
STATUTORY INSTRUMENTS

2015 No. 781

The Crossrail (Plumstead Sidings) Order 2015

PART 2

WORKS PROVISIONS

Supplemental powers

Power to survey and investigate land

7.—(1) The promoter may, for the purposes of this Order, enter on any land shown within the Order limits and—

- (a) survey or investigate the land;
- (b) without limitation on the scope of sub-paragraph (a), make trial holes in such positions on the land as the promoter thinks fit to investigate the nature of the surface layer and subsoil and remove soil samples;
- (c) without limitation on the scope of sub-paragraph (a), carry out ecological or archaeological investigations on such land;
- (d) place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes; and
- (e) take steps to protect or remove any flora or fauna on such land which may be affected by the carrying out of the authorised works.

(2) No land may be entered or equipment placed or left on, or removed from, the land under paragraph (1), unless at least 7 days' notice has been served on every owner and occupier of the land.

(3) Any person entering land under this article on behalf of the promoter—

- (a) must, if so required, before or after entering the land produce written evidence of authority to do so; and
- (b) may take onto the land such vehicles and equipment as are necessary to carry out the survey or investigation or to make the trial holes.

(4) No trial holes are to be made under this article—

- (a) in land located within the highway boundary without the consent of the highway authority; or
- (b) in a private street without the consent of the street authority,

but such consent must not be unreasonably withheld.

(5) The promoter must compensate the owners and occupiers of the land for any loss or damage arising by reason of the exercise of the powers conferred by this article, such compensation to be determined, in case of dispute, under Part 1 of the 1961 Act (determination of questions of disputed compensation).

Status: This is the original version (as it was originally made).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

(6) If a highway authority or a street authority which receives an application for consent under either paragraph 4(a) or 4(b) (as the case may be), fails to notify the promoter of its decision within 14 days of receiving such application that authority is deemed to have granted consent.