

---

STATUTORY INSTRUMENTS

---

**2015 No. 318**

**The Dogger Bank Creyke Beck  
Offshore Wind Farm Order 2015**

**PART 5**

**Powers of acquisition**

**Temporary use of land for carrying out authorised project**

**29.**—(1) The undertaker may, in connection with the carrying out of the authorised project enter, and take temporary possession of, the land specified in an entry in column (2) of Schedule 7 (land of which temporary possession may be taken) for the purpose specified in relation to that land in the corresponding entry in column (3) relating to the part of the authorised project specified in the corresponding entry in column (4) for the purpose of exercising the rights identified in Class 9 in the book of reference.

(2) Not less than 14 days before entering on 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 1 year beginning with the date of completion of the part of the authorised project specified in relation to that land in column (4) of Schedule 7.

(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 its original condition, but the undertaker is required to replace a building removed under this article.

(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 any power 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, must be determined under Part 1 of the 1961 Act.

(7) Nothing in this article affects any liability to pay compensation under section 10(2) of the 1965 Act (further provision as to compensation for injurious affection) or under any other enactment in respect of loss or damage arising from the carrying out of the authorised project, other than loss or damage for which compensation is payable under paragraph (5).

(8) The undertaker may not compulsorily acquire under this Order the land referred to in paragraph (1).

(9) Where the undertaker takes possession of land under this article, the undertaker is not required to acquire the land or any interest in it.

---

**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<sup>(1)</sup> (refusal to give possession to acquiring authority) applies to the temporary use of land pursuant to this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).

---

(1) Section 13 was amended by section 139 of, and paragraph 28(2) of Schedule 13 and Part 3 of Schedule 23 to, the Tribunals, Courts and Enforcement Act 2007 (c.15).