



British Waterways Act 1995

1995 CHAPTER i

PART II

ENTRY ON LAND

4 Entry on to land in cases of emergency

- (1) Where the Board have reasonable cause to believe that—
- (a) the carrying out of relevant operations is necessary; and
 - (b) the relevant operations are required to be carried out without delay—
 - (i) in the case of any relevant operations consisting of any inspection, survey or investigation, for the purpose of confirming that there exists an immediate danger to persons or property and, if so, establishing the nature of the repair, maintenance, alteration, protection or demolition required to remove the danger;
 - (ii) in the case of any other relevant operations, for the purpose of removing or facilitating the removal of any immediate danger to persons or property; and
 - (c) it would not be reasonably practicable for the operations to be carried out without entry on to land (other than a highway or, in Scotland, a road) adjoining or in the vicinity of an inland waterway;
- any person authorised in writing in that behalf by the Board may enter the land and carry out the operations on that land or on any adjoining land of the Board.
- (2) The Board shall inform the owner and occupier of the land as soon as possible of the carrying out of emergency operations and, not more than 7 days after the entry on that land, they shall serve on such owner and occupier a notice—
- (a) specifying the land upon which entry has been made and the nature of the emergency operations; and
 - (b) containing details of the right of the occupier to claim payment for such entry and the right of the owner and occupier to claim compensation under this Part.