
Changes to legislation: There are currently no known outstanding effects for the Crossrail Act 2008, Paragraph 9. (See end of Document for details)

SCHEDULES

SCHEDULE 2

WORKS: FURTHER AND SUPPLEMENTARY PROVISIONS

Entry for preparatory purposes

- 9 (1) The nominated undertaker may, for the purposes of this Act—
- (a) survey or investigate any land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used or which may be affected by the works authorised by this Act,
 - (b) without prejudice to the generality of paragraph (a), make trial holes in such positions as it thinks fit on any such land to investigate the nature of the surface layer and subsoil and remove soil samples,
 - (c) without prejudice to the generality of paragraph (a), carry out archaeological investigations on any such land,
 - (d) take steps to protect or remove any flora or fauna on any such land which may be affected by the carrying out of the works authorised by this Act,
 - (e) place on, leave on and remove from any such land apparatus for use in connection with the exercise of any of the powers conferred by paragraphs (a) to (d), and
 - (f) enter on any such land for the purpose of exercising any of the powers conferred by paragraphs (a) to (e).
- (2) No land may be entered, or equipment placed or left on or removed from land, under sub-paragraph (1) unless at least 7 days' notice has been served on every owner and occupier of the land.
- (3) The power conferred by paragraph (f) of sub-paragraph (1) includes power to enter with such vehicles and equipment as are necessary for the purpose of exercising any of the other powers conferred by that sub-paragraph.
- (4) Any person exercising the power conferred by sub-paragraph (1)(f) on behalf of the nominated undertaker shall, if requested to do so, produce written evidence of his authority.
- (5) This paragraph shall not authorise the making of trial holes in a carriageway or footway without the consent of the highway authority, but such consent shall not be unreasonably withheld.
- (6) Any dispute as to the giving of consent under sub-paragraph (5) shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the Secretary of State.
- (7) The nominated undertaker shall compensate the owners and occupiers of land in respect of which the powers conferred by this paragraph are exercised for any loss which they may suffer by reason of the exercise of those powers.

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- (8) Any dispute as to a person's entitlement to compensation under sub-paragraph (7), or as to the amount of the compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).

Modifications etc. (not altering text)

- C1** Sch. 2 para. 9 applied (with modifications) (E.W.S.) (11.3.2014) by [The Crossrail \(Paddington Station Bakerloo Line Connection\) Order 2014 \(S.I. 2014/310\)](#), arts. 1, 18, **Sch. 6 paras. 1-3**

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