

DATED 24 October **2023**

NATIONAL HIGHWAYS LIMITED

THE A428 BLACK CAT TO CAXTON GIBBET DEVELOPMENT CONSENT ORDER 2022

GENERAL VESTING DECLARATION No. 2

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This **GENERAL VESTING DECLARATION** is executed on 24 October 2023 by National Highways Limited (company number: 09346363) ("**the Authority**").

WHEREAS:

- (1) On 18 August 2022 an order entitled the A428 Black Cat to Caxton Gibbet Development Consent Order 2020 ("the Order") was made by the Secretary of State for Transport under the powers conferred on him by sections 114, 115, 117, 120, 122 and 123 of, and paragraphs 1 to 3, 10 to 15, 17, 19 to 23, 26, 33, 36 and 37 of Part 1 of Schedule 5 to the Planning Act 2008 ("the 2008 Act") authorising the Authority to acquire the land specified in column 1 of, and described in column 2 of, the First Schedule hereto.
- (2) Notice of the authorisation of compulsory acquisition was first published in accordance with section 134 of the 2008 Act on 1 September 2022.
- (3) That notice included the statement and form prescribed under section 134(7)(cza) (i) and (iii) of the 2008 Act.
- (4) Article 34(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 34(2) provides that the 1981 Act shall have effect subject to modifications.

NOW THIS DEED WITNESSETH that, in exercise of the powers conferred on them by section 4 of the 1981 Act, as applied by Article 34(1) and modified by Article 34(2) of the Order the Authority hereby declare-

1. The land specified in column 1 of, and described in column 2 of, Part 1 of the First 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(s) annexed hereto, together with the right to enter and take possession of the land shall, save for any interests in the land belonging to any of the excluded persons (being those persons detailed in the Second Schedule hereto), 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 complete.
2. The rights specified in column 3 of Part 2 of the First Schedule hereto, over the land specified in column 1 of, and described in column 2 of, Part 2 of the First Schedule hereto (being part of the land authorised to be acquired by the Order) and more particularly delineated red and coloured blue on the plan(s) annexed hereto, together with the right to enter and take possession of the rights, save for any interests in the land belonging to any of the excluded persons (being those persons detailed in the Second Schedule hereto), 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 complete.
3. 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.

FIRST SCHEDULE

Part 1 – Land to be acquired

(1) Plot No.	(2) Description of the Land	(3) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
1/43a	All interests in approximately 456 square metres of land being grassland, trees, shrubbery and private track; north of Green Acres and east of Great North Road, A1, Roxton, Bedford.	BD54184
1/43c	All interests in approximately 4,923 square metres of land being grassland, trees, shrubbery and private track; east of Great North Road, A1 and south of Green Acres, Roxton, Bedford.	BD253658
1/43e	All interests in approximately 45,453 square metres of land being quarry, grassland, scrubland, private track, trees, lake (restored quarry land), drains and shrubbery; east of Green Acres and west of River Great Ouse, Roxton, Bedford.	BD54184 BD96162 BD253658
3/4a	All interests in approximately 128 square metres of land being quarry, trees and shrubbery; south of 10 Great North Road and west of the River Great Ouse, Chawston, Bedford.	BD253658

Part 2 – New rights to be acquired

(1) Plot No.	(2) Description of the Land	(3) Rights to be acquired	(4) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
1/43b	Approximately 402 square metres of land being grassland, trees, shrubbery and private track; north of Green Acres and east of Great North Road, A1, Roxton, Bedford	<p>All necessary rights for the Authority, its lessees, licensees, successors in title, assigns and those authorised by any of these, and any statutory undertaker (including UK Power Networks (Operations) Limited, Newington House, 237 Southwark Bridge Road, London, SE1 6NP and Anglian Water Services Limited, Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6XU), as may be required in relation to the development authorised by the A428 Black Cat to Caxton Gibbet Development Consent Order 2022 ("the Order") (Work No. 9, 15 and 21):</p> <p>(1) To pass and repass with or without plant and vehicles and including access to highways; and</p> <p>(2) To install, place, divert, alter, underground, remove, retain, use, monitor and maintain apparatus including mains, sewers, drains, soakaways, pipes, cables, conduits, lights and electronic communications apparatus, together with associated infrastructure including marker posts and inspection chambers ("Apparatus").</p> <p>And subject to and so as to bind the land and every part of it into whosoever hands the same may come and for the benefit of and to protect the undertaking of the abovementioned persons (together with any of their lessees, tenants, licensees, successors in title or function, assigns and those authorised by any of these) restrictive covenants:</p> <p>(1) not to do or cause or permit to be done anything likely to cause damage or injury to any installed Apparatus and to take all reasonable precautions to prevent such damage or injury; and</p>	BD54184

