



High Speed Rail (London - West Midlands) Act 2017

2017 CHAPTER 7

The Crown

57 Application of powers to Crown land

- (1) The powers conferred on the nominated undertaker under this Act may be exercised in relation to Crown land with the consent of the Crown authority.
- (2) The power conferred under section 54 (rights of entry for further high speed rail works) may be exercised in relation to Crown land with the consent of the Crown authority.
- (3) The Crown authority may give consent under this section—
 - (a) subject to conditions, and
 - (b) notwithstanding anything in any lease or other grant granted by or to that authority.
- (4) In this Act, “Crown land” means land in which there is—
 - (a) an interest belonging to a government department or held in trust for Her Majesty for the purposes of a government department,
 - (b) an interest belonging to an office-holder in the Scottish Administration or held in trust for Her Majesty for the purposes of the Scottish Administration by such an office-holder,
 - (c) an interest belonging to Her Majesty in right of the Crown, or
 - (d) an interest belonging to Her Majesty in right of the Duchy of Lancaster.
- (5) In this Act, “Crown authority”, in relation to any Crown land, means—
 - (a) in a subsection (4)(a) case, the government department in question;
 - (b) in a subsection (4)(b) case, the Scottish Ministers;
 - (c) in a subsection (4)(c) case—
 - (i) if the land forms part of the Crown Estate, the Crown Estate Commissioners, and

- (ii) in any other case, the government department having management of the land;
 - (d) in a subsection (4)(d) case, the Chancellor of the Duchy of Lancaster.
- (6) If for the purposes of this section a question arises as to which authority is the Crown authority for any land—
- (a) the question is to be decided by the Treasury, and
 - (b) the Treasury's decision is final.
- (7) In subsection (4)(b) “office-holder in the Scottish Administration” has the meaning given by section 126(7) of the Scotland Act 1998.

58 Highways for which Secretary of State is highway authority

- (1) The powers conferred on the nominated undertaker under this Act with respect to works may be exercised in relation to a highway for which the Secretary of State is the highway authority with the Secretary of State's consent.
- (2) The Secretary of State may give consent subject to conditions.

59 Crown Estate

Section 3(1) and (2) of the Crown Estate Act 1961 (limitations on Crown Estate Commissioners' powers of disposal in relation to land under their management) do not apply in relation to land within the Act limits which appears to the Crown Estate Commissioners to be required for Phase One purposes.

60 Royal parks

- (1) The Secretary of State may grant a lease of royal park land within the Act limits if it appears to the Secretary of State that the land is required for Phase One purposes.
- (2) A lease may be granted under subsection (1) for such period, for such consideration (if any) and otherwise on such terms as the Secretary of State thinks fit.
- (3) The Secretary of State may grant an easement or other right over royal park land within the Act limits if it appears to the Secretary of State that the easement or right is required for Phase One purposes.
- (4) An easement or other right may be granted under subsection (3)—
 - (a) in fee simple or for such period as the Secretary of State thinks fit, and
 - (b) for such consideration (if any) and otherwise on such terms as the Secretary of State thinks fit.
- (5) In this section “royal park land” means land subject to management under section 22 of the Crown Lands Act 1851 (royal parks etc).