

Changes to legislation: There are currently no known outstanding effects for the Dartford-Thurrock Crossing Act 1988, Cross Heading: Temporary occupation of specified sites. (See end of Document for details)

SCHEDULES

SCHEDULE 3 **E+W**

SUPPLEMENTARY PROVISIONS AS TO AUTHORISED WORKS

Temporary occupation of specified sites

- 1 (1) Subject to the provisions of this paragraph the Secretary of State may, in connection with the construction of the scheduled works specified in column (1) of the following table, or any works in connection with those works, enter upon and take temporary 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 buildings on those lands and provide means of access to those lands.

THE TABLE

(1) Works Nos.	(2) Area	(3) Number of land shown on deposited plans	(4) Purpose for which temporary possession may be taken
3	Borough of Thurrock	21	Working site and area of operations for bridge construction
3	Borough of Dartford Parish of Stone	1 and 2	Working site and area of operations for bridge construction
5 and 6C	Borough of Dartford Town of Dartford	3 to 7	Working site for construction of retaining wall
5 and 6C	Borough of Dartford Town of Dartford	8 to 14	Working site for construction of retaining wall
10	Borough of Dartford Town of Dartford	71, 73, 75, 79 and 81 to 89	Working site for construction of retaining wall

- (2) Not less than 28 days before entering upon and taking temporary possession of any land under this paragraph the Secretary of State shall give notice to the owners and occupiers of the land.

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- (3) The Secretary of State shall not, without the agreement of the owners and occupiers of the land, 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) All private rights of way over any land of which the Secretary of State takes temporary possession under this paragraph shall be suspended and unenforceable for so long as the Secretary of State remains in lawful possession of the land.
- (5) Before giving up possession of any land of which temporary possession has been taken under this paragraph, the Secretary of State shall remove all temporary works and restore the land to the reasonable satisfaction of the owners and occupiers of the land.
- (6) The Secretary of State shall not be empowered to purchase compulsorily, or be required to purchase, any part of any land of which temporary possession has been taken under this paragraph.
- (7) The Secretary of State shall pay compensation to—
 - (a) the owners and occupiers of any land of which temporary possession is taken under this paragraph for any loss or damage resulting from the exercise of the powers of this paragraph in relation to that land; and
 - (b) any person who suffers loss or damage by reason of the suspension of any right under this paragraph.
- (8) Nothing in this paragraph shall affect any liability to pay compensation under section 10(2) of the ^{M1}Compulsory Purchase Act 1965, as applied by section 2 of this Act, or under any other enactment, in respect of damage arising from the execution of any works, other than damage for which compensation is payable under sub-paragraph (7) above.
- (9) Any dispute as to a person's entitlement to compensation under sub-paragraph (7) above, or as to the amount of the compensation, shall be determined under and in accordance with Part I of the ^{M2}Land Compensation Act 1961.

Marginal Citations

M1 1965 c. 56.

M2 1961 c. 33.

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