

Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 1

LANDS

PART III

TEMPORARY USE OF LAND FOR WORKING SITES AND ACCESS

1 In this Part of this schedule—

“the access lands” means any of the lands shown on the deposited plans within a line marked “Limit of land to be temporarily used” specified in columns (1) and (2) of the following table providing access to the highway specified in column (3):—

<i>Area</i>	<i>Land numbered on the deposited plans</i>	<i>Highway to which access to be provided</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
In the district of Sevenoaks, parish of Sevenoaks.	1, 3, 4.	Water Cress Drive.

“the works land” means the following land shown on the deposited plans:

<i>Area</i>	<i>Land numbered on the deposited plans</i>
<i>(1)</i>	<i>(2)</i>
In the borough of Tonbridge and Malling, parish of Ightham.	2.

“the station lands” means any of the following lands of the Board shown on the deposited plans:—

<i>Area</i>	<i>Land numbered on the deposited plans</i>
<i>(1)</i>	<i>(2)</i>
In the borough of Maidstone, parish of Headcorn.	8.
In the borough of Tonbridge and Malling, parish of Borough Green.	1.

“the relevant lands” means any of the access lands or the works land.

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- 2 In connection with the construction of the authorised works the Board may—
- (1) establish and maintain a working site on each of the station lands;
 - (2) after giving to the owners and occupiers of the relevant lands not less than 28 days' notice in writing stating the purpose for which it is required—
 - (a) take possession of, and establish and maintain a working site on, the works land, remove such structures or vegetation on the land as may be necessary for the purpose so stated and construct on the land such temporary works or structures as they may require for that purpose; and
 - (b) use the access lands for access for purposes connected with the construction of the authorised works.
- 3 The Board shall not by reason of the exercise of the powers of this Part of this schedule be required to purchase any part of any relevant lands.
- 4 The Board shall not, without the agreement of the owners and occupiers of the works land, remain in possession of any part of that land after a period of one year from the completion of the works for which such possession has been taken.
- 5 Before giving up possession of the works land the Board shall remove all temporary works or structures and restore the land to the reasonable satisfaction of the owners and occupiers thereof.
- 6
 - (a) The Board shall compensate the owners and occupiers of the relevant lands for any loss or damage which may result to them by reason of the powers of this Part of this schedule.
 - (b) Nothing in this section shall relieve the Board 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 with 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 (a) above.
- 7 Any dispute as to a person's entitlement to compensation under paragraph 6 above or as to the amount thereof shall be determined by the tribunal.