

DATED 13 July 2020

HIRWAUN POWER LIMITED

THE HIRWAUN GENERATING STATION ORDER 2015

GENERAL VESTING DECLARATION



Pinsent Masons

HIRWAUN GENERATING STATION ORDER 2015

GENERAL VESTING DECLARATION

THIS GENERAL VESTING DECLARATION is executed on the 13th July 2020 by Hirwaun Power Limited (company number 08190283) (the "Authority").

2020

WHEREAS:-

- (1) On 23 July 2015 an order entitled the Hirwaun Generating Station Order 2015 (SI 2015/1574) ("the Order") was made by Secretary of State for Energy and Climate Change under the powers conferred on her by the Planning Act 2008 authorising the Authority to acquire the land and new rights over land specified in the Schedule hereto. Article 22 of the Order provides for the application, with modifications (as identified in Article 22), of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act") to the Order. The Act prescribes vesting procedures for land subject to powers of compulsory acquisition under the Development Consent Order.
- (2) A compulsory acquisition notice was first published in accordance with section 134 of the Planning Act 2008 on 31 July 2015.
- (3) A subsequent notice was given on 9 May 2020 before the service of any notice to treat in respect of any of the land described in the Schedule hereto and included the particulars specified in section 3(3) of the Act.
- (4) The notice referred to in (3) above did not specify any period longer than two months beginning with the date of its first publication as the period before the end of which this general vesting declaration could not be executed.

NOW THIS DEED WITNESSETH that, in exercise of the powers conferred on them by section 4 of the Act, the Authority hereby declare:-

1. Save insofar that they comprise or affect interests of Excluded Persons, the land, the Vested Rights and the Vested Restrictions described in column 4 of the Schedule hereto (being part of the land authorised to be acquired by the Order) and more particularly delineated by pink colouring, pink colouring and red hatching, blue colouring and red edging 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 end of the period of 28 days from the date on which the service of notices required by section 6 of the Act is completed.
2. Each Vested Right and Vested Restriction shall so vest in and be exercisable or enforceable (as appropriate) by the Authority for the benefit of each and every part of the Authorised Development and Plot 10 and Plot 11 and the corporeal and incorporeal property comprised in the business undertaking of the Authority (but excluding the WPD Land) to the intent that the Vested Rights may be exercised and Vested Restrictions imposed by both the Authority and by its successors in title and assigns 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, installation, operation, maintenance and decommissioning thereof.
3. In this Declaration wherever the context permits:
 - 3.1.1 the headings are for convenience only and do not affect the interpretation of this Declaration;
 - 3.1.2 the capitalised terms appearing in this Declaration (including the Schedule) have the respective meanings assigned to them in the Schedule;
 - 3.1.3 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;

- 3.1.4 words importing the singular include the plural and vice versa and wording importing gender includes any other gender;
 - 3.1.5 references to persons includes persons firms and companies;
 - 3.1.6 the word 'including' means including but without limitation;
 - 3.1.7 the words 'in particular' means in particular but without prejudice to the generality of the preceding wording;
 - 3.1.8 references to the Schedule are to the Schedule of this Declaration.
4. The Authority hereby requests the Chief Land Registrar to note the Vested Rights and Vested Restrictions acquired by the Authority by this Declaration in relation to a particular Plot in the Charges Register of each Registered Title relating to that Plot as soon as possible following the Vesting Date.
 5. The Authority hereby requests the Chief Land Registrar to note the benefit of the Vested Rights and Vested Restrictions acquired by the Authority by this Declaration on title number CYM769632 (but excluding the WPD Land) and the land shown on Plan 3 and any other property acquired by the Authority for the purposes of or in connection with the Authorised Development or the Gas Pipeline.
 6. The Authority hereby requests the Chief Land Registrar to note the acquisition of the mines and minerals acquired by the Authority by this Declaration in relation to a particular Plot in the appropriate Registers of each Registered Title relating to that Plot as soon as possible following the Vesting Date.

SCHEDULE

In this Declaration:

"Authorised Development" means the development authorised by the Order;

"Excluded Persons" means all and any of the persons listed in the Schedule and (in relation to the relevant Plot) those persons (if any) listed in the column 5 of the Schedule

"Gas Pipeline" means a high pressure gas pipeline up to 250mm nominal bore, telecommunications, other ancillary apparatus and any other works as necessary;

"Registered Title" means the registered title of the Plot and which is listed in the column 3 of the Schedule;

"Plan 1" means the plan annexed to this Declaration and labelled Drawing No: HPL Power Generation Plant Land Plan Revision: v3;

"Plan 2" means the plan annexed to this Declaration and labelled Drawing No: HPL Gas Connection Land Plan Revision: v3;

"Plan 3" means the plan annexed to this Declaration and labelled Drawing No: J0024759-20-03;

"Plan 4" means the plan annexed to this Declaration and labelled Drawing No: 34nt3162494 CF4;

"Plan 5" means the plan annexed to this Declaration and labelled Drawing No: 34nt3198145;

"Plot" means a plot of land with the number specified in column 1 of the Schedule, described in column 2 of the Schedule and shown on Plan 1, Plan 2 or Plan 3;

"Vested Restrictions" means restrictions on erecting buildings or structures, altering ground levels, planting trees or carrying out operations or actions which may obstruct, interrupt, or interfere with the exercise of the Vested Rights;

"Vested Rights" means the right for the Authority and all persons authorised on its behalf:

(a) to enter on foot, with or without vehicles, plant and machinery for all purposes in connection with the laying, installation, use and maintenance of a Gas Pipeline together with the right to install, retain, use, maintain, inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve the Gas Pipeline; and

(b) in respect of Plots 2_GR, 3_GR, 4_GR, 5_GR, 6_GR, 7_GR, 8_GR and 9_GR only, to construct and maintain a permanent means of access;

"Vesting Date" means the date 28 days after the later of (a) the date of this Declaration and (b) the date on which the service of notices required by section 6 of the 1981 Act is completed; and

"WPD Land" means the land shown coloured pink on Plan 4 and coloured pink on Plan 5.

