

Airdrie-Bathgate Railway and Linked Improvements Act 2007

2007 asp 19

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Airdrie-Bathgate Railway and Linked Improvements Act 2007

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The Bill for this Act of the Scottish Parliament was passed by the Parliament on 28th March 2007 and received Royal Assent on 8th May 2007

An Act of the Scottish Parliament to authorise the construction of new railways between Drumgelloch and Bathgate, including new stations at Caldercruix and Armadale; to authorise the use of land for relocated stations at Drumgelloch and Bathgate; to authorise related improvements to the existing railways between Airdrie and Drumgelloch and Bathgate and Edinburgh; to regularise the operation of certain enactments relating to the existing railway affected by the works so authorised; and for connected purposes.

PART 1

WORKS, ETC.

Works

1 Power to construct scheduled works and ancillary works

The authorised undertaker may construct—

(a) the scheduled works referred to in section 2 ("the scheduled works"); and

(b) the ancillary works referred to in section 3 ("the ancillary works").

2 The scheduled works

(1) The scheduled works are the works situated within the lateral limits of deviation shown on the Parliamentary plans, at the levels shown on the Parliamentary sections and specifically described in schedule 1 to this Act.

(2) The extent of the scheduled works for which authority is given by this section is subject to section 4 (which permits deviation within limits from the lines and levels shown on the Parliamentary plans and sections).

3 The ancillary works

(1) The ancillary works are such works of the nature described in schedule 2 to this Act as may be necessary or expedient for the purposes of, in connection with or in consequence of the construction of the scheduled works.

(2) Subject to subsection (3), subsection (1) only authorises the carrying out or maintenance of works—

(a) within the limits of deviation; and

(b) on land specified in columns (1), (2) and (3) of Part 1, 2 or 3 of schedule 5 for the purpose specified in relation to that land in column (4) of that Part (being land shown on the Parliamentary plans as lying within the limits of land to be acquired or used).

(3) The authorised undertaker may construct and maintain ancillary works identified in paragraphs 10 and 11 of schedule 2 to this Act anywhere within the limits of deviation or the limits of land to be acquired or used.

4 Permitted deviation within limits

In constructing or maintaining the scheduled works the authorised undertaker may—

(a) deviate laterally from the lines or situations shown on the Parliamentary plans within the limits of deviation for that work shown on those plans; and

(b) deviate vertically from the levels shown on the Parliamentary sections—

(i) upwards by a maximum of 3 metres; and

(ii) to any extent downwards.

5 Access to works

(1) The authorised undertaker may, for or in connection with the authorised works, form and lay out means of access, or improve existing means of access, to or from any public road—

(a) at the points shown on the Parliamentary plans; or

(b) in such location or locations within the limits of deviation or the limits of land to be acquired or used as may be approved by the roads authority.

(2) Approval of the roads authority under subsection (1)(b) shall not be unreasonably withheld or delayed and any question whether an approval has been unreasonably withheld or delayed shall, unless the parties otherwise agree, be determined by arbitration.

6 Construction, maintenance and vesting of new or altered roads and vesting of bus lay-by, car parks and cyclepath

(1) Each of the roads specified in columns (1) and (2) of Part 1 of schedule 11 to this Act, excluding any structures specified in column (3) shall, unless otherwise agreed between the authorised undertaker and the roads authority, be completed to the reasonable satisfaction of the roads authority.

(2) Following completion of any road to which subsection (1) applies, the road shall, unless otherwise agreed between the authorised undertaker and the roads authority, be maintained by and at the expense of the authorised undertaker for a period of 12 months from its completion.

(3) Subject to subsections (4) and (9), on completion of each of the authorised works specified in column (1) of Part 2 of schedule 11 to this Act, title to that work, and in the case of the road, bus lay-by or car parks—

(a) the land on which each of them is constructed; and

(b) any other land acquired by the authorised undertaker for the purpose of constructing the road, bus lay-by or car parks,

shall, at the time specified in column (2), by virtue of this section vest in the roads authority.

(4) The extent of the roads vested by virtue of subsection (3)—

(a) shall not include—

(i) any structure specified in column (3) of Part 1 of schedule 11; or

(ii) any operational land held by Network Rail; and

(b) shall be subject to any determination by the authorised undertaker;

and such vesting shall be subject to such rights as may be requisite for the benefit or protection of the authorised works or Network Rail's railway undertaking.

(5) Following completion of the structures described in column (3) of Part 1 of schedule 11 to this Act, those structures shall vest in Network Rail (if not already so vested).

