

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 870

This **GENERAL VESTING DECLARATION** is executed on
by the Secretary of State for Transport (“the 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 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 purposes¹.
- (3) Section 8 of the High Speed Rail Act provides that the power under section 4(1) in relation to land may be exercised in relation to the subsoil or under-surface of the land only.
- (4) 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.
- (5) Notice pursuant to section 3A³ 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.

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 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 yellow on the plan annexed hereto, together with the right to enter upon and take possession of the land, shall vest in the Authority as from the end of the period of 3 months from the date on which the service of notices required by section 6⁴ of the 1981 Act is completed.
2. 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.

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 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

City of Birmingham

(1) Plot No.	(2) Description
51498	All interests in the stratum of subsoil that lies beneath 1,042.7 square metres, or thereabouts, of public road, verges and footway (Water Orton Road, B4118) the upper extremity of which is 77.9 metres above Ordnance Survey Datum and the lower extremity of which is 58.5 metres above Ordnance Survey Datum
51499	All interests in the stratum of subsoil that lies beneath 7,016.71 square metres, or thereabouts, of hardstanding and grassed area (Water Orton Road, B4118) the upper extremity of which is 77.1 metres above Ordnance Survey Datum and the lower extremity of which is 52.8 metres above Ordnance Survey Datum
51500	All interests in the stratum of subsoil that lies beneath 44,062.36 square metres, or thereabouts, of grassed area, wooded area, woodland (Parkhall Wood), track, river, bed and banks thereof (River Tame) (M6) the upper extremity of which is 68.6 metres above Ordnance Survey Datum and the lower extremity of which is 41.8 metres above Ordnance Survey Datum
51501	All interests in the stratum of subsoil that lies beneath 2,570.65 square metres, or thereabouts, of railway works and land (Birmingham and Derby Line) partly on bridge over watercourse (Plant Brook) (M6) the upper extremity of which is 63.2 metres above Ordnance Survey Datum and the lower extremity of which is 42.9 metres above Ordnance Survey Datum
51502	All interests in the stratum of subsoil that lies beneath 612.7 square metres, or thereabouts, of wooded area, overflow channel (Dunlop Channel) and river bank thereof (River Tame) (M6) the upper extremity of which is 60.2 metres above Ordnance Survey Datum and the lower extremity of which is 41.8 metres above Ordnance Survey Datum
51503	All interests in the stratum of subsoil that lies beneath 9,677.67 square metres, or thereabouts, of refuse disposal works, premises and grassed area (M6) the upper extremity of which is 60.1 metres above Ordnance Survey Datum and the lower extremity of which is 40.6 metres above Ordnance Survey Datum
51521	All interests in the stratum of subsoil that lies beneath 866.64 square metres, or thereabouts, of brook (Plants Brook) and river bank thereof (River Tame) (M6) the upper extremity of which is 63.6 metres above Ordnance Survey Datum and the lower extremity of which is 44.0 metres above Ordnance Survey Datum
53787	All interests in the stratum of subsoil that lies beneath 250.45 square metres, or thereabouts, of riverbank (River Tame) and pipeline (Tameside Drive) the upper extremity of which is 60.1 metres above Ordnance Survey Datum and the lower extremity of which is 41.7 metres above Ordnance Survey Datum excluding any interests held by Esso Petroleum Company Limited
54235	All interests in the stratum of subsoil that lies beneath 7,914.11 square metres, or thereabouts, of industrial units, car parks and premises (Units 7-11, 15-16 and 18-19) (Haywards Industrial Park) (Orton Way) the upper extremity of which is 58.9 metres above Ordnance Survey Datum and the lower extremity of which is 39.8 metres above Ordnance Survey Datum
54249	All interests in the stratum of subsoil that lies beneath 8.99 square metres, or thereabouts, of car park (Haywards Industrial Park) (Orton Way) the