1 Plot No	2 Description of Plot	3 Registered Title Number(s)	4 Land/Vested Rights/Vested Covenant	5 Excluded Persons
1_MS	38,290 square metres, or thereabouts of land, buildings, car park, premises known as Building 3, part of premises known as Building 1 and part of culverted section of the River Camnant, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632 (the mines and minerals are excepted)	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government
2_MS	20 square metres, or thereabouts of electricity substation situated to the north of Main Avenue and fronting Building 3, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632 (the mines and minerals are excepted)	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government
3_MS	23,353 square metres, or thereabouts of land, buildings, car park, part of premises known as Building 1 and part of the footbridge linking Building 1 to Building 2 together with part of the culverted section of the River Camnant, Hirwaun Industrial Estate, Hirwaun shown coloured pink and	CYM769632	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common	Any interests owned by the Welsh Government or Western Power Distribution (South Wales) plc

	hatched red on Plan 1		Enclosure Award	
4_MS	3,487 square metres, or thereabouts of part of land and premises known as Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632 (the mines and minerals are excepted)	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government
5_MS	8,850 square metres, or thereabouts of part of land, car park and premises known as Building 4, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government
6_MS	60 square metres, or thereabouts of an electricity substation situated to the south east of Building 4, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government or Western Power Distribution (South Wales) plc
7_MS	385 square metres, or thereabouts of land situated to the south of Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured pink and hatched red on Plan 1	CYM769632 (the mines and minerals are excepted)	Acquisition of any mines and minerals necessarily extracted or used in the construction of the Authorised Development and all rights, interests or covenants contained in the Hirwaun Common Enclosure Award	Any interests owned by the Welsh Government
1_GR	238 square metres, or thereabouts of land forming part of public adopted highway known as Main Avenue, Hirwaun shown coloured blue on Plan 2	WA869399	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used	Any interests owned Rhondda Cynon Taf County Borough Council

			in the construction of the Gas Pipeline	
2_GR	6 square metres, or thereabouts of land situated to the south of Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured blue on Plan 2	Unregistered	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	None
3_GR	409 square metres, or thereabouts of land forming part of the northern half width of public adopted highway known as Rhigos Road together with part of a bus layby situated to the south of Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured blue on Plan 2	Unregistered	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	Any interests owned Rhondda Cynon Taf County Borough Council
4_GR	284 square metres, or thereabouts of land and overhead electricity lines forming part of the southern half width of public adopted highway known as Rhigos Road situated to the south of Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured blue on Plan 2	Unregistered	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	Any interests owned Rhondda Cynon Taf County Borough Council
5_GR	101 square metres, or thereabouts of land forming part of the southern half width of public adopted highway known as Rhigos Road situated to the south of Building 6, Hirwaun Industrial Estate, Hirwaun shown coloured blue on Plan 2	CYM174918	The acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	Any interests owned Rhondda Cynon Taf County Borough Council
6_GR	9,763 square metres, or thereabouts of agricultural land, drains and overhead electricity lines (including poles) situated to the east and south east of The Fairways, Hirwaun shown coloured blue on Plan 2	CYM174918	The acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	None
7_GR	9,462 square metres, or thereabouts of	CYM427104 and	The acquisition of any mines and	None

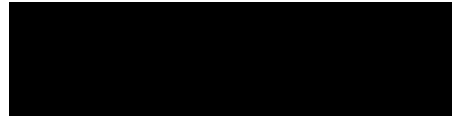
	agricultural land, drains and overhead electricity lines (including poles) situated to the south of Rhigos Road and west of the A4061, Hirwaun shown coloured blue on Plan 2	WA772905 (the mines and minerals are excepted)	minerals necessarily extracted or used in the construction of the Gas Pipeline	
8_GR	358 square metres, or thereabouts of land forming part of the north western half width of public adopted highway known as the A4061, together with overhead electricity lines, Hirwaun shown coloured blue on Plan 2	Unregistered	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	Any interests owned Rhondda Cynon Taf County Borough Council
9_GR	318 square metres, or thereabouts of land forming part of the south eastern half width of public adopted highway known as the A4061, together with overhead electricity lines, Hirwaun shown coloured blue on Plan 2	Unregistered	Vested Rights, Vested Restrictions and the acquisition of any mines and minerals necessarily extracted or used in the construction of the Gas Pipeline	Any interests owned Rhondda Cynon Taf County Borough Council
10_GR (part)	247 square metres, or thereabouts of land forming part of the Tower Colliery open cast mining complex situated to the south east of public adopted highway known as the A4061, Hirwaun shown edged red on Plan 3	Unregistered	Acquisition of land excluding mines and minerals	None
10_GR	498 square metres, or thereabouts of land forming part of the Tower Colliery open cast mining complex situated to the south east of public adopted highway known as the A4061, Hirwaun shown coloured pink on Plan 2	Part registered under title number CYM58677 and part unregistered. (the mines and minerals are excepted from title CYM58677)	Acquisition of any mines and minerals necessarily extracted or used in the construction of a Gas Pipeline and associated above ground installation	None
11_GR	4,173 square metres, or thereabouts of land and overhead electricity lines forming part of the Tower Colliery open cast mining complex situated to the south east of public adopted highway known as the A4061, Hirwaun shown coloured pink on	CYM395697	Acquisition of any mines and minerals necessarily extracted or used in the construction of a Gas Pipeline and associated above ground installation	None