(6) The authorised undertaker shall give the roads authority notice in writing with a certificate that any authorised work to which subsection (3) applies is complete.

(7) The roads authority may, within 21 days after such service, give the authorised undertaker a counter-notice in writing that the notice is disputed on the ground that the work is not complete.

(8) Any dispute as to the completion of a work shall be determined by arbitration, and the determination of the arbiter (or other person to whom the dispute is referred) shall be final and binding.

(9) Any work or associated land which is the subject of a notice under subsection (6) shall vest—

(a) 28 days after the service of the notice;

(b) on the date of a determination under subsection (8) that the work is complete;

(c) on the date on which the authorised undertaker complies with any conditions for completion that are specified in the determination; or

(d) on the completion of the work as provided by subsection (3),

whichever is the latest.

(10) A certificate issued by or on behalf of the authorised undertaker as to the date on which the authorised undertaker complied with any conditions of the sort referred to in subsection (9)(c) together, if so requested by the roads authority, with a report from a consultant to be agreed between the authorised undertaker and the roads authority confirming such compliance, shall for the purposes of this section be conclusive evidence of such compliance.

(11) Nothing in this section shall prejudice the operation of section 146 of the 1991 Act (which enables the local roads authority to declare that a road shall become a public road); and the authorised undertaker shall not by reason of any duty under this section to maintain a road be taken to be the roads authority in relation to that road for the purposes of Part IV of that Act.

(12) Nothing in this section shall have effect in relation to road works in respect of which the provisions of Part IV of the 1991 Act apply.

7 Vesting of private accesses

(1) Subject to subsections (3) and (8), on completion of each of the private accesses specified in columns (1) and (2) of Part 3 of schedule 11 to this Act, the private access and its associated land shall, if they are vested in the authorised undertaker, by virtue of this section vest in the intended owner.

(2) Any vesting effected by subsection (1) shall be subject to such rights specified by the authorised undertaker as may be requisite to reflect public or private rights in any access for which the private access is a substitute.

(3) The extent of the private access vested by virtue of subsection (1)—

(a) shall not include—

(i) any structure specified in column (3) of Part 3 of schedule 11 to this Act; or

(ii) any operational land held by Network Rail; and

(b) shall be subject to any determination by the authorised undertaker.

(4) Following completion of the structures specified in column (3) of Part 3 of schedule 11 to this Act, those structures shall vest in Network Rail (if not already so vested).

(5) The authorised undertaker shall give every person in whom it intends to vest any access or associated land under this section not less than 28 days' notice in writing specifying—

(a) the private access or associated land that is to be vested;

(b) details of any other person in whom that access or land is to be vested; and

(c) details of any rights to which the access or land is to be subject and of every person who has or will have such rights,

together with a certificate that the access is complete.

(6) A person on whom a notice is served under subsection (5) may, within 21 days after such service, give the authorised undertaker a counter-notice in writing that the notice is disputed on the grounds that—

(a) the person on whom the notice has been served is not such a person as is described in subsection (10);

(b) the access is not complete; or

(c) any rights specified under subsection (5)(c) are not such as described in that subsection.

(7) Any dispute as to whether a person is such a person as is described in subsection (10), as to the completion of a private access or as to whether rights specified in a notice are such as described in subsection (5)(c) shall be determined by arbitration, and the determination of the arbiter (or other person to whom the dispute is referred) shall be final and binding.

(8) Any private access or associated land which is the subject of a notice under subsection (5) shall vest—

(a) 28 days after the service of notice under subsection (5);

(b) on the date of a determination under subsection (7) that the person on whom the notice has been served is such a person as is described in subsection (10) and that the access is complete;

(c) on the date on which the authorised undertaker complies with any conditions for completion that are specified in the determination; or

(d) on the completion of the access as provided by subsection (1),

whichever is the latest.

(9) A certificate issued by or on behalf of the authorised undertaker as to the date on which the authorised undertaker complied with any conditions of the sort referred to in subsection (8)(c) shall for the purposes of this section be conclusive evidence of such compliance.

(10) In this section "intended owner" means a person or persons identified by the authorised undertaker to become the owner of a private access constructed under this Act as being—

(a) the owner of the private access for which the private access being vested is a substitute; or

(b) the owner of land that is served by the private access.

8 Vesting of freight depot and associated facilities

(1) On the completion of Work No. 1G, Work No. 46 or the provision of a rail freight and car stabling depot at Boghall, whichever is later, plots nos. 839 and 840 in West Lothian shall by virtue of this section, and subject to such rights as may be requisite for the benefit or protection of Network Rail's railway undertaking, vest in EWS Railway.