(1) Plot No.	(2) Description of the Land	(3) Rights to be acquired	(4) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
		<p>(2) not to prevent access to any installed Apparatus or make access materially more difficult.</p> <p>The rights specified above include rights for the relevant statutory undertaker (being UK Power Networks (Operations) Limited) (and those authorised by the relevant statutory undertaker) to:</p> <p>(1) lay underground electric lines (within the meaning given in section 64(1) of the Electricity Act 1989 including all communication cables used in connection with the undertaking) (the "Electric Lines") under, through and along a 6 metre (or other width as notified to the landowner) strip on land centred on the Electric Lines or as otherwise notified to the landowner (the "UKPN Strip");</p> <p>(2) construct and erect overhead Electric Lines over the land; and</p> <p>(3) thereafter to use, retain, maintain, inspect, examine, test, repair, alter, relay, renew, replace, supplement and remove the Electric Lines; (together the "UKPN Rights")</p> <p>(3) at all times to enter upon and break up the surface of the UKPN Strip to the extent necessary to allow the UKPN Rights to be exercised subject to reinstating the surface to a reasonable standard;</p> <p>(4) to enter the land with or without vehicles, contractors' plant, apparatus and equipment at all times and to park vehicles on the land but only to the extent necessary to exercise the UKPN Rights subject to not obstructing the land;</p> <p>(5) to construct, erect, use, maintain, adjust, repair, alter, reconstruct, re-erect, renew, supplement, inspect, examine, test and remove the necessary poles and stays and any other means of support and apparatus as the statutory undertaker reasonably requires for overhead Electric Lines (the "Supports") across</p>	

(1) Plot No.	(2) Description of the Land	(3) Rights to be acquired	(4) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
		<p>and on the UKPN Strip;</p> <p>(6) to enjoy the benefit of support for the underground Electric Lines and Supports from the subjacent and adjacent land within the landowner's ownership;</p> <p>(7) to allow the overhead Electric Lines to swing and sway over the land; and</p> <p>(8) to fell, lop and top from time to time (acting in accordance with good forestry practice and any applicable tree protection order) all timber and other trees, shrubs and roots now or in the future on the land which would (if not felled, lopped or topped) obstruct or interfere with the construction, erection and maintenance or operation of the Electric Lines or Supports and if requested, remove all such timber and other wood felled, lopped or topped.</p> <p>So as to bind the land and every part of thereof into whosoever hands the same may come and for the benefit and to protect the Authority and the undertaking of UK Power Networks (Operations) Limited (but save in the case of any works comprised in the development authorised by the Order):</p> <p>(1) not to do or cause or permit to be done anything on the UKPN Strip which would or might obstruct access to the Electric Lines or hinder the exercise of the UKPN Rights or which would or might interfere with or damage any Electric Lines or its ducts laid, retained or erected pursuant to the development authorised by the Order and to take all reasonable precautions to prevent such damage;</p> <p>(2) not to do anything on or under the UKPN Strip which would lessen or interfere with the support offered to the Electric Lines;</p> <p>(3) not to either alter or cover the existing level or surface of the UKPN Strip or any part of it in such a way as to make the laying</p>	

