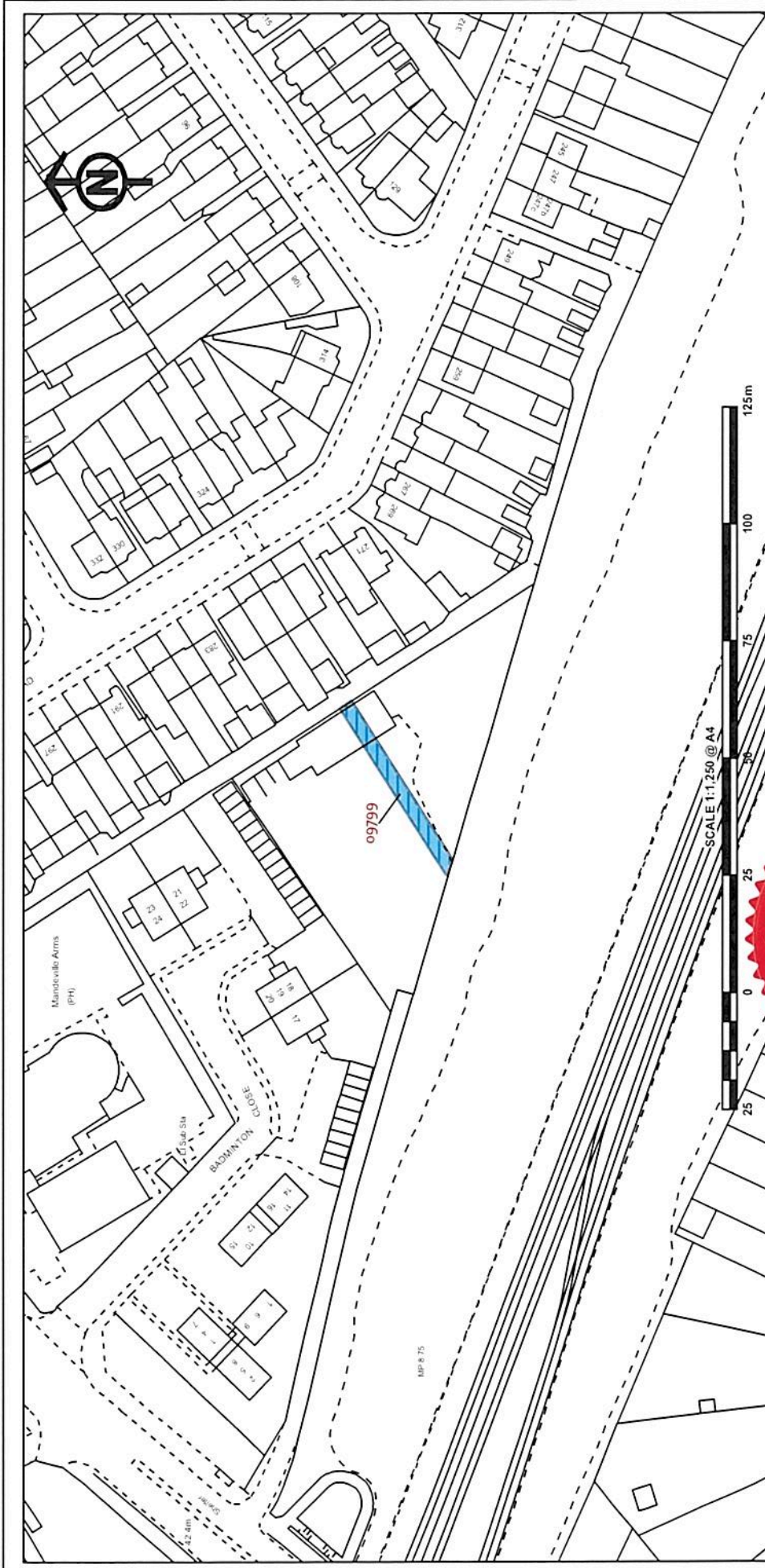
Dated : 08 DECEMBER 2021





Registered in England. Registration number 06274886.  
Registered office: 2 Snow Hill, Snow Hill, Queensway, Birmingham B4 6GA.

# HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017 GENERAL VESTING DECLARATION No. 751



CENTRE POINT: 513,444, 184,507

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 08 DECEMBER 2021

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