

GENERAL VESTING DECLARATION

This **GENERAL VESTING DECLARATION** is executed on the *15* day of *December* 2022 by the Environment Agency ("the Agency").

WHEREAS:

(1) On 12th December 2017 an order entitled the Boston Barrier Order 2017 ("the Order)" was made by the Secretary of State for Environment, Food and Rural Affairs under the powers conferred on him by sections 3(1)(b) and 5 of and paragraphs 1 to 5, 7, 8, 10, 11, 13 and 15 to 17 of Schedule 1 to the Transport and Works Act 1992 and by article 2 of the Transport and Works (Descriptions of Works Interfering with Navigation) Order 1992. The Order authorises the Agency to acquire the land and new rights specified in the Schedule hereto. The Order came into force on 2nd January 2018.

(2) Article 33 of the Order applies the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act"), with modifications, as if the Order were a compulsory purchase order.

NOW THIS DEED WITNESSETH that, in exercise of the powers conferred on them by section 4 of the Act, the Agency hereby declares –

1. The land and new rights described in Part 1 of the Schedule hereto (being part of the land and new rights authorised to be acquired by the Order) and more particularly delineated shaded pink, shaded pink and hatched and shaded yellow on the plan annexed hereto, together with the right to enter and take possession of the land and new rights shall vest in the Agency as from the end of the period of 3 months from the date on which the service of notices required by section 6 of the Act is completed.

2. For the purposes of section 2(2) of the Act, the specified period in relation to each area of land specified in column 1 of Part 2 of the Schedule hereto is that stated with respect to that area in column 2.

SCHEDULE

PART 1

Number on map of the Order	Extent, description and situation of the land and new rights
33	A right of access for all reasonable purposes connected with exercise of the Environment Agency's rights, powers, functions and duties arising under or imposed by the Environment Act 1995, the Water Resources Act 1991 or the Boston Barrier Order 2017 or any other legislation over all interests except for those of Lincolnshire County Council in 596.63 square metres, or thereabouts of grassland, river embankment, public footpath (14/2 and 14/12) known as Macmillan Way, Boston.
34	All interests except those of Lincolnshire County Council in 32.04 square metres, or thereabouts of grassland, embankment of The Haven and public footpath (14/2) known as Macmillan Way, Boston.
35	All interests in 607.39 square metres, or thereabouts of grassland, river embankment and public footpath (14/2 and 14/12) known as Macmillan Way, Boston.
39	All interests except those of Port of Boston Limited, Western Power Distribution (West Midlands) plc and Anglian Water Services Limited in 67.50 square metres, or thereabouts, of grassland, including part of river jetty and river embankment of The Haven, Boston.
40	All interests except those of Anglian Water Services Limited and Port of Boston Limited in 51.92 square metres, or thereabouts of land forming part of river bed, grassland, including river jetty on the embankment of The Haven, Boston.
40a	All interests except those of Anglian Water Services Limited in 7.80 square metres, or thereabouts of grassland, river embankment and public footpath (14/2 and 14/12) known as Macmillan Way, Boston.
41	A right of access for all reasonable purposes connected with exercise of the Environment Agency's rights, powers, functions and duties arising under or imposed by the Environment Act 1995, the Water Resources Act 1991 or the Boston Barrier Order 2017 or any other legislation over all interests except for those of Penguin Foods UK Limited in 671.04 square metres, or thereabouts of grassland, outfall pipe and river embankment of The Haven, Boston.
42	All interests except those of Lincolnshire County Council in 698.34 square metres, or thereabouts of grassland and river embankment of The Haven, Boston.

43	Mines and minerals in 9846.13 square metres, or thereabouts of river embankment of The Haven, grassland, gated access way to river jetty, outfall pipe, steps leading to rear of properties along Wyberton Low Road, part of premises known as Black Sluice Lock and public footpath (14/1) known as Macmillan Way, Boston.
59	A right to construct Work No 4A in Schedule 1 of the Boston Barrier Order 2017 on, in and under the land and a right to maintain the said work on, in or under the land over all interests except those of Port of Boston Limited in 759.45 square metres, or thereabouts of land and forecourt storage area fronting depot known as Frontier within the Port of Boston
67	Mines and minerals in 605.05 square metres, or thereabouts of land forming part of river bed of The Haven and River Witham, Boston.
68	Mines and minerals in 235.54 square metres, or thereabouts of land forming part of river bed of The Haven and River Witham, Boston.

PART 2

Number on map of the Order (1)	Specified Period (2)
None	None

Dated this 15 day of December 2022

THE COMMON SEAL of the
ENVIRONMENT AGENCY
was hereto affixed in the presence of:-

G. P. P. P.

G. P. P. P.

Director of legal services.