(2) The authorised undertaker shall give EWS Railway not less than 28 days' notice in writing with a certificate that any work or facility referred to in subsection (1) is complete.

(3) The provisions of subsections (7) to (10) of section 6 shall apply to a notice given under subsection (2) of this section as if any reference in those subsections to a work or associated land were a reference to any work or facility referred to in subsection (1) of this section, and as if references to the roads authority were references to EWS Railway.

(4) In this section "EWS Railway" means English Welsh and Scottish Railway Limited (company no. 02938988).

9 Registration of vested land

(1) The Keeper of the Registers of Scotland may, without prejudice to section 4 of the Land Registration (Scotland) Act 1979 (c.33), register any land vested under section 6, 7 or 8 on receiving the material specified in subsection (2).

(2) The material referred to in subsection (1) is—

(a) particulars of the land vested under section 6, 7 or 8 sufficient to enable the Keeper to identify it by reference to the Ordnance Map;

(b) particulars of the person or persons in whom the land is vested;

(c) an application for registration made by or on behalf of the authorised undertaker or the person in whom the land is vested;

(d) details of any rights to which the vesting is subject;

(e) such proof as the Keeper may require that the events giving rise to the vesting have happened; and

(f) such other documents and evidence as the Keeper may require in order to satisfy himself that the vesting should be registered.

10 Permanent stopping up of roads

(1) Subject to the provisions of this section, the authorised undertaker may, in connection with the construction of the authorised works, stop up each of the roads specified in columns (1) and (2) of Part 1 of schedule 3 to this Act to the extent specified (by reference to the letters and numbers shown on the Parliamentary plans) in column (3) of that Part.

(2) No part of a road specified in Part 1 of schedule 3 to this Act in relation to which a substitute road is specified in column (4) of that Part shall be stopped up under this section until either—

(a) the substitute has been completed to the reasonable satisfaction of the roads authority and is open for public use; or

(b) a temporary alternative route is first provided and thereafter maintained by the authorised undertaker to the reasonable satisfaction of the roads authority between commencement and termination points of the road to be stopped up until completion of the new road in accordance with paragraph (a).

(3) Where any part of a road has been stopped up under this section—

(a) all rights of way over or along the stopped up part of the road shall be extinguished; and

(b) the authorised undertaker may, without making any payment, appropriate and use for the purposes of the authorised works so much of the site of the road as is bounded on both sides by land within the limits of deviation of the authorised works.

(4) Any person who suffers loss by the extinguishment of any private right of way under this section shall be entitled to compensation to be determined, in case of dispute, under the 1963 Act.

(5) Any dispute under subsection (2) as to the completion of a substitute road or the provision or maintenance of an alternative route shall, unless the authorised undertaker and the roads authority otherwise agree, be determined by arbitration.

(6) This section is subject to paragraph 2 of schedule 7 to this Act.

11 Private crossings

(1) If the authorised undertaker proceeds with the authorised works it shall make and maintain the private crossings under or over the railway described in Part 1 of schedule 4 to this Act ("the continuing private crossings").

(2) The continuing private crossings shall be provided for the use of the persons (if any) entitled under any existing enactment to use the existing private crossings at those points, and those persons shall be entitled to use the continuing private crossings on the same basis in all respects as they are entitled to use the existing private crossings.

(3) The authorised undertaker shall provide and maintain at each of the continuing private crossings such equipment as may from time to time be required for compliance with any requirement made under any enactment and, subject to such compliance, as may be agreed in relation to any crossing between the authorised undertaker and the person entitled to use the crossing.

(4) Nothing in section 60 of the 1845 Act, as incorporated with this Act, shall require the authorised undertaker to provide any other private crossing for the purpose of making good any interruption caused by the authorised works to the use of any lands to which there attaches an entitlement to use any of the continuing private crossings.

(5) The authorised undertaker may stop up and discontinue the private crossings described in Part 2 of schedule 4 to this Act and on such stopping up and discontinuance all rights of way across those crossings (if any) shall be extinguished and any obligation to maintain them as crossings (howsoever arising) shall cease to have effect.

(6) Any right or servitude which relates to a crossing of the former railway and which is not described in Part 2 of schedule 4 to this Act shall be extinguished and any obligation relating to such a crossing (however arising) shall cease to have effect.

