

HIGH SPEED RAIL (WEST MIDLANDS - CREWE) ACT 2021

HIGH SPEED RAIL (WEST MIDLANDS - CREWE) GENERAL VESTING DECLARATION No. 2120

This **GENERAL VESTING DECLARATION** is executed on
by the Secretary of State for Transport ("the Acquiring Authority").

11th May 2023

WHEREAS:

- (1) On 11 February 2021 the High Speed Rail (West Midlands - Crewe) Act 2021 ("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 2a 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 3 of Schedule 9 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 3A² of the 1981 Act was first published on 05 April 2023. That notice included the particulars specified in section 3A(3) of the 1981 Act.
- (5) By paragraph 4(3) of Schedule 7 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 authority³ 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.
- (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

¹ Phase 2a Purposes has meaning given by section 61 of the High Speed Rail Act.

² Section 3A of the 1981 Act as inserted by paragraph 3 of Schedule 7 to the High Speed Rail Act

³ Paragraph 4(4) of Schedule 7 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 41(1) of the High Speed Rail Act.

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 therein⁴, 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 6⁵ 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.

⁴ Paragraph 4(3) of Schedule 7 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.

⁵ Section 6 as modified by paragraph 3(c) of Schedule 7 to the High Speed Rail Act

SCHEDULE

Borough of Newcastle-under-Lyme

| (1) Plot No. | (2) Description |
|--------------|--|
| 125191 | All those interests in 351.74 square metres, or thereabouts, of agricultural land (Bar Hill), including all those mines and minerals beneath unregistered title |
| 125207 | All those interests in 95638.83 square metres, or thereabouts, of agricultural land, copse, hedgerow and access track (Netherset Hey Lane), including all those mines and minerals beneath being part of HM Land Registry title number SF310775 |
| 125208 | All those interests in 65078.07 square metres, or thereabouts, of agricultural land, hedgerow, copse and public footpaths (Madeley 14 and Whitmore 6), (Netherset Hey Farm), including all those mines and minerals beneath being part of HM Land Registry title number SF200022 |
| 125735 | All those interests in 465.77 square metres, or thereabouts, of agricultural land and hardstanding (Netherset Hey Lane), including all those mines and minerals beneath being part of HM Land Registry title number SF200540 |
| 125736 | All those interests in 2724.74 square metres, or thereabouts, of agricultural land and access track (Netherset Hey Lane), including all those mines and minerals beneath being part of HM Land Registry title number SF200540 |
| 125738 | All those interests in 306539.96 square metres, or thereabouts, of agricultural land, access tracks, drain, hedgerows, copse, pond and public footpath (Madeley 14), (Netherset Hey Lane), including all those mines and minerals beneath being part of HM Land Registry title number SF397271 |
| 127868 | All those interests in 9065.19 square metres, or thereabouts, of agricultural land and grassland (Moor Hall Farm), including all those mines and minerals beneath being part of HM Land Registry title number SF342404 |