	Plan 2			
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Executed as a Deed (but not delivered until the date of this Deed) by **HIRWAUN POWER LIMITED**

acting by

DAVID BALL



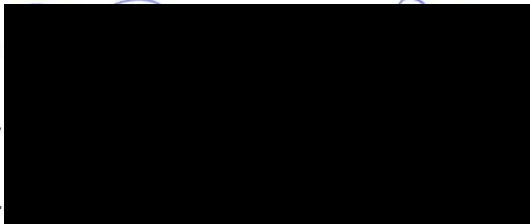
Signature of Attorney

Full Name (Attorney)

in the presence of:

Mrs J Butterfield

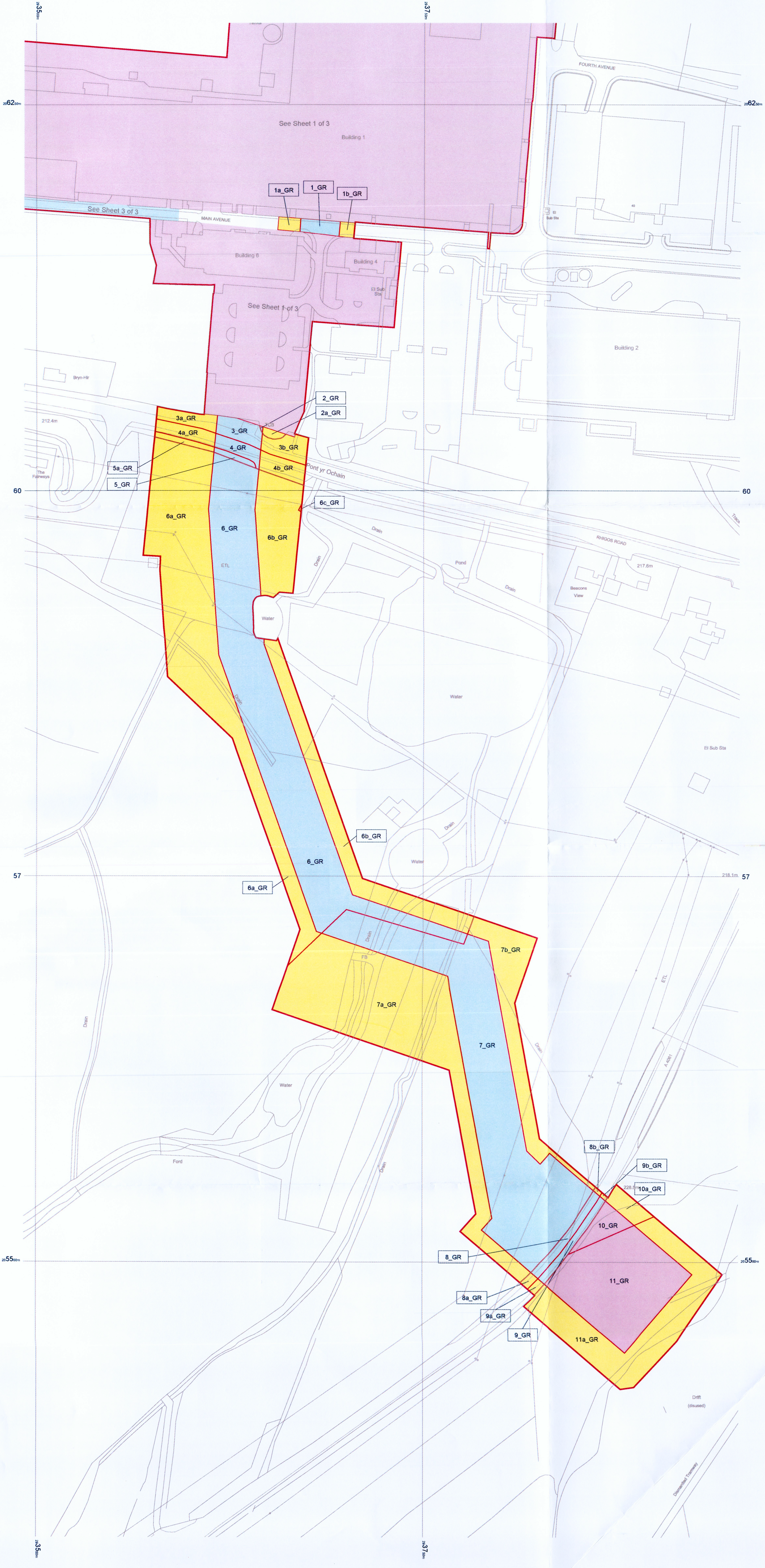
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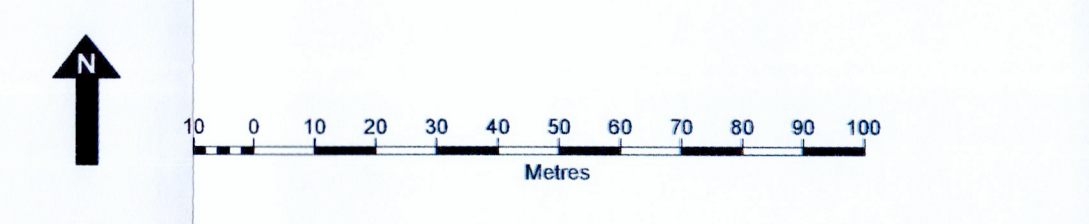
Address



