

*Changes to legislation: There are currently no known outstanding effects for the Severn Bridges Act 1992, Part III. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### ACQUISITION AND OCCUPATION OF LAND

#### PART III

##### TEMPORARY OCCUPATION OF LAND

- 7 (1) Subject to the provisions of this paragraph, the Secretary of State may, in connection with the construction of—
- (a) the scheduled works specified in column (1) of the following table, or
  - (b) any works which are necessary or expedient for the purposes of, in connection with or in consequence of those works,
- enter upon and take temporary possession of the land in the areas specified in columns (2) and (3) of that table for such purposes as are specified in column (4) of that table and may, for such purposes, remove buildings on that land and provide means of access to that land.

TABLE

| <b>(1) Works Nos.</b>         | <b>(2) Area</b>                                     | <b>(3) Number of land shown on deposited plans</b> | <b>(4) Purpose for which temporary possession may be taken</b>           |
|-------------------------------|---|--|--|
| 1, 1A and 1B                  | Borough of Monmouth<br>Community of Magor with Undy | 4t, 5t, 6t, 7t and 10t                             | Construction access  |
| 1, 1B, 2, 2A, 2B, 7, 7A and 8 | Borough of Monmouth<br>Community of Rogiet          | 3t, 6 and 10                                       | Construction access  |
| 2, 2A, 2B, 7, 7A and 8        | Borough of Monmouth<br>Community of Rogiet          | 11, 12, 13 and 14                                  | Construction access and regrading of land prior to return to agriculture |
| 2, 2A, 2B, 7, 7A and 8        | Borough of Monmouth<br>Community of Rogiet          | 21 and 22  | Construction access  |

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|--|---|---|--|
| 2  | Borough of<br>Monmouth<br>Community of<br>Rogiet                  | 35, 36, 37, 38, 39<br>and 40              | Temporary service<br>diversions  |
| 2, 3, 9 and 27                                   | Borough of<br>Monmouth<br>Community of<br>Caldicot                | 14, 15, 16, 17, 18,<br>19, 20, 21 and 31t | Construction and<br>manufacturing<br>site and access<br>and surface water<br>drainage outfalls |
| 3, 10, 28, 29, 30<br>and 31                      | District of<br>Northavon Parish<br>of Pilning and<br>Severn Beach | 2t and 76                                 | Construction and<br>manufacturing site<br>and access   |
| 4, 4B, 4C, 13,<br>13A, 14, 15, 16,<br>16A and 17 | District of<br>Northavon Parish<br>of Olveston                    | 43t                                       | Construction<br>access   |
| 5  | District of<br>Northavon Parish<br>of Almondsbury                 | 1t, 12, 19 and 20                         | Temporary service<br>diversions  |

- (2) Not less than 28 days before entering upon and taking temporary possession of land under this paragraph the Secretary of State shall give notice to the owners and occupiers of the land.
- (3) The Secretary of State shall not, without the agreement of the owners and occupiers of the land, remain in possession of land under this paragraph after a period of one year from the completion of the work specified in relation to that land in column (1) of the table in sub-paragraph (1) above.
- (4) All private rights of way over land of which the Secretary of State takes temporary possession under this paragraph shall be suspended and unenforceable for so long as the Secretary of State remains in lawful possession of the land.
- (5) Before giving up possession of land of which temporary possession has been taken under this paragraph, the Secretary of State shall remove all temporary works and restore the land to the reasonable satisfaction of the owners and occupiers of the land; but the Secretary of State shall not be required to replace a building removed by him under this paragraph.
- (6) The Secretary of State shall pay compensation to—
- (a) the owners and occupiers of land of which temporary possession is taken under this paragraph for loss or damage resulting from the exercise of the powers conferred by this paragraph in relation to that land, and
  - (b) a person who suffers loss or damage by reason of the suspension of a right under this paragraph.
- (7) Nothing in this paragraph shall affect any liability to pay compensation under section 10(2) of the <sup>M1</sup>Compulsory Purchase Act 1965, as applied by section 2 of 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 sub-paragraph (6) above.

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- (8) A dispute as to a person's entitlement to compensation under sub-paragraph (6) above, or as to the amount of the compensation, shall be determined under and in accordance with Part I of the <sup>M2</sup>Land Compensation Act 1961.

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**Marginal Citations**

**M1** 1965 c. 56.

**M2** 1961 c. 33.

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