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

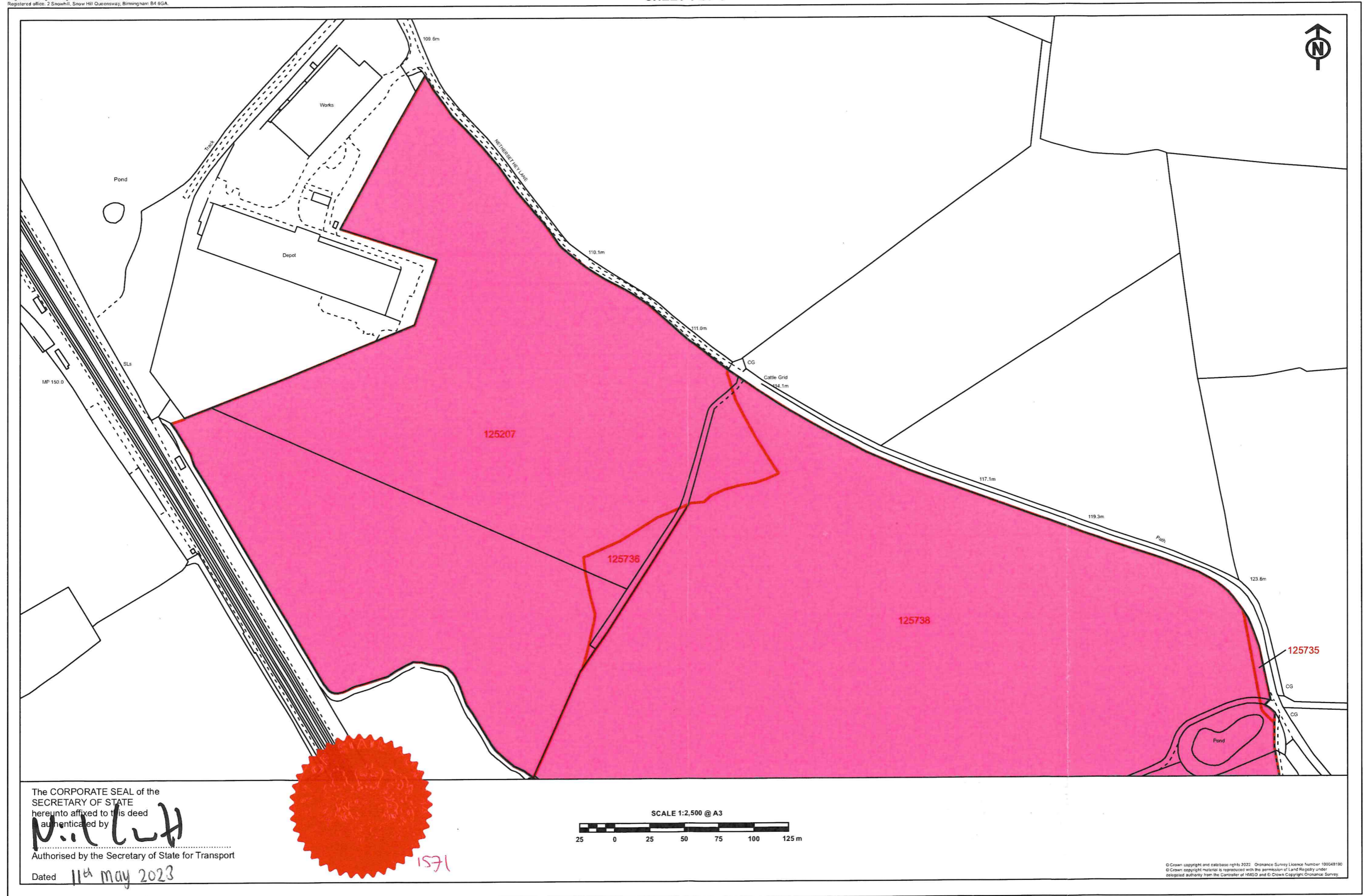
Neil Cuthbert

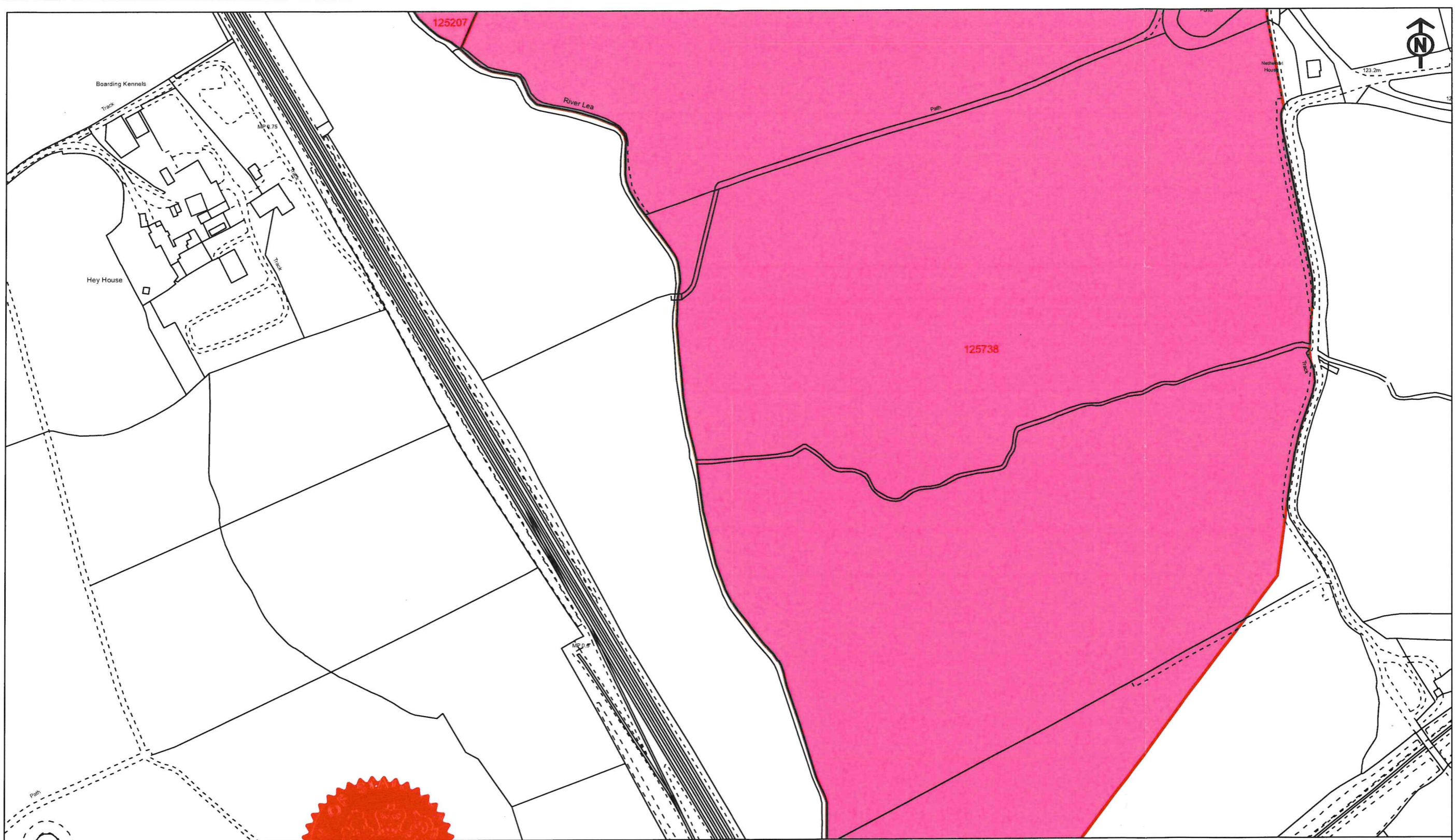
Authorised Signatory

Dated: 11th May 2023