Signature of Witness



- Legend:**
- Land required for, or required to facilitate or is incidental to, or affected by, the authorised development (the Order Land)
 - Order Land – Freehold to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights
 - Order Land – New rights to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights
 - Order Land – Temporary use of land and in relation to which it is proposed to temporarily suspend easements, servitudes and other private rights
 - Land containing Crown interests



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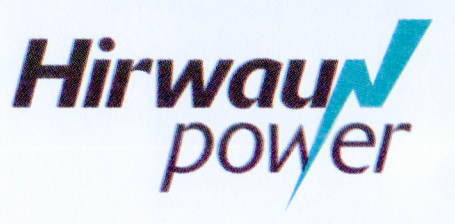
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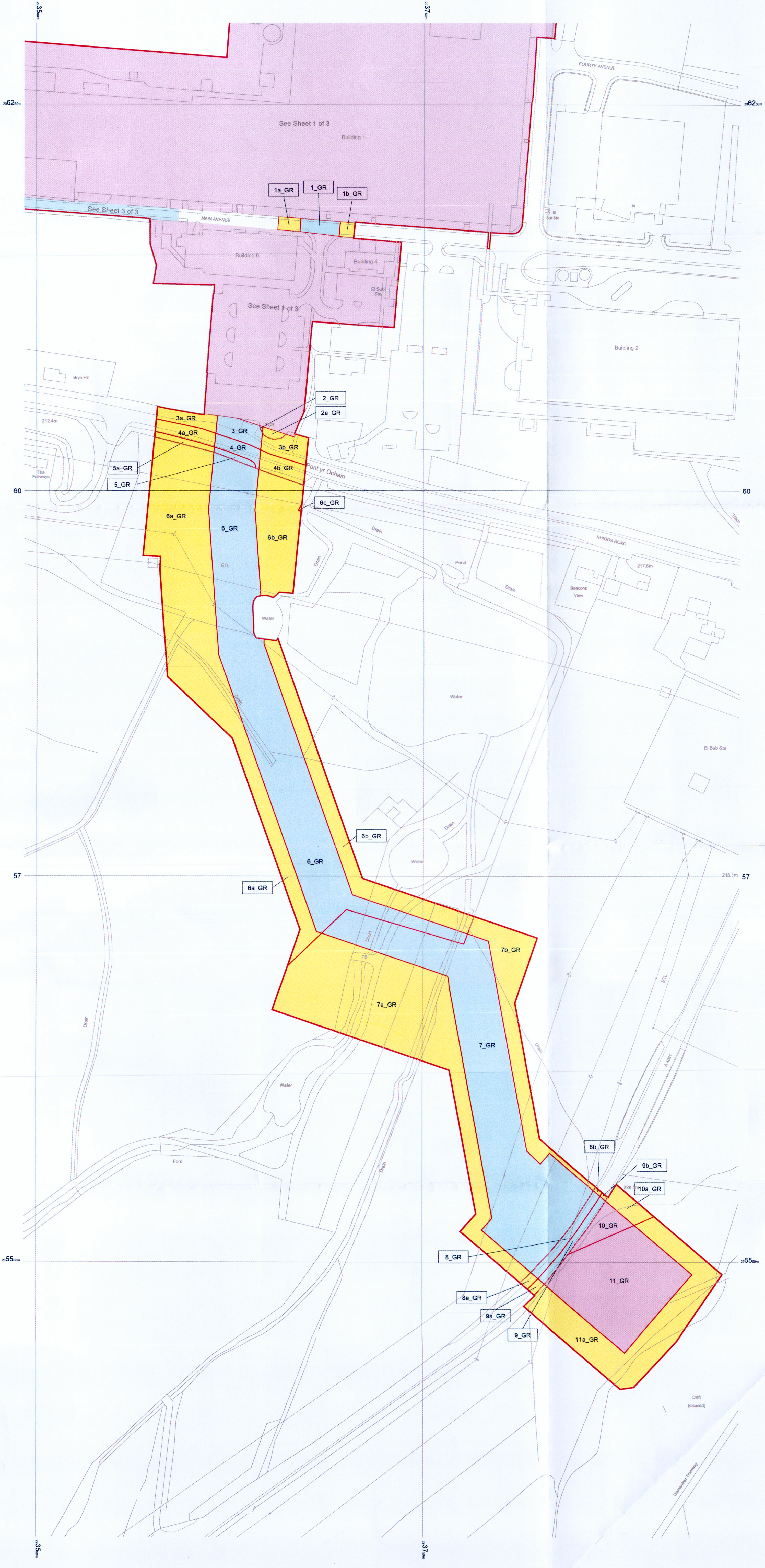


Title:
 Gas Connection Land Plan (Sheet 2 of 3)
 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
 Regulation r5(2)(i) and r5(2)(n) Document Reference: 2.2

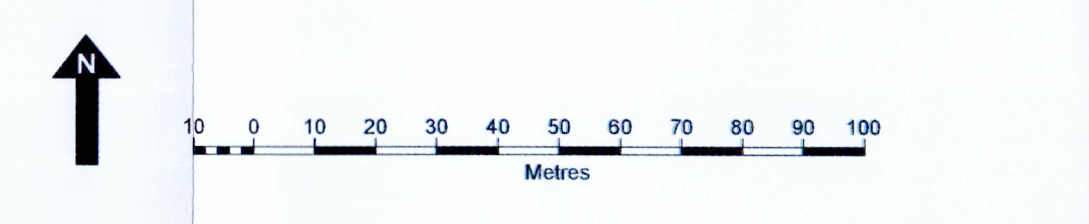
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Date: June 2015

