

**DATED**

**15 March 2021**

**HIGHWAYS ENGLAND COMPANY LIMITED**

**THE A303 SPARKFORD TO ILCHESTER DUALLING DEVELOPMENT CONSENT ORDER 2021  
GENERAL VESTING DECLARATION No. 1**

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**THIS GENERAL VESTING DECLARATION** is made the 15th day of March 2021

**BY**

**HIGHWAYS ENGLAND COMPANY LIMITED** (the "Authority").

**WHEREAS**

- (A) On 29 January 2021 an order entitled The A303 Sparkford to Ilchester Dualling Development Consent Order 2021 ("the Order") was made by the Secretary of State for Transport under the powers conferred on him by sections 114, 115, 117, 120, 122, 123, 135 and 138 of, and paragraphs 1 to 3, 10 to 17, 19 to 23, 26, 33, 36 and 37 of Part 1 of Schedule 5 to the Planning Act 2008 ("2008 Act") authorising the Authority to acquire the land and rights specified in the Schedules hereto.
- (B) Notice of authorisation of compulsory acquisition was first published in accordance with section 134 of the 2008 Act on 5 February 2021.
- (C) The notice included the statement and form prescribed under section 134(7) of the 2008 Act, and specified the period of not less than 3 months beginning with the date of its first publication as the period before the end of which this general vesting declaration ("Declaration") could not be executed.
- (D) Article 30(1) of the Order provides that the Compulsory Purchase (Vesting Declarations) Act 1981 ("the 1981 Act") shall apply as if the Order were a compulsory purchase order and Article 30(2) provides that the 1981 Act shall have effect subject to modifications.

**NOW THIS DEED WITNESSETH** that in exercise of the powers conferred on it by section 4 of the 1981 Act, as applied by Article 30(1) of the Order, the Authority hereby declares:

- 1. The land described in the Second Schedule hereto (being part of the land authorised to be acquired by the Order) and more particularly delineated red and coloured pink on the plan annexed hereto, together with the right to enter upon and take possession of the land, save for any interests in the land belonging to any Excluded Persons set out in the Fourth Schedule, shall vest in the Authority 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 1981 Act is completed.
- 2. Save insofar that they comprise or affect interests of Excluded Persons the rights specified in column 3 of the Third Schedule hereto (being rights authorised to be acquired over land by the Order) and more particularly delineated red and coloured blue on the plan annexed hereto, together with the right to enter upon and take possession of the land for the purpose of exercising such rights in relation to the Plots of land specified in column (1) of the Third Schedule and described in column (2), shall vest in the Authority 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 1981 Act is completed.
- 3. Each Vested Right shall so vest in and be exercisable by the Authority for the benefit of each and every part of this Project and the corporeal and incorporeal property comprised in the business undertaking of the Authority to the intent that the Vested Rights may be exercised by both the Authority and by its successors in title, assigns, lessees and those deriving title from them and all persons authorised by any of these in respect of the whole or any part of such property whether it is comprised in the business undertaking of the Authority or the business undertaking of any successor in title or assign and for the purposes of the construction, operation and maintenance thereof.
- 4. 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.

5. In this Declaration wherever the context permits:
- a. the headings are for convenience only and do not affect the interpretation of this Declaration;
  - b. the capitalised terms appearing in this Declaration (including the Schedules) have the respective meanings assigned to them in the First Schedule;
  - c. reference to any statute or section of any statute includes a reference to any statutory amendments, modification or re-enactment thereof for the time being in force and to every instrument, order, direction, regulation, bye-law, commission, licence, consent, condition, scheme or other such matter made under or pursuant to statute;
  - d. words importing the singular include the plural and vice-versa and wording importing gender includes any other gender;
  - e. references to persons includes persons, firms and companies;
  - f. the word 'including' means including but without limitation;
  - g. the words 'in particular' means in particular but without prejudice to the generality of the preceding wording;
  - h. references to a particular Schedule are to the relevant Schedule of this Declaration.
6. The Authority hereby requests the Chief Land Registrar to note the benefit of the rights specified in column 3 of the Third Schedule hereto acquired by the Authority on the property registers of the Owner's Title relating to that Plot as soon as possible following the Vesting Date and where the Plot is unregistered land to note a caution against first registration in respect of such Plot.

