

**DATED**

*6<sup>th</sup> April*

**2021**

**HIGHWAYS ENGLAND COMPANY LIMITED**

**THE A303 SPARKFORD TO ILCHESTER DUALLING DEVELOPMENT CONSENT ORDER 2021  
GENERAL VESTING DECLARATION No. 5**

# THE A303 SPARKFORD TO ILCHESTER DUALLING DEVELOPMENT CONSENT ORDER 2021

## GENERAL VESTING DECLARATION No. 5

THIS GENERAL VESTING DECLARATION is executed on the 6<sup>th</sup> day of April 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) That notice included a statement of the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("1981 Act") as prescribed by section 134 of the 2008 Act.
- (D) Article 30(1) of the Order provides that 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. Save any interests of Excluded Persons, 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 Plans annexed hereto, together with the right to enter upon and take possession of the land shall vest in the Authority as from the Vesting Date.
- 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) together with the right to exercise such rights shall, in relation to the Plots of land specified in column 1 and described in column 2 of the Third Schedule and more particularly delineated red and coloured blue on the Plans annexed hereto, vest in the Authority as from the Vesting Date.
- 3. Each Vested Right shall so vest in and be exercisable by the Authority for the benefit of each and every part of the 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. 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 register 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.

## 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
Plans	the plans referenced General Vesting Declaration no.5 annexed hereto
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 authorised by The A303 Sparkford to Ilchester Dualling Development Consent Order 2021 to be undertaken by the Authority
Vested Rights	the new rights vested in the Authority by virtue of this declaration
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



**SECOND SCHEDULE**  
**LAND TO BE ACQUIRED**

(1) Plot No.	(2) Description of Land
4/1h	All interests and rights in land to be acquired and used permanently of approximately 1313.56 square metres of unclassified D Road and access track to agricultural field located to the south east of Downhead Manor Farm and to the south west of the Spinney, West Camel, Yeovil
4/1k	All interests and rights in land to be acquired and used permanently of approximately 4769.03 square metres of existing highway known as the A303 at west of Canegore Corner, south east of dwelling known as The Spinney and to the south west of dwelling known as Bromar, West Camel, Yeovil
4/3g	All interests and rights in land to be acquired and used permanently of approximately 3.23 square metres of highway land and verge of the existing A303 east of Camel Cross, West Camel, Yeovil, except those already owned by the Authority
4/4a	All interests and rights in land to be acquired and used permanently of approximately 45693.82 square metres of agricultural land, public right of way with overhead electricity cables to the south east of Annis Hill Farm, Downhead, West Camel, Yeovil
4/4e	All interests and rights in land to be acquired and used permanently of approximately 49.86 square metres of agricultural land and public right of way to the east of Annis Hill Farm, Downhead, West Camel, Yeovil
4/5c	All interests and rights in land to be acquired and used permanently of approximately 101.17 square metres of agricultural land at Downhead Manor Farm to the west of dwelling known as The Spinney, West Camel, Yeovil
4/5d	All interests and rights in land to be acquired and used permanently of approximately 562.99 square metres of agricultural land to the south east of Downhead Manor Farm to the west of dwelling known as The Spinney, West Camel, Yeovil
4/8a	All interests and rights in land to be acquired and used permanently of approximately 7544.12 square metres of agricultural land to the east of The Hollies, Plowage Lane, West Camel, Yeovil

4/8d	All interests and rights in land to be acquired and used permanently of approximately 2765.78 square metres of agricultural land and access tracks to field off the existing A303 highway located to the west of West Camel Methodist Church, West Camel, Yeovil
5/4d	All interests and rights in land to be acquired and used permanently of approximately 5048.97 square metres of agricultural land to the east of West Camel Methodist Church, West Camel, Yeovil

**THIRD SCHEDULE**  
**RIGHTS TO BE ACQUIRED**

(1) Plot No.	(2) Description of Plot	(3) Rights vested	(4) Excluded Persons
4/4b	Approximately 9129.80 square metres of agricultural land, public right of way with overhead electricity cables to the east of Annis Hill Farm, Downhead, West Camel, Yeovil	A right to designate the road to be formed on part of the Plot as public highway open to vehicular traffic, to transfer responsibility for maintenance of the public highway so designated to Somerset County Council and to construct, divert, use and maintain utility connections and equipment including electric cables, equipment and apparatus including access with or without vehicles	SSE Plc; and  Wessex Water Services Limited
4/4g	Approximately 289.14 square metres of agricultural land to the 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	
4/8b	Approximately 98.54 square metres of agricultural land to the east of The Hollies, Plowage Lane, West Camel, Yeovil	A right to construct, operate and maintain a drainage outfall including access with or without vehicles	

**The plot numbers above relate to the plot numbers shown on the Plans 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



EXECUTED as a DEED  
By affixing the common seal of  
HIGHWAYS ENGLAND COMPANY LIMITED

*Nicholas Freeman* *N Freeman*

.....  
Director or Authorised Signatory

*[Signature]* *J. J. [Signature]*

.....  
Director or Company Secretary or Authorised  
Signatory



*2021/623*