
STATUTORY INSTRUMENTS

2014 No. 909

**The Network Rail (Norton Bridge
Area Improvements) Order 2014**

PART 5

Powers of acquisition

Temporary use of land by National Grid

29.—(1) National Grid may, in connection with the carrying out of Work Nos. 17, 18, 19A and 19B and any associated development in connection with those works—

- (a) enter on and take temporary possession of the land specified in column (1) of Part 2 of Schedule 9 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (2) of Part 2 of that Schedule relating to the part of the authorised development specified in column (3) of Part 2 of that Schedule;
- (b) remove any buildings and vegetation from that land;
- (c) construct temporary works (including, subject to the provisions of article 14 (access to works), the provision of means of access) and buildings on that land; and
- (d) construct any works specified in relation to that land in column (2) of Part 2 of Schedule 9.

(2) Not less than 28 days before entering on and taking temporary possession of land under this article National Grid must serve notice of the intended entry on the owners and occupiers of the land.

(3) National Grid may not, without the agreement of the owners of the land, remain in possession of any land under this article after the end of the period of one year beginning with the date of completion of the part of the authorised development specified in relation to that land in column (3) of Part 2 of Schedule 9.

(4) Before giving up possession of land of which temporary possession has been taken under this article, National Grid must remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but National Grid is not required to—

- (a) replace a building removed under this article;
- (b) remove any pipe-line constructed in that land; or
- (c) remove any ground strengthening works which have been placed in that land to facilitate construction of the authorised development.

(5) National Grid must pay compensation to the owners and occupiers of land of which temporary possession is taken under this article for any loss or damage arising from the exercise in relation to the land of the powers conferred by this article.

(6) Any dispute as to a person's entitlement to compensation under paragraph (5), or as to the amount of the compensation, is to be determined under Part 1 of the 1961 Act.

(7) Nothing in this article affects any liability to pay compensation under section 152 of the 2008 Act (compensation in case where no right to claim in nuisance) or under any other enactment in

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

respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (5).

(8) National Grid is not precluded from acquiring new rights or imposing restrictive covenants over any part of the land shown numbered 30, 30a, 33, 34, 37, 38, 56, 58, 59, 61, 65 and 67 on the land plans.

(9) Where National Grid takes possession of land under this article, National Grid is not required to acquire the land or any interest in it.

(10) Section 13 of the 1965 Act (refusal to give possession to acquiring authority) applies to the temporary use of land under this article to the same extent as it applies to the compulsory acquisition of land under this Order by virtue of section 125 of the 2008 Act (application of compulsory acquisition provisions).