EXECUTED as a DEED	)
By affixing the common seal of	)
HIGHWAYS ENGLAND COMPANY LIMITED	)
	)
	)
.....	)
Director or Authorised Signatory	)
	)
	)
.....	)
Director or Company Secretary or Authorised	)
Signatory	)
	)

### FIRST SCHEDULE

Term	Meaning
Excluded Persons	All and any of the persons listed in the Fourth Schedule and (in relation to the relevant Plot) those persons (if any) listed in column 4 of the Third Schedule
Owner	An owner and/or lessee of an interest in a Plot other than an Excluded Person
Plan	Plan reference GVD 1
Plot	A plot of land with the number specified in column 1 of the Second and Third Schedules and described in column 2 of the Second and Third Schedules
Project	The development authorized by The A303 Sparkford to Ilchester Dualling Development Consent Order 2021 to be undertaken by the Authority
Vesting Date	The end of the period of 3 months from the date which service of the notices required by section 6 of the 1981 Act is completed
Vested Rights	The new rights vested in the Authority by virtue of this declaration

### SECOND SCHEDULE

(1) Plot	(2) Land description
3/2b	All interests and rights in land to be acquired and used permanently in approximately 51292.96 square metres of agricultural land located to the south of Slate Lane and to the east of The Spinney, West Camel, Yeovil
5/1c	All interests and rights in land to be acquired and used permanently of approximately 62921.32 square metres of agricultural land, advertising board and access track adjoining existing A303 highway at Steart Hill Farm, Steart Hill, West Camel, Yeovil
5/2a	All interests and rights in land to be acquired and used permanently of approximately 2021.05 square metres of highway land and verge of the existing A303 at West Camel and to the north of Crusty Cottage, West Camel, Yeovil, except those already owned by the Acquiring Authority

5/2d	All interests and rights in land to be acquired and used permanently of approximately 323.42 square metres of highway land and verge of the existing A303 at West Camel, Yeovil, except those already owned by the Acquiring Authority
5/3c	All interests and rights in land to be acquired and used permanently of approximately 27.92 square metres of land and access track with overhead electricity cable off Steart Road, West Camel, Yeovil
5/3e	All interests and rights in land to be acquired and used permanently of approximately 210.52 square metres of public highway known as Steart Lane, West Camel, Yeovil
5/3f	All interests and rights in land to be acquired and used permanently of approximately 1705.55 square metres of overhead electricity cables and land and verge of public highway known as Howell Hill located to the south of dwelling known as Bromar, West Camel, Yeovil
5/9a	All interests and rights in land to be acquired and used permanently of approximately 20631.98 square metres of grazing land with overhead electricity cables to the north of Coneygore Farm, Howell Hill, West Camel, Yeovil

**THIRD SCHEDULE**

<b>(1) Plot No.</b>	<b>(2) Description of Plot</b>	<b>(3) Rights vested</b>	<b>(4) Excluded Persons</b>
3/2a	Approximately 1371.30 square metres of agricultural land to the south of Slate Lane and to the north east of The Spinney, Plowage, West Camel, Yeovil	A right to construct, operate, access and maintain a way suitable for use by public by bicycle and as a bridleway, including access with or without vehicles plant and machinery and to designate that way as a Public Right of Way and allow public access over it and to transfer responsibility of maintenance of the way to Somerset County Council	
4/7a	Approximately 813.81 square metres of agricultural land north of the existing A303 and to the south west of The Spinney, Plowage, West Camel, Yeovil	A right to construct, operate, access and maintain a way suitable for use by public by bicycle and as a bridleway, including access with or without vehicles plant and machinery and to designate that way as a Public Right of Way and allow public access over it and to transfer responsibility of maintenance of the way to Somerset County Council	
5/1b	Approximately 255.57 square metres of agricultural land at Steart Hill Farm, Steart Hill, West Camel, Yeovil	A right to construct, operate, access and maintain a way suitable for use by public by bicycle and as bridleway, including access with or without vehicles plant and machinery and to designate that way as a Public Right of Way and allow public access over it and to transfer responsibility of maintenance of the way to Somerset County Council	
5/9b	Approximately 1670.65 square metres of grazing land with overhead electricity cables to the north of Coneygore Farm, Howell Hill, West Camel, Yeovil	A right to construct, divert, use and maintain utility connections and equipment including telecommunication cables, electric cables, water and sewerage pipes, equipment and apparatus including access with or without vehicles	SSE PLC

**The plot numbers above relate to the plot numbers shown on the plans for GVD 1 accompanying this Declaration.**

## **FOURTH SCHEDULE**

### **EXCLUDED PERSONS**

Sky Telecommunications Services Limited

Virgin Media Limited

Level 3 Communications Limited

CenturyLink Limited

Instalcom Limited

O'Connor Utilities Limited

Wessex Water Services Limited

British Telecommunications Plc

Openreach Limited

SSE PLC