

**Changes to legislation:** There are currently no known outstanding effects for the Channel Tunnel Act 1987, Cross Heading: Temporary possession of land. (See end of Document for details)

## SCHEDULE 2

### SUPPLEMENTARY PROVISIONS AS TO THE SCHEDULED WORKS AND OTHER AUTHORISED WORKS

#### PART II

#### REGULATION OF SCHEDULED WORKS AND SUBSIDIARY PROVISIONS

#### SECTION C

#### PROVISIONS APPLICABLE TO RAILWAYS BOARD

##### *Temporary possession of land*

- 13 (1) Subject to the provisions of this paragraph the Railways Board may, in connection with the construction of their scheduled works specified in column (1) of the following table or any works in connection with those works, enter upon and take possession of the lands in the areas specified in columns (2) and (3) of that table for such purposes as are specified in column (4) of that table and may, for any such purpose, remove any structures on those lands and provide means of access to those lands.

The Table

<b>(1)</b> <b>Works Nos.</b>	<b>(2)</b> <b>Area</b>	<b>(3)</b> <b>Number of land shown on deposited plans</b>	<b>(4)</b> <b>Purpose for which temporary possession may be taken</b>
23, 23A and 23B	London borough of Wandsworth	26	The provision of vehicular access for construction.
		48	The provision of a working site and vehicular access for construction.
25A, 25B and 25C	London borough of Hammersmith and Fulham	4 and 8	The provision of a working site and vehicular access for construction.
26 and 26A	District of Tandridge (parish of Nutfield)	1, 2, 4 to 7 and 7A	The provision of a working site and vehicular access for construction to Coopers Hill Road at the point marked A on the deposited plans.

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	District of Tandridge (parish of Bletchingley)	1, 2 and 5 to 7	The provision of a working site and vehicular access for construction to Outwood Lane at the point marked B on the deposited plans.
28A and 28B	Borough of Maidstone (parish of Lenham)	2 and 4	The provision of a working site and vehicular access for construction to Ham Lane at the point marked A on the deposited plans.
		10 and 11	The provision of a working site and vehicular access for construction to Lenham Road at the point marked B on the deposited plans.

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- (2) Not less than 28 days before entering upon and taking temporary possession of any land under this paragraph the Railways Board shall give notice to the owners and occupiers of the land.
- (3) The Railways Board shall not, without the agreement of the owners and occupiers, remain in possession of any part of any land under this paragraph after a period of one year from the completion of the work or (as the case may be) all the works specified in relation to that land in column (1) of the table in sub-paragraph (1) above.
- (4) Except in the case of the land in the London borough of Wandsworth numbered 26 on the deposited plans, all private rights of way over any land of which the Railways Board take temporary possession under this paragraph shall be suspended and unenforceable for so long as the Railways Board remain in lawful possession of the land.
- (5) Before giving up possession of any land of which they have taken temporary possession under this paragraph, the Railways Board shall remove all temporary works and restore the land to the reasonable satisfaction of the owners and occupiers of the land.
- (6) The Railways Board shall not be empowered to purchase compulsorily, or be required to purchase, any part of any land of which they have taken temporary possession under this paragraph.
- (7) The Railways Board shall pay compensation to—
- (a) the owner or occupier of any land of which they take temporary possession under this paragraph for any damage resulting from the exercise of the powers of this paragraph in relation to that land; and
  - (b) any person who suffers damage by reason of the suspension of any right under this paragraph.

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- (8) Nothing in this paragraph shall affect liability to compensate under section 6 or 43 of the <sup>M1</sup>Railways Clauses Consolidation Act 1845, as incorporated with this Act, or section 10(2) of the <sup>M2</sup>Compulsory Purchase Act 1965, as applied by section 37 of this Act, or under any other enactment, except so far as compensation is payable under sub-paragraph (7) above.
- (9) Any dispute as to a person's entitlement to compensation under this paragraph, or as to the amount of the compensation, shall be determined under and in accordance with Part I of the <sup>M3</sup>Land Compensation Act 1961.

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**Marginal Citations**

**M1** 1845 c. 20.

**M2** 1965 c. 56.

**M3** 1961 c. 33.

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