

The Secretary of State may make such variations to the section 36 consent as appear to him to be appropriate. He may also direct that deemed planning permission be granted or that the existing deemed planning permission be varied. (3348404)

**TRANSPORT**



**HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017  
COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981  
TO: PERSONS HAVING A RELEVANT INTEREST IN THE LAND  
DESCRIBED IN THE SCHEDULE HERETO**

1. The High Speed Rail (London – West Midlands) Act 2017 (“the High Speed Rail Act”) received Royal Assent on 23 February 2017.
2. The Secretary of State for Transport (the “Acquiring Authority”) is authorised under section 4 of the High Speed Rail Act to exercise powers under section 4(1) of the High Speed Rail Act 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. By virtue of section 4(4) of the High Speed Rail Act, the Compulsory Purchase (Vesting Declarations) Act 1981 (“the 1981 Act”) applies as if the High Speed Rail Act were a compulsory purchase order.
4. Pursuant to section 3A of the 1981 Act<sup>2</sup> before making a general vesting declaration (“GVD”) under section 4 of the 1981 Act the Acquiring Authority shall, in a notice which is (a) given to every person with a relevant interest in the land with respect to which a declaration is to be made (other than a mortgagee who is not in possession); and (b) published in the London Gazette, include the particulars in section 3A(3) of the 1981 Act<sup>3</sup>.
5. Notice is hereby given pursuant to Section 3A of the 1981 Act<sup>4</sup> of the Statement of the Effect of Parts 2 and 3 of the 1981 Act which provides an explanation of the process for and the effect of a GVD in respect of the land described in Schedule 1 hereto.

**SCHEDULE 1  
DISTRICT OF STRATFORD-ON-AVON**

(1) Plot No	(2) Description
49682	All interests in 58473.8 square metres, or thereabouts, of agricultural land, hedgerows and public footpath (SM101) (Manor Farm)
49684	All interests in 4214.6 square metres, or thereabouts, of agricultural land (Stoneton)
49686	All interests in 3597.2 square metres, or thereabouts, of agricultural land and pond (Stoneton Manor Farm)
49687	All interests in 255.4 square metres, or thereabouts, of access track and verges (Lower New House Farm)
49690	All interests in 40515.2 square metres, or thereabouts, of agricultural land, hedgerows and public bridleway (SM116) (Wormleighton)
49692	All interests in 2370.2 square metres, or thereabouts, of public road and verges (Wormleighton Road)
49709	All interests in 84541.6 square metres, or thereabouts, of agricultural land, hedgerows, woodland and public footpath (SM101) (Manor Farm)

(1) Plot No	(2) Description
49710	All interests in 41300.6 square metres, or thereabouts, of agricultural land, hedgerows and public footpath (SM101) (Manor Farm)
49987	All interests in 765.1 square metres, or thereabouts, of public road and verges (Wormleighton Road)

**DISTRICT OF SOUTH NORTHAMPTONSHIRE**

(1) Plot No	(2) Description
49988	All interests in 197.7 square metres, or thereabouts, of public road and verges (Wormleighton Road)

**SCHEDULE 2**

**PART 1  
STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE  
COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981  
POWER TO EXECUTE A GENERAL VESTING DECLARATION**

1. The Acquiring Authority may acquire any of the land described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (“the 1981 Act”). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in the Acquiring Authority at the end of the period mentioned in paragraph 2 below.

**NOTICES CONCERNING GENERAL VESTING DECLARATION**

2. As soon as may be after the Acquiring Authority executes a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in the Acquiring Authority together with the right to enter on the land and take possession of it. Every person on whom the Acquiring Authority could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

3. The “vesting date” for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the 1981 Act<sup>5</sup> within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

**MODIFICATIONS WITH RESPECT TO CERTAIN TENANCIES**

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a “minor tenancy”, i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or “a long tenancy which is about to expire”. The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

5. The modifications are that the Acquiring Authority may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless the Acquiring Authority first serves notice to treat in respect of the tenancy and then serves every occupier of the land with a notice of intention to enter and take possession after the period (not less than 14 days<sup>6</sup> from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.