

minerals comprised 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 mines and minerals comprised in the Land, with interest on the compensation from the vesting date.

3. The “vesting date” for any mines and minerals comprised in the 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 mines and minerals comprised in 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 mines and minerals comprised in 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.

**PROVISION OF INFORMATION**

Every person who, if a general vesting declaration were made in respect of all the freehold mines and minerals comprised in the Land authorised to be acquired by the Acquiring Authority pursuant to the High Speed Rail (London – West Midlands) Act 2017 (other than mines and minerals in respect of which notice to treat has been given), would be entitled to claim compensation in respect of any such mines and minerals, is invited to give information to the Acquiring Authority in the prescribed form with respect to his name and address and the land in question. The relevant prescribed form is set out below.

Dated 17 November 2021

Mike Hickson OBE

Director of Land & Property

**High Speed Two (HS2) Limited as Agent for and on behalf of the Secretary of State for Transport**

**PART 2**

**FORM FOR GIVING INFORMATION**

To: Head of Land Assembly

Land & Property Directorate

High Speed Two (HS2) Limited

Two Snowhill

Snowhill Queensway

Birmingham, B4 6GA

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all of the freehold mines and minerals comprised within the Land together with the right to win and work them and all related ancillary rights, comprised in the compulsory purchase order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all][part of] that freehold mines and minerals comprised in the Land, give you the following information, pursuant to the provisions of Section 3A<sup>7</sup> of the Compulsory Purchase (Vesting Declarations) Act 1981.

**1. NAME AND ADDRESS OF INFORMANT(S)<sup>1</sup>**

.....  
 .....  
 .....

**2. LAND IN WHICH AN INTEREST IS HELD BY INFORMANT(S)<sup>2</sup>**

.....  
 .....

**3. NATURE OF INTEREST<sup>3</sup>**

.....  
 .....

Signed .....

(on behalf of.....)

Date .....

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<sup>1</sup> In the case of a joint interest, insert the names and addresses of all of the informants.

<sup>2</sup> The land should be described concisely.

<sup>3</sup> If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other encumbrance, details should be given (e.g. name of building society and roll number).

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

<sup>2</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.

<sup>3</sup> As amended by the High Speed Rail Act.

<sup>4</sup> As amended by the High Speed Rail Act.

<sup>5</sup> Schedule A1 to the 1981 Act as amended by section 11 of and paragraph 6 of Schedule 14 to the High Speed Rail Act.

<sup>6</sup> Section 9 of the 1981 Act as modified by paragraph 3(d) of Schedule 6 to the High Speed Rail (London - West Midlands) Act 2017 as substituted by section 11 of, and paragraph 6 of Schedule 14 to, that Act.

<sup>7</sup> Section 3A of the 1981 Act as inserted by paragraph 3(a) of Schedule 6 to the High Speed Rail (London – West Midlands) Act 2017 as substituted by section 11 of, and paragraphs 6 and 7 of Schedule 14 to, that Act. (3931516)



**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 SCHEDULE 1 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. By virtue of paragraph 4(2) of Schedule 6 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 or 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.