

SCHEDULES

SCHEDULE 2

WORKS

PART 2

EXERCISE OF POWERS OF ENTRY ETC

- 14 (1) Where the nominated undertaker exercises any power under paragraphs 1 to 4, it must compensate the owners and occupiers of the building or land in relation to which the power is exercised for any loss which they may suffer by reason of the exercise of the power.
- (2) Any dispute as to a person's entitlement to compensation under sub-paragraph (1), or as to the amount of compensation, must be determined under and in accordance with Part 1 of the Land Compensation Act 1961.
- (3) Nothing in sub-paragraphs (1) and (2) affects liability to pay compensation under—
- (a) section 6 of the Railways Clauses Consolidation Act 1845, as incorporated into this Act,
 - (b) section 10(2) of the Compulsory Purchase Act 1965, as applied to the acquisition of land under section 4(1), or
 - (c) any other enactment,
- otherwise than for loss for which compensation is payable under sub-paragraph (1).
- (4) On application by a person who—
- (a) has incurred expenses in complying with a tree works notice under paragraph 7(2), or
 - (b) has suffered any loss or damage in consequence of the carrying out of works required by such a notice,
- the county court must order the nominated undertaker to pay the person such compensation in respect of the loss, damage or expenses as the court thinks fit.