	upper extremity of which is 58.9 metres above Ordnance Survey Datum and the lower extremity of which is 40.6 metres above Ordnance Survey Datum
54251	All interests in the stratum of subsoil that lies beneath 35.16 square metres, or thereabouts, of accessways and footway (Orton Way) the upper extremity of which is 58.3 metres above Ordnance Survey Datum and the lower extremity of which is 39.8 metres above Ordnance Survey Datum
54252	All interests in the stratum of subsoil that lies beneath 1.86 square metres, or thereabouts, of yard (Haywards Industrial Park) (Orton Way), the upper extremity of which is 58.1 metres above Ordnance Survey Datum and the lower extremity of which is 39.8 metres above Ordnance Survey Datum, excluding any interests held by the Secretary of State for Transport
54536	All interests in the stratum of subsoil that lies beneath 25.82 square metres, or thereabouts, of accessway (Orton Way) the upper extremity of which is 58.5 metres above Ordnance Survey Datum and the lower extremity of which is 40.2 metres above Ordnance Survey Datum

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

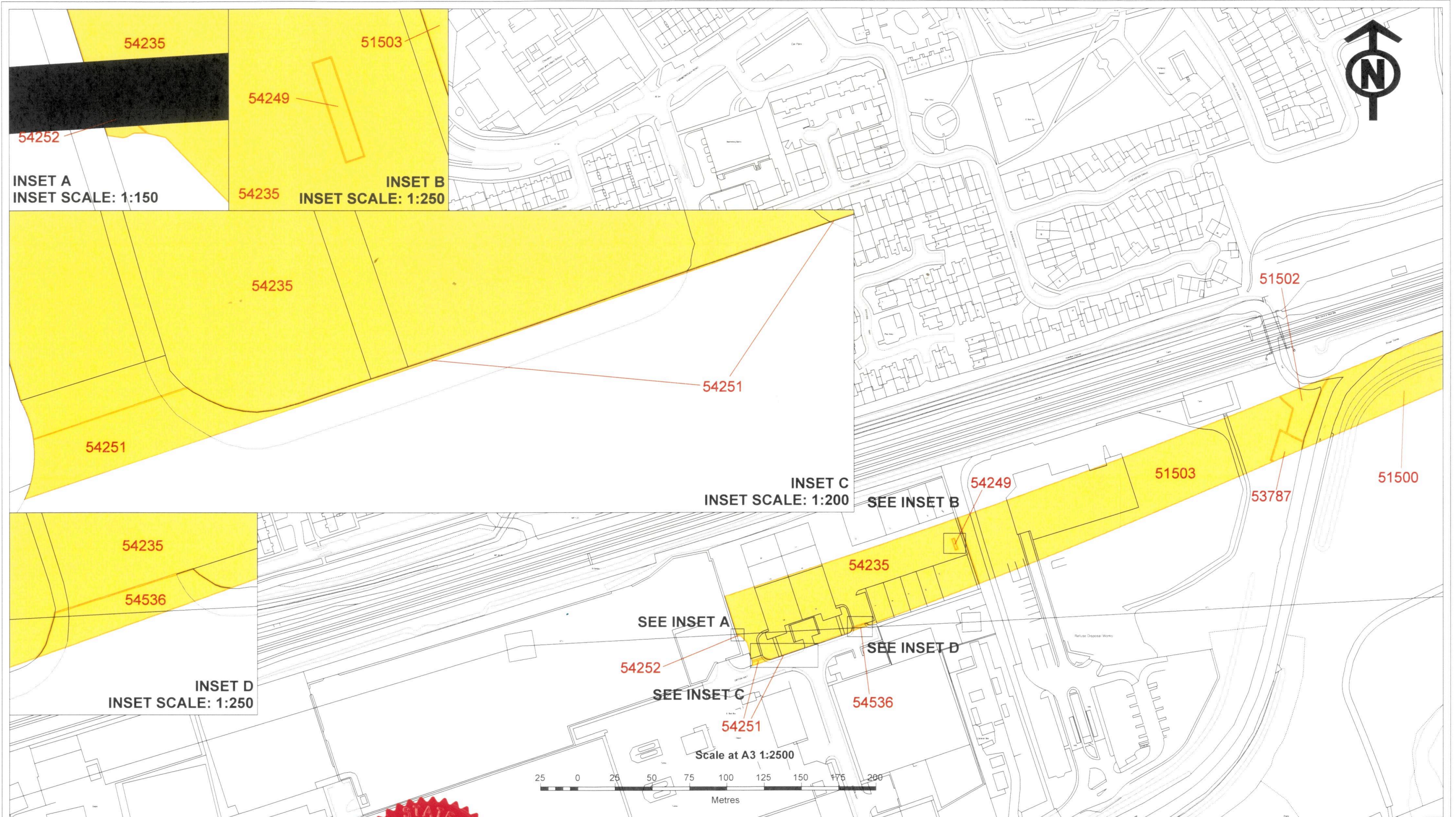


Authorised Signatory



Dated: 18 JANUARY 2022

SEAL REF
DFT GP / 1075



CENTRE POINT: 414.702, 290.569

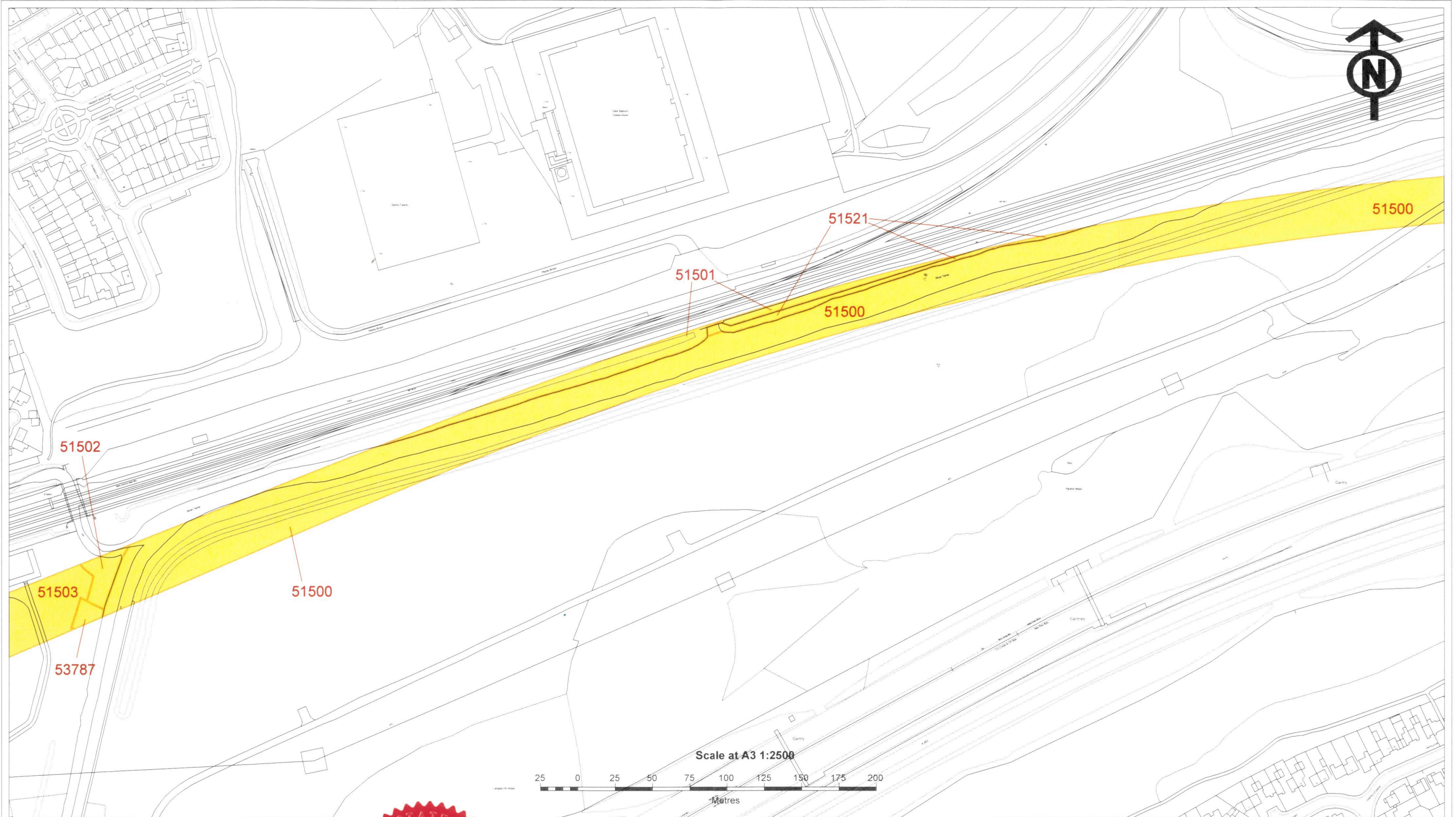
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Authorised by the Secretary of State for Transport

