
STATUTORY INSTRUMENTS

2013 No. 198

The Crossrail (Kensal Green) Order 2013

PART 2

WORKS AND LANDS PROVISIONS

Temporary use of land for carrying out works

- 7.—(1) The undertaker may, in connection with the carrying out of the authorised works—
- (a) enter upon and take temporary possession of the land specified in column (1) of Schedule 1 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (2) 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 that land.
- (2) Not less than 14 days before entering upon and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.
- (3) The undertaker 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 one year beginning with the date of completion of the designated works.
- (4) Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the undertaker is not required to replace a building removed under this article nor reinstate the position of apparatus altered or remove other works undertaken under article 3 (power to carry out works).
- (5) The undertaker must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.
- (6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.
- (7) Without affecting article 20 (no double recovery), nothing in this article affects 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 the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.
- (9) The undertaker may not take temporary possession of plot number 5 on the works and land plan without first obtaining the consent of Network Rail.