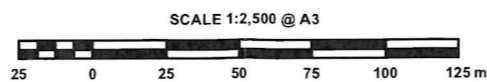
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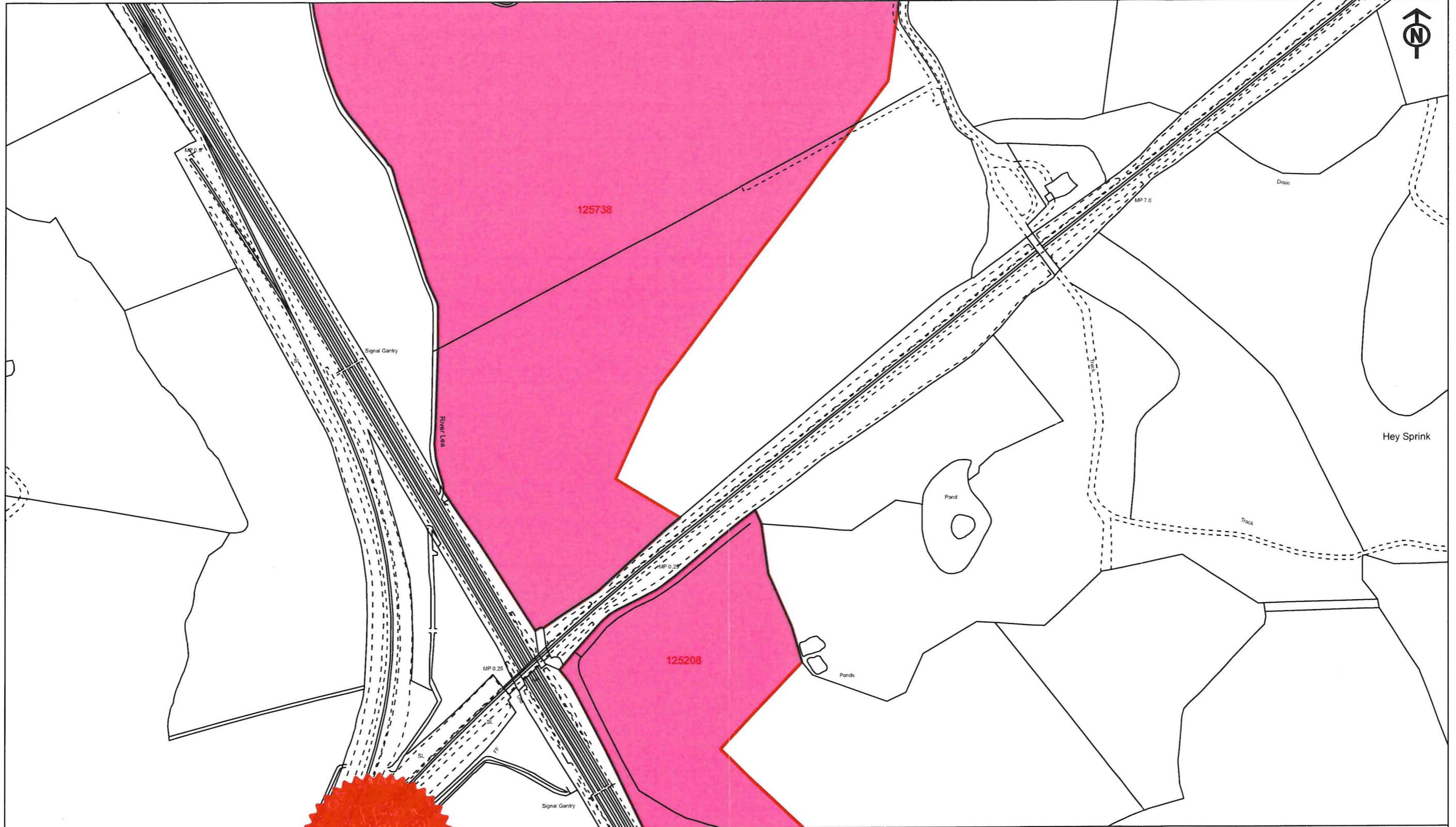






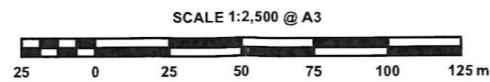
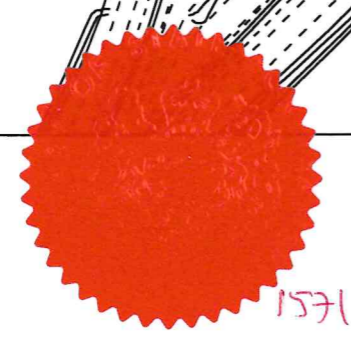
The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
M. J. L. H.
Authorised by the Secretary of State for Transport
Dated 11th May 2023