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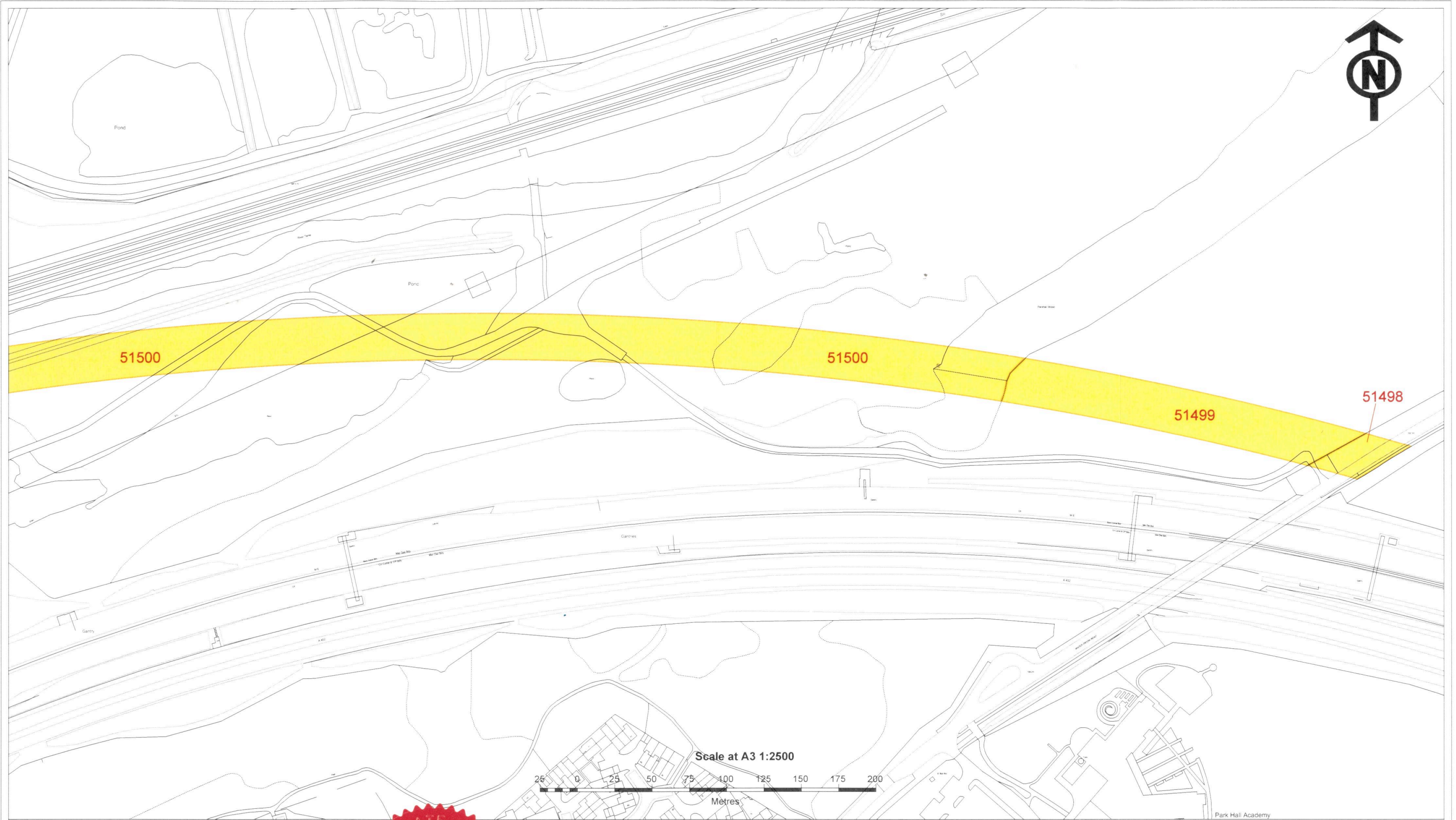
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