Drawing No: HPL Gas Connection Land Plan
Revision: v3

Approved By: Hirwaun Power Limited	Checked By: Parsons Brinkerhoff	Drawn By: TerraQuest Solutions
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- Legend:**
- Land required for, or required to facilitate or is incidental to, or affected by, the authorised development (the Order Land)
 - Order Land – Freehold to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights
 - Order Land – New rights to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights
 - Order Land – Temporary use of land and in relation to which it is proposed to temporarily suspend easements, servitudes and other private rights
 - Land containing Crown interests



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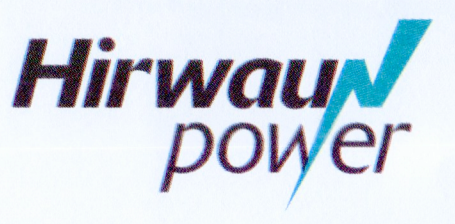
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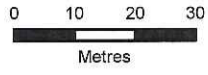
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 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
 Regulation r5(2)(i) and r5(2)(n) Document Reference: 2.2

Scale: 1:1250 @ A1
Date: June 2015

Drawing No: HPL Gas Connection Land Plan
Revision: v3

Approved By:	Checked By:	Drawn By:
Hirwaun Power Limited	Parsons Brinkerhoff	TerraQuest Solutions

Map Centre 293,872 205,519



Carter Jonas

Two Snow Hill, Birmingham, B4 6GA
T: 0121 794 6250
carterjonas.co.uk

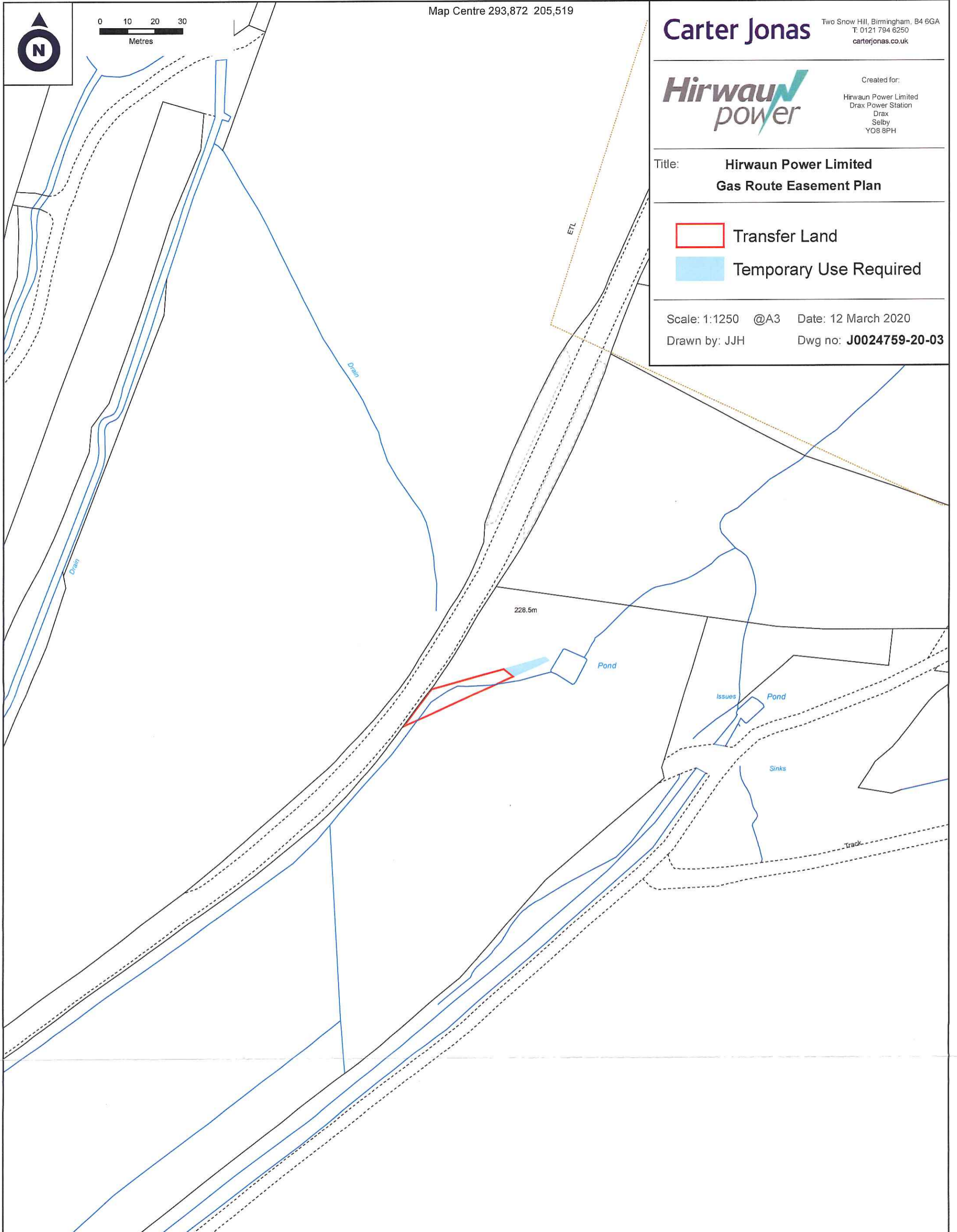


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Hirwaun Power Limited
Drax Power Station
Drax
Selby
YO8 8PH

