



Avon Weir Act 1992

1992 CHAPTER v

PART III

LANDS

27 Temporary possession of land

- (1) This section applies to so much of the land delineated on the deposited plans and thereon numbered 1, 2, 3, 8, 13, 14 and 17 to 22 as lies within the line marked “Limit of land to be acquired or used” (hereinafter in this section referred to as “the said lands”).
- (2) The Corporation may, for the purpose of enabling it to construct the works, enter upon and take possession temporarily of the said lands after giving the owners, lessees and occupiers thereof not less than 28 days' previous notice in writing and may remove any structures thereon and may construct temporary works and structures thereon for such purpose.
- (3) The Corporation—
 - (a) shall not without the agreement of the owners, lessees and occupiers thereof remain in possession of any of the said lands under the powers of this section after a period of 10 years from the date of entry thereon;
 - (b) shall not be empowered to acquire compulsorily or be required to acquire the said lands (except such subsoil or new rights as it requires under the provisions of section 26 (Power to acquire new rights only) of this Act).
- (4) Before relinquishing possession of any of the said lands the Corporation shall remove all works and structures erected by it on the surface thereof and shall, subject to any agreement to the contrary with the respective owners, lessees or occupiers thereof, reinstate the land so far as reasonably practicable to its condition immediately before entry thereon by the Corporation.
- (5) The Corporation shall compensate the owners and occupiers of the said lands for any loss or damage which may result to them by reason of the exercise of the powers of this section.

Status: This is the original version (as it was originally enacted).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

- (6) Nothing in this section shall relieve the Corporation from liability to compensate under 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 of the works, other than loss or damage for which compensation is payable under subsection (5) above.
- (7) Any dispute as to a person's entitlement to compensation under subsection (5) above or as to the amount thereof shall be determined by the tribunal.