
STATUTORY INSTRUMENTS

2021 No. 299

**The Network Rail (Ferryboat Lane Footbridge
Reconstruction) (Land Acquisition) Order 2021**

PART 2

ACQUISITION AND POSSESSION OF LAND

Temporary possession or use of land

Temporary use of land for oversailing and access

7.—(1) Network Rail may enter upon and use the land, and the airspace above the surface of the land, specified in Schedule 2 (land which may be used for oversailing and access)—

- (a) for the oversailing of cranes used by Network Rail in connection with the development; and
- (b) for the passage of persons or vehicles (with or without materials, plant and machinery) for the purpose of, or in connection with, the construction of the development.

(2) The power under paragraph (1) is exercisable on giving at least 7 days' notice to the owners and occupiers of the land or, where access is urgently required under paragraph (1)(b), such notice as is reasonably practicable.

(3) Paragraph (2) does not require notice to be given in relation to land used under paragraph (1) (b) where notice under that paragraph has already been given in relation to that land.

(4) Network Rail may not, without the agreement of the owners of the land, use airspace above the surface of the land as mentioned in paragraph (1)(a) after the end of 7 days beginning with the date of completion of the activities for which the crane has been used.

(5) Network Rail must pay compensation to the owners and occupiers of land to which paragraph (1) applies for any loss or damage arising from the exercise of the power conferred by that paragraph.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of compensation, is to be determined under Part 1 of the 1961 Act.

(7) Section 13 (refusal to give possession to acquiring authority) of the 1965 Act applies to the temporary use of land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of article 4 (application of Part 1 of the 1965 Act).