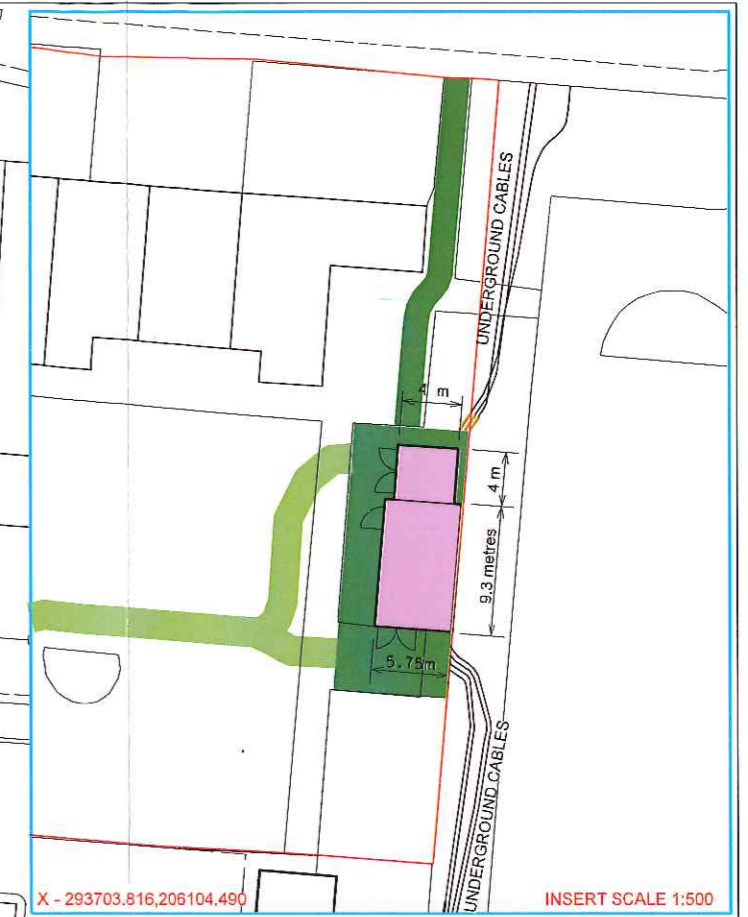
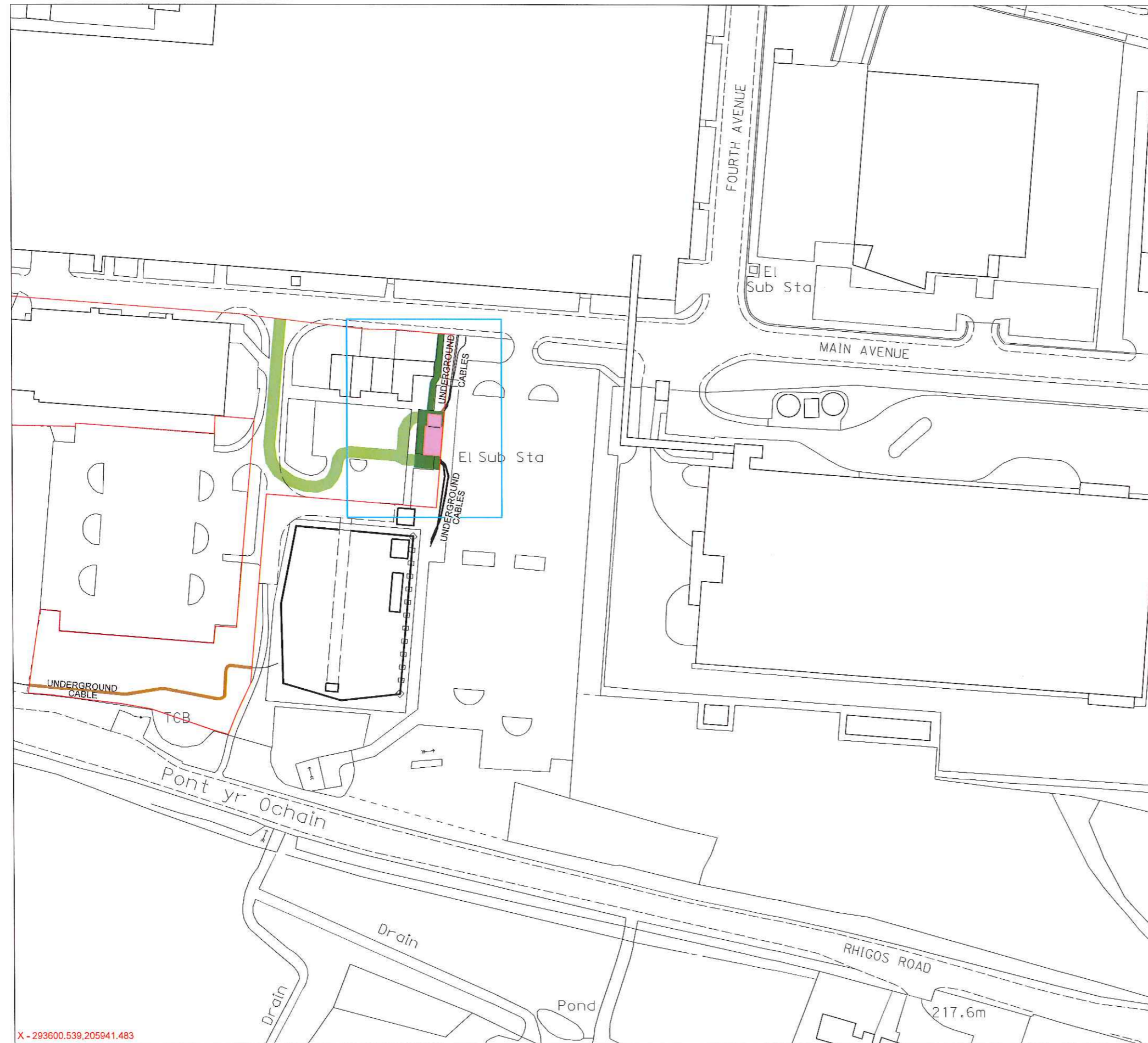
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Gas Route Easement Plan**

