



Croydon Tramlink Act 1994

1994 CHAPTER xi

PART II

WORKS

23 Underpinning of houses near works

The Corporation may, at their own expense, subject as hereinafter provided, underpin or otherwise strengthen any house or building within 30 metres of any of the authorised works, and for this purpose the following provisions shall have effect:—

- (1) At least 14 days' notice shall (except in the case of emergency) be given to the owner, lessee and occupier of the house or building intended to be so underpinned or otherwise strengthened.
- (2) Each such notice shall be served in manner prescribed by section 6 of the Acquisition of Land Act 1981 as if required to be served under that Act.
- (3) If any owner, lessee or occupier of any such house or building, within 10 days after the giving of such notice, gives a counter-notice in writing that he disputes the necessity of such underpinning or strengthening, the question of the necessity shall be settled by arbitration.
- (4) In any case in which any house or building has been underpinned or strengthened under the powers of this section the Corporation may, from time to time after the completion of such underpinning or strengthening, and during the execution of the authorised work in connection with which such underpinning or strengthening was done, or within five years after the opening for traffic of the authorised works, enter upon and survey such house or building and, after complying with the foregoing provisions of this section, do such further underpinning or strengthening as they may deem necessary or expedient.
- (5) The Corporation shall be liable to compensate the owner, lessee and occupier of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers of this section.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) Nothing in this section nor any dealing with any property in pursuance of this section shall relieve the Corporation from the liability to compensate under section 10 (2) of the Act of 1965 as applied by this Act, or under any other enactment, in respect of loss or damage arising from the execution of any works, other than works of underpinning or strengthening authorised by this section.
- (7) Every case of compensation under this section shall be determined in case of dispute in accordance with Part I of the Land Compensation Act 1961.