

SCHEDULES

SCHEDULE 16

TEMPORARY POSSESSION AND USE OF LAND

PART 2

TEMPORARY POSSESSION FOR MAINTENANCE OF WORKS

Procedure and compensation

- 8 (1) Not less than 28 days before entering upon and taking possession of land under paragraph 7, the nominated undertaker must give notice to the owners and occupiers of the land of its intention to do so.
- (2) Before giving up possession of the land, the nominated undertaker must restore the land to the reasonable satisfaction of its owners.
- (3) The nominated undertaker must pay compensation to the owners and occupiers of the land for any loss which they may suffer by reason of the exercise in relation to the land of the powers under paragraph 7.
- (4) Any dispute as to a person's entitlement to compensation under sub-paragraph (3), or as to the amount of compensation, must be determined under and in accordance with Part 1 of the Land Compensation Act 1961.
- (5) Nothing in this paragraph affects any liability to pay compensation under section 10(2) of the Compulsory Purchase Act 1965 (as applied by section 4(3) of this Act to the acquisition of land under section 4(1)), or under any other enactment, otherwise than for loss for which compensation is payable under sub-paragraph (3).