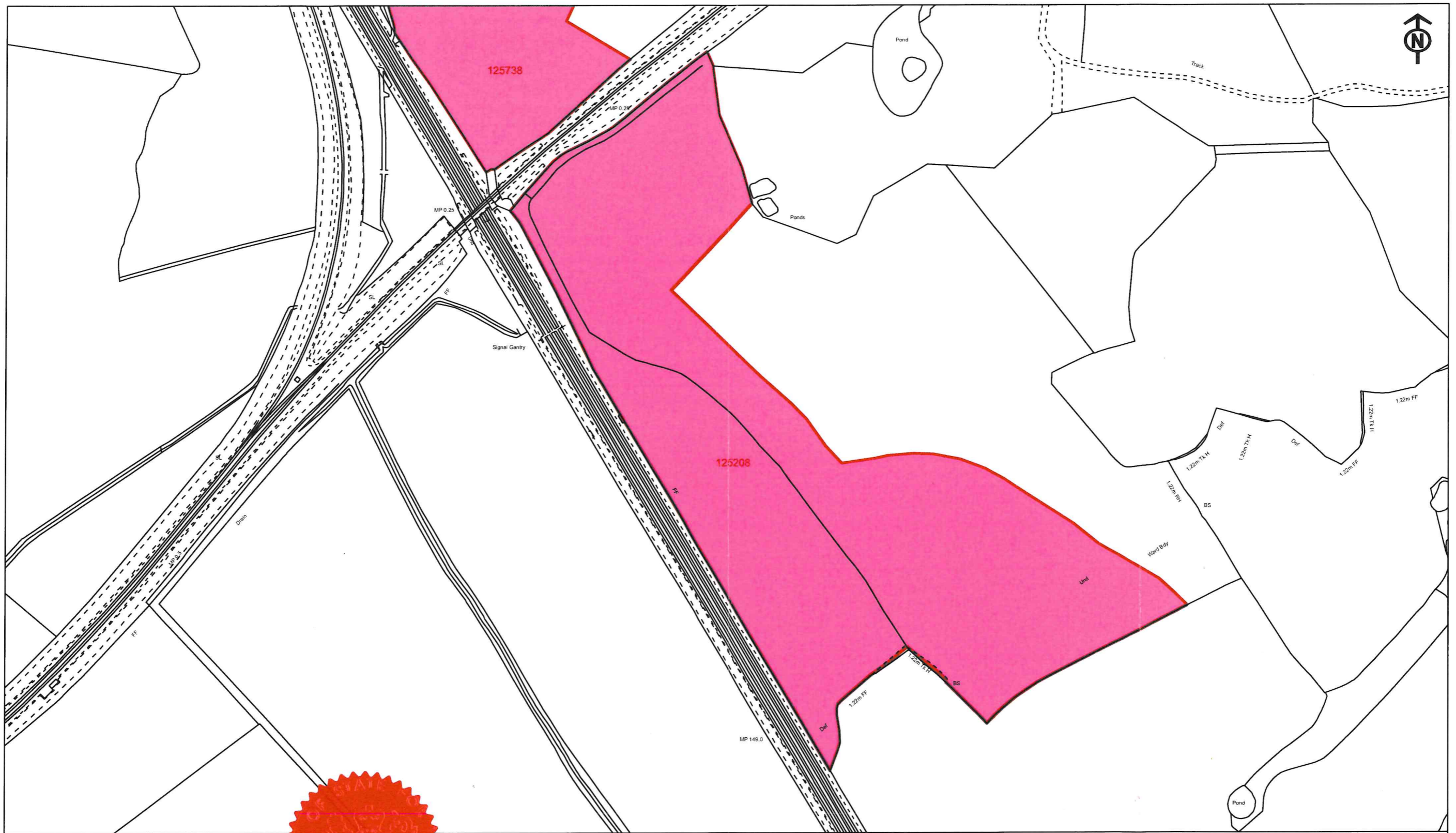




The CORPORATE SEAL of the
SECRETARY OF STATE
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is authenticated by
Neil Leth
Authorised by the Secretary of State for Transport

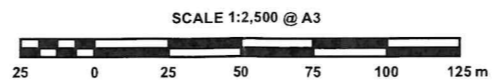
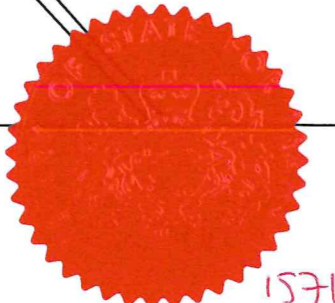
Dated 11th May 2023

