
STATUTORY INSTRUMENTS

2005 No. 3105

**The Docklands Light Railway
(Capacity Enhancement) Order 2005**

PART 3

ACQUISITION AND POSSESSION OF LAND

Temporary possession of land

Temporary use of land for construction of works

30.—(1) DLRL may, in connection with the carrying out of the authorised works—

- (a) enter upon and take temporary possession of the land specified in columns (1) and (2) of Schedule 8 to this Order for the purpose specified in relation to that land in column (3) of that Schedule in connection with the authorised works (or any of those works) so specified in column (4) of that Schedule;
- (b) remove any buildings and vegetation from that land; and
- (c) construct temporary works (including the provision of means of access) and buildings on the land.

(2) Not less than 14 days before exercising the powers of paragraphs (1) or (2), DLRL shall serve notice of the intended entry or use on the owners and occupiers of the land.

(3) DLRL may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of 2 years beginning with the date of completion of the work or works specified in relation to that land in column (4) of Schedule 8 to this Order.

(4) Before giving up possession of land of which temporary possession has been taken under paragraph (1), DLRL shall remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but DLRL shall not be required to replace a building removed under this article.

(5) DLRL shall pay compensation to the owners and occupiers of land of which temporary possession is taken under paragraph (1), for any loss or damage arising from the exercise in relation to the land of the powers conferred by paragraph (1).

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

(7) Without prejudice to article 53, nothing in this article shall affect any liability to pay compensation under section 10(2) of the 1965 Act or under any other enactment in respect of loss or damage arising from the execution of any works, other than loss or damage for which compensation is payable under paragraph (5).

(8) Where DLRL takes possession of or uses any land under this article, it shall not be required to acquire the land or any interest in it.

(9) In this article and article 31 "building" includes structure or any other erection.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) Section 13 of the 1965 Act shall apply to the temporary use of land authorised under this article to the same extent as it applies to the acquisition of land authorised under this Order by virtue of article 24(1).