



Midland Metro (No. 2) Act 1993

1993 CHAPTER vi

PART III

LANDS

15 Temporary possession of lands.

- (1) Subject to the provisions of this section the Executive may take temporary possession of and use—
 - (a) any of the land specified in Schedule 7 to this Act which is not within the limits of deviation for any of the authorised works for the provision of working sites and access for construction purposes; and
 - (b) any land within the limits of deviation of any underground railway for the purpose of providing treatment of ground to facilitate the construction of that railway.
- (2) Not less than 28 days before entering upon and taking temporary possession of any land under this section the Executive shall give notice to the owners and occupiers of the land.
- (3)
 - (a) The Executive shall not, without the agreement of the owners and occupiers, remain in possession of any part of any land of which they take temporary possession under this section after a period of 18 months from the completion of the work of construction for which possession was required.
 - (b) Before giving up possession of any such land, the Executive shall remove all temporary works and restore the land to the reasonable satisfaction of its owners and occupiers.
- (4) The Executive shall not be empowered to purchase compulsorily, or be required to purchase, any land of which they take temporary possession under subsection (1) (a) above.
- (5)
 - (a) The Executive shall compensate the owners and occupiers of any land of which they take temporary possession under this section for any loss or

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damage which may result to them by reason of the exercise of the powers of this section in relation to that land.

- (b) Nothing in this section shall relieve the Executive from liability to compensate under section 6 or 43 of the Act of 1845 or section 10 (2) of the Act of 1965 as incorporated or applied in this 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 (a) above.
- (6) Every case of compensation to be ascertained under this section shall be ascertained under the provisions of the Land Compensation Act 1961.