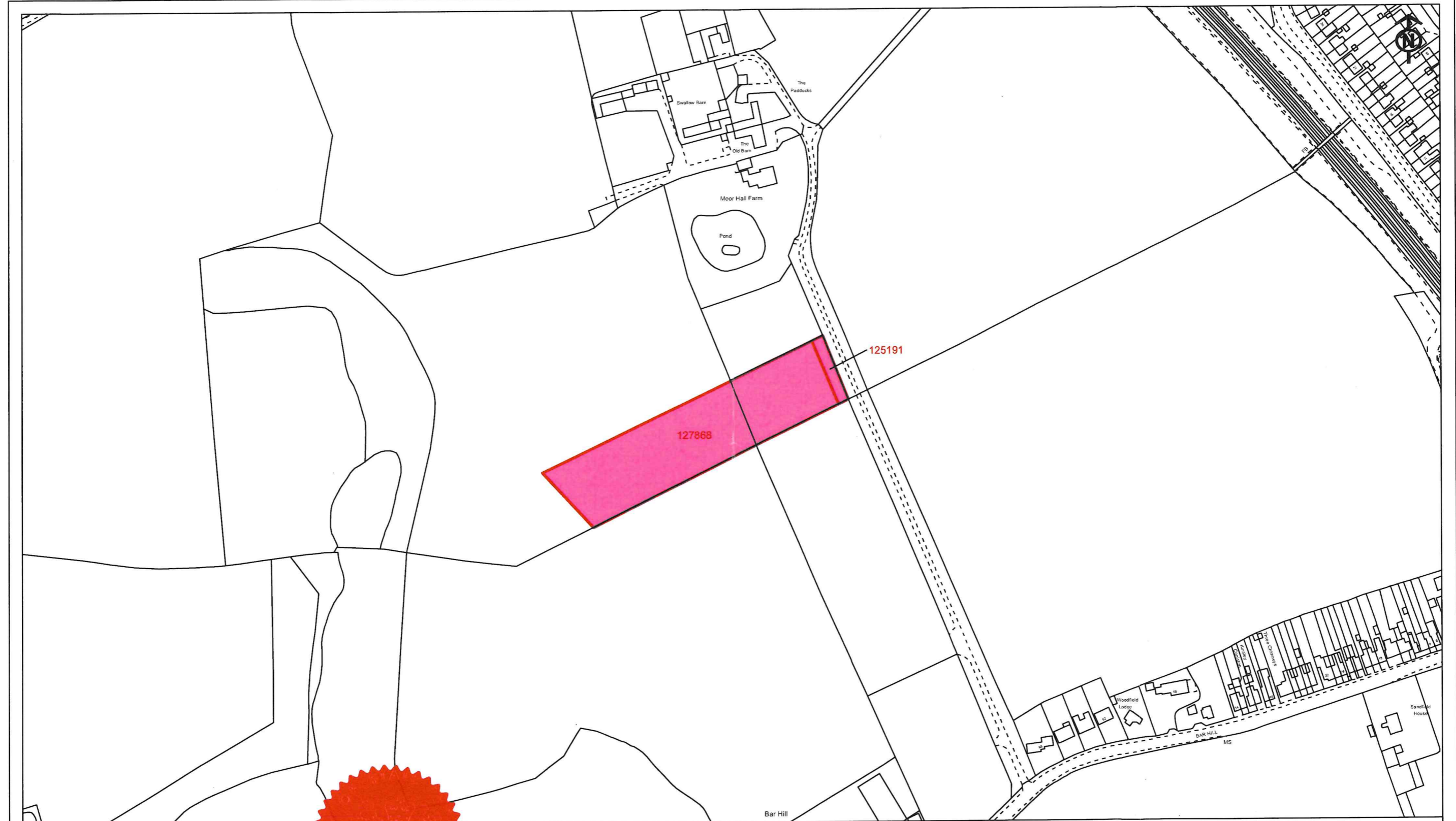




The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
N. J. L. H.
Authorised by the Secretary of State for Transport

Dated *11th May 2023*





The CORPORATE SEAL of the
SECRETARY OF STATE
hereunto affixed to this deed
is authenticated by
M. L. H.
Authorised by the Secretary of State for Transport

Dated 11th May 2023