- Transfer Land
- Temporary Use Required

Scale: 1:1250 @A3 Date: 12 March 2020
Drawn by: JJH Dwg no: **J0024759-20-03**



Transfer Land Area Size	Permanent Easement Area Size	Temporary Use Area Size	Owners
247 sq m	0 sq m	37 sq m	Unregistered



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SIGNATURE :
DATE :

<p>WESTERN POWER DISTRIBUTION <i>Serving the Midlands, South West and Wales</i></p>		TITLE:	SUBSTATION TRANSFER AT MAIN AVENUE, HIRWAUN INDUSTRIAL ESTATE.
		DRAWING NUMBER	34nt3162494 CF44 9UP
REVISION		1	
GRID REFERENCE		SN937308061341	
DATE 1/10/2018		SCALE 1:1250 @ A3	

SUBSTATION SITE/THE PROPERTY (SIDE A-B=FRONT UNLESS STATED OTHERWISE)	5
ACCESSWAY	11
UNDERGROUND ELECTRIC LINES & ACCESSWAY	98
PROPERTY TO BE SOLD BY WPD	
LICENCED LAND	
UNDERGROUND ELECTRIC LINES	118
OVERHEAD ELECTRIC LINES	
OVERHEAD ELECTRIC LINES & ACCESSWAY	
OVERHEAD & UNDERGROUND ELECTRIC LINES	
OVERHEAD & UNDERGROUND ELECTRIC LINES & ACCESSWAY	
PROPERTY BOUNDARY	
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STAY POSITION <input type="checkbox"/>	
UNDERGROUND CABLE POSITION	
OVERHEAD LINE POSITION	

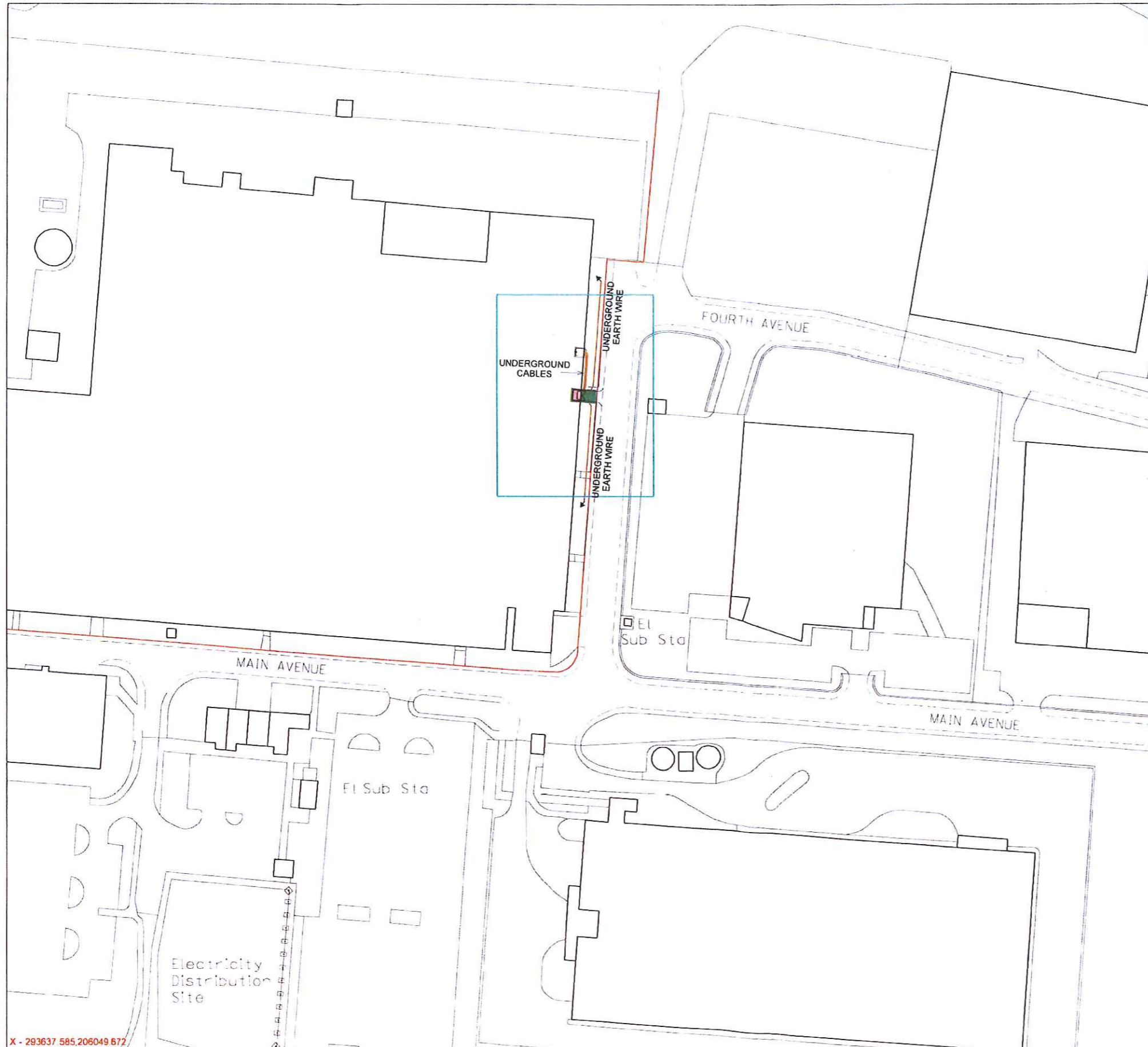
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PLEASE NOTE THAT THIS IS A LEGAL PLAN RELATING TO SPECIFIC ASSETS (A LINE MAY INDICATE THE POSITION OF MORE THAN ONE ASSET/CABLE). SYMBOLS (IE TOWER/POLE) ARE INDICATIVE AND ARE NOT DRAWN TO SCALE. THIS PLAN IS NOT TO BE USED FOR IDENTIFYING WHERE OUR ASSETS HAVE BEEN INSTALLED OR IN CONNECTION WITH ANY PLANNED WORKS OR EXCAVATIONS. IF YOU REQUIRE A PLAN OF WESTERN POWER DISTRIBUTION'S ASSETS IN PREPARATION FOR SITE WORKS OR EXCAVATIONS, PLEASE REFER TO OUR COMPANY WEBSITE FOR DETAILS. ASSETS SHOWN DEAD OR DISCONNECTED MAY HAVE BEEN RECONNECTED AND SHOULD BE TREATED AS LIVE.