(1) Plot No.	(2) Description of the Land	(3) Rights to be acquired	(4) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
		<p>of, or access to, underground Electric Lines or ducts impracticable or more difficult than at the date hereof save for the laying and/or re-laying of appropriate surfaces on any part of the UKPN Strip which form any intended or existing road or footpath, or other access way after the initial laying of underground Electric Lines pursuant to the UKPN Rights;</p> <p>(4) not to erect on the UKPN Strip any building or structure;</p> <p>(5) not to install any pipe, sewer, cable or wire or other apparatus on, through or in the UKPN Strip;</p> <p>(6) not to plant any trees on or which might grow over or onto any part of the UKPN Strip;</p> <p>(7) not to excavate the land to a level of beneath 0.35 metres without reasonable prior written notification being given to the statutory undertaker and giving a representative of the statutory undertaker an opportunity to attend such excavations and thereafter abiding by the reasonable directions of the statutory undertaker given in relation to such excavations for the protection of the Electric Lines;</p> <p>(8) not to erect or extend any dwellinghouse, building or other erection or structure either:</p> <p>(i) underneath or within 15 metres on either side of the overhead Electric Lines; or</p> <p>(ii) which would encroach within 15 metres of the foundations of any Supports or upon the ground supporting them;</p> <p>(9) unless otherwise agreed (which agreement not to be unreasonably withheld or delayed) not to plant any timber or other tree on the land within a distance of 12.5 metres of the overhead Electric Lines or Supports;</p> <p>(10) not to raise the level of the ground beneath the overhead Electric Lines (including their area of swing) or within a distance</p>	

(1) Plot No.	(2) Description of the Land	(3) Rights to be acquired	(4) Title Number(s) known at the date hereof for the purposes of assisting with land registration only
		<p>of 10 metres on either side of the overhead Electric Lines or within an area of land surrounding each of the Supports to a distance of 10 metres from them; and</p> <p>(11) not to permit any vehicle or machinery or plant of any description to approach or pass under the overhead Electric Lines unless a clear space of not less than 4.8 metres can be and is at all times maintained between any conductor forming part of the overhead Electric Lines and the combined height of all parts of any such vehicle machinery or plant and any person riding them.</p>	
1/43f	Approximately 359 square metres of land being grassland, private track, trees, drains and shrubbery; east of Great North Road, A1 and west of River Great Ouse, Roxton, Bedford	<p>All necessary rights for:</p> <ul style="list-style-type: none"> • the Authority; • UK Power Networks (Operations) Limited, Newington House, 237 Southwark Bridge Road, London, SE1 6NP; • Anglian Water Services Limited, Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon, Cambridgeshire, PE29 6XU; • Openreach Limited, Kelvin House, 123 Judd Street, London, WC1H 9NP; • National Gas Transmission Plc, National Grid House, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA; and • The Official Custodian for Charities on behalf of The Huntingdon Freeman's Trust, 37 High Street, Huntingdon, PE29 3AQ <p>together with any of their lessees, tenants, licensees, successors in title or function, assigns and those authorised by any of these, to pass and repass over the land with or without plant and vehicles in connection with the development authorised by the A428 Black Cat to Caxton Gibbet Development Consent Order 2022 (Work Nos. 15 and 21) such rights to be exercised by the abovementioned persons at all reasonable times and in an emergency at any time.</p>	BD253658

SECOND SCHEDULE

Excluded persons of general application

The Crown
National Highways Limited
Cadent Gas Limited
National Grid Gas Limited
National Grid Electricity Transmission Plc
Anglian Water Services Limited
British Telecommunications Limited

EXECUTED as a DEED

By affixing the common seal of
NATIONAL HIGHWAYS LIMITED

.....
Director or Authorised Signatory

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



2023/1022



The common seal of
NATIONAL HIGHWAYS LIMITED

J. Sauer
Director or Authorised Signatory

L. Sellers
Director or Company Secretary or Authorised Signatory

Dated: 24 October 2023



KEY

LAND TO BE PERMANENTLY ACQUIRED


NOTES
FOR PLOT REFERENCE NUMBERS PLEASE REFER TO THE LAND PLANS AND SCHEDULE ACCOMPANYING THE A428 BLACK CAT TO CAXTON GIBBET IMPROVEMENTS DEVELOPMENT CONSENT ORDER 2022

NATIONAL HIGHWAYS LIMITED

A428 BLACK CAT TO CAXTON GIBBET IMPROVEMENTS
DEVELOPMENT CONSENT ORDER 2022


GENERAL VESTING DECLARATION NO.2

SHEET (1 OF 2)

 **national highways**

Scale at A3: 1:2,500

0 25 50 75 100 Metres



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