



Greater Nottingham Light Rapid Transit Act 1994

1994 CHAPTER xv

PART II

WORKS

22 Underpinning of houses near works

The undertakers may, at their own expense, subject as hereinafter provided, underpin or otherwise strengthen any house or building within 30 metres of any of the authorised works, and for that purpose the following provisions shall have effect:—

- (a) At least 28 days' notice shall (except in case of emergency) be given to the owner, lessee and occupier of the house or building intended to be so underpinned or otherwise strengthened:
- (b) Each such notice shall be served in manner prescribed by section 6 of the Acquisition of Land Act 1981 as if required to be served under that Act:
- (c) If any owner, lessee or occupier of any such house or building shall, within 21 days after the giving of such notice, give a counter-notice in writing that he disputes the necessity of such underpinning or strengthening, the question of the necessity shall be settled by arbitration:
- (d) In any case in which any house or building shall have been underpinned or strengthened under the powers of this section the undertakers may, from time to time after the completion of such underpinning or strengthening, and during the execution of the authorised work in connection with which such underpinning or strengthening was done, or within five years after the opening for traffic of the authorised works, enter upon and survey such house or building and, after complying with the foregoing provisions of this section, do such further underpinning or strengthening as they may deem necessary or expedient:
- (e) The undertakers shall be liable to compensate the owner, lessee and occupier of every such house or building for any loss or damage which they may suffer 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Status: This is the original version (as it was originally enacted).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.

- (f) Nothing in this section shall affect liability to compensate under section 6 of the Act of 1845 or section 10 (2) of the Act of 1965 as incorporated or applied by this Act, or under any other enactment, except in so far as compensation is payable under paragraph (e) above:
- (g) Compensation payable under this section shall be determined, in case of dispute, in accordance with Part I of the Land Compensation Act 1961.