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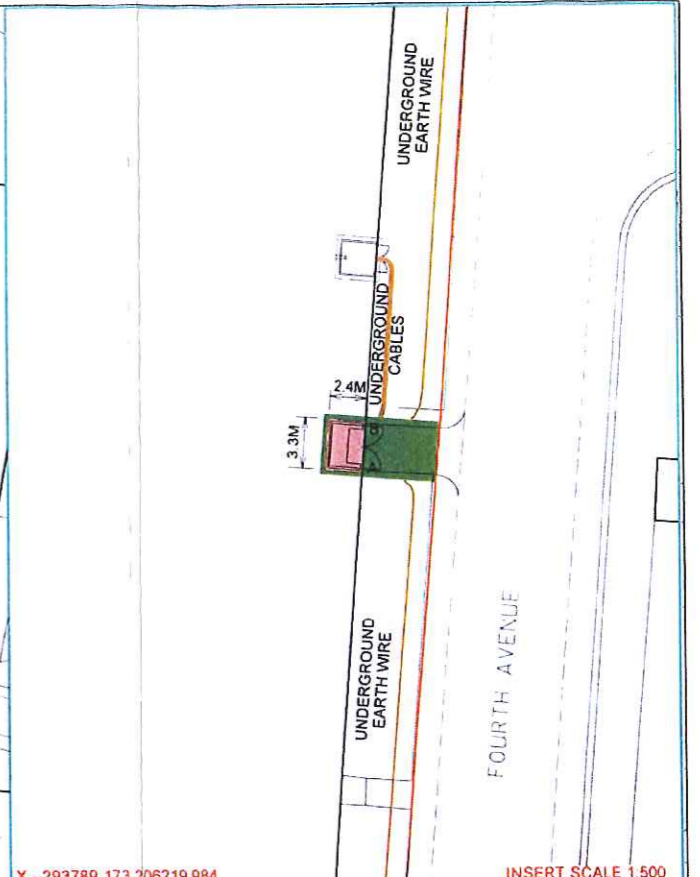
PLEASE NOTE: This plan ONLY shows assets owned by Western Power Distribution. Electricity assets owned by IDNO's (Independent Network Operators) MAY be present in this area.

Keyblock Revision 29/03/2018




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PLEASE NOTE: This plan ONLY shows assets owned by Western Power Distribution. Electricity assets owned by ODNs (Independent Network Operators) MAY be present in this area.



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DATE :																															
WESTERN POWER DISTRIBUTION <i>Serving the Midlands, South West and Wales</i>	 TITLE: FOURTH AVE. SUBSTATION, HIRWAIN INDUSTRIAL EST., ABERDARE, CF44 9UY.																														
DRAWING NUMBER	34nt3198145																														
REVISION	0																														
GRID REFERENCE	SN938133062511																														
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OVERHEAD LINE POSITION	<input type="checkbox"/>																														
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<p>PLEASE NOTE: THAT THIS IS A LEGAL PLAN RELATING TO SPECIFIC ASSETS (A LINE MAY INDICATE THE POSITION OF MORE THAN ONE ASSET/CABLE). SYMBOLS (I.E. TOWER/POLE) ARE INDICATIVE AND ARE NOT DRAWN TO SCALE. THIS PLAN IS NOT TO BE USED FOR IDENTIFYING WHERE OUR ASSETS HAVE BEEN INSTALLED OR IN CONNECTION WITH ANY PLANNED WORKS OR EXCAVATIONS. IF YOU REQUIRE A PLAN OF WESTERN POWER DISTRIBUTION'S ASSETS IN PREPARATION FOR SITE WORKS OR EXCAVATIONS, PLEASE REFER TO OUR COMPANY WEBSITE FOR DETAILS. ASSETS SHOWN DEAD OR DISCONNECTED MAY HAVE BEEN RECONNECTED AND SHOULD BE TREATED AS LIVE.</p>																															

Keylock Revision: 29/03/2018