

ENVIRONMENT & INFRASTRUCTURE

TRANSPORT



HIGH SPEED RAIL (WEST MIDLANDS - CREWE) ACT 2021 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 (West Midlands - Crewe) Act 2021 ("the High Speed Rail Act") received Royal Assent on 11 February 2021.
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 2a purposes¹.
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 Act² 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 Act³.
5. Notice is hereby given pursuant to Section 3A of the 1981 Act⁴ 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 BOROUGH OF CHESHIRE EAST

(1) Plot No.	(2) Description
127842	All interests in 41100.59 square metres, or thereabouts, of agricultural land and public footpaths (Chorlton FP3 and Hough FP11), (Waybutt Lane)
127844	All interests in 90467.29 square metres, or thereabouts, of agricultural land, drain, access track, copse and public footpaths (Chorlton FP12 and FP13), (Chorlton Dairy Farm)
127845	All interests in 41089.25 square metres, or thereabouts, of agricultural land, woodland and public footpath (Chorlton FP13), (Jubilee Farm) excluding any interests held by Secretary of State for Transport
127847	All interests in 2088.70 square metres, or thereabouts, of public road, hardstanding and verges (Chorlton Lane)
127849	All interests in 423.68 square metres, or thereabouts, of garden and hedgerow (Lane End Farm)

(1) Plot No.	(2) Description
127850	All interests in 187.43 square metres, or thereabouts, of woodland and garden (2 New Cottages, Chorlton Lane) excluding any interests held by Secretary of State for Transport
127851	All interests in 3.88 square metres, or thereabouts, of garden (1 New Cottages, Chorlton Lane) excluding any interests held by Secretary of State for Transport
127852	All interests in 11281.66 square metres, or thereabouts, of agricultural land, access splay, gardens, hardstanding and hedgerow (Chorlton Dairy Farm House) excluding any interests held by Secretary of State for Transport
127855	All interests in 495.42 square metres, or thereabouts, of agricultural land, watercourse (Swill Brook) and public footpath (Chorlton FP3), (Waybutt Lane)
127856	All interests in 5207.86 square metres, or thereabouts, of agricultural land, hedgerow and public footpath (Chorlton FP9), (Jubilee Farm) excluding any interest held by Secretary of State for Transport

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 Act⁵ 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