



# Greater Nottingham Light Rapid Transit Act 1994

## 1994 CHAPTER xv

### PART III

#### LANDS

#### 34 Temporary possession of land

- (1) In this section “the relevant land” means any of the lands in the City numbered 15, 16, 17, 18, 19, 21, 22, 107, 112, 113, 114 and 162 on the deposited plans, and any of the lands in the district of Ashfield numbered 19 on the deposited plans, shown on the deposited plans within the limits delineated by the line marked “limit of land to be acquired or used” and specified in Schedule 4 to this Act.
- (2) Subject to the provisions of this section, the undertakers may take temporary possession of and use the relevant land for the provision of working sites and access for construction purposes, and for that purpose may remove any structures and vegetation on the land.
- (3) Not less than 28 days before entering upon and taking temporary possession of the relevant land the undertakers shall give notice to the owners and occupiers of the land.
- (4) All private rights of way over any land of which the undertakers take possession under this Act shall be suspended and unenforceable against the undertakers for so long as they shall remain in lawful possession of the land.
- (5)
  - (a) The undertakers shall not, without the agreement of the owners and occupiers, remain in possession of any part of the relevant land under the powers of 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 the relevant land, the undertakers shall remove all temporary works and, subject to any agreement to the contrary with the owners and occupiers of the land, restore the relevant land to the reasonable satisfaction of the owners and occupiers thereof.

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*Status: This is the original version (as it was originally enacted).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

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- (6)
  - (a) The undertakers shall not be empowered to purchase compulsorily, or be required to purchase, any part of the relevant land of which they take possession under this section.
  - (b) The undertakers shall compensate the owners and occupiers of the relevant land for any loss or damage which may result to them by reason of the exercise of the powers of this section in relation to the relevant land.
  - (c) Nothing in this section shall relieve the undertakers 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 by 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 (b) above.
- (7) Compensation payable under this section shall be determined, in case of dispute, in accordance with Part I of the Land Compensation Act 1961.