(7) Any person who suffers loss by the extinguishment of any right of way over any of the crossings described in Part 2 of schedule 4 to this Act shall be entitled to compensation to be determined, in case of dispute, under the 1963 Act.

12 Power to execute road works

(1) The authorised undertaker may, for the purposes of exercising the powers conferred by this Act to construct any scheduled work having a junction with a road, enter upon any road and execute any works required for or incidental to the exercise of those powers.

(2) In exercise of the powers of subsection (1) the authorised undertaker may break up or open the road, or any sewer, drain or tunnel under it, may tunnel or bore under or open the road and may remove and use the soil or other materials in or under the road.

13 Works to be major works for roads purposes

(1) Works to which subsection (2) applies shall be treated for the purposes of Part IV of the 1991 Act as major works for roads purposes if—

(a) they are of a description mentioned in any of paragraphs (a) to (d), (f) and (g) of section 145(3) of that Act (which defines what roads authority works are major works for roads purposes); or

(b) they are works which, had they been executed under the powers of the roads authority, might have been carried out in exercise of the powers conferred by section 27 (dual carriageways, roundabouts and refuges) or 63 (new access over verges and footways) of the Roads (Scotland) Act 1984 (c.54).

(2) Subject to subsection (3), this subsection applies to any of the works mentioned in section 6(1), or any scheduled work having a junction with a road, in either case where the construction of the work involves the execution of road works in relation to a road which consists of or includes a carriageway.

(3) Subsection (2) does not apply to any work executed under power delegated to a roads authority by an agreement under section 14.

(4) In Part IV of the 1991 Act, references, in relation to major works for roads purposes, to the roads authority concerned shall, in relation to the works which are major works for roads purposes by virtue of subsection (1), be construed as references to the authorised undertaker.

14 Agreements with roads authorities, etc.

(1) Where under this Act the authorised undertaker is authorised to stop up or interfere with an existing road or part of an existing road, it may enter into agreements with the persons having the charge, management or control of the road concerning the construction (or contribution towards the expense of the construction) of—

(a) any new road to be provided in substitution;

(b) any alteration of the existing road; and

(c) any other related matters.

(2) The authorised undertaker may, by agreement with any such persons, delegate to them the power of constructing any such new road or any such alteration of an existing road, including any bridge over any railway, and, where the authorised undertaker is responsible for maintaining the new or altered road or bridge, the power to maintain it.

Supplemental powers

15 Temporary stopping up, alteration or diversion of roads

(1) During and for the purposes of the execution of the authorised works the authorised undertaker may temporarily stop up, alter or divert any road and may for any reasonable time—

(a) divert the traffic from the road; and

(b) subject to subsection (3), prevent all persons from passing along the road.

(2) Without prejudice to the generality of subsection (1), the authorised undertaker may exercise the powers of this section in relation to each of the roads specified in columns (1) and (2) of Part 2 of schedule 3 to this Act to the extent specified (by reference to the letters and numbers shown on the relevant Parliamentary plans) in column (3) of that Part.

(3) Without prejudice to the generality of subsection (1), the authorised undertaker may use any road stopped up under the powers of this section as a temporary working site.

(4) The authorised undertaker shall provide reasonable access for pedestrians going to or from premises abutting on a road affected by the exercise of the powers conferred by this section if there would otherwise be no such access.

(5) The authorised undertaker shall not exercise the powers conferred by this section—

(a) in relation to any road specified as mentioned in subsection (2), without first consulting the road works authority; and

(b) in relation to any other road, without the consent of the road works authority.

(6) Consent under subsection (5)(b) shall not be unreasonably withheld or delayed but may be given subject to such reasonable conditions as the road works authority may require.

(7) Any question whether—

(a) consent under subsection (5)(b) has been unreasonably withheld or delayed; or

(b) a condition imposed under subsection (6) is unreasonable,

shall, unless the parties otherwise agree, be determined by arbitration.

16 Discharge of water

(1) The authorised undertaker may use any available watercourse or any public sewer or drain for the drainage of water, and for that purpose may—

(a) lay down, take up and alter pipes; or

(b) make openings into, and connections with the watercourse, public sewer or drain,

on any land within the limits of deviation or the limits of land to be acquired or used.

(2) The authorised undertaker shall not discharge any water into any artificial watercourse, or any public sewer or drain, except with the consent of the person to whom it belongs; and such consent may be given subject to such terms and conditions as the person may reasonably impose but shall not be unreasonably withheld or delayed.

(3) The authorised undertaker shall not make any opening into any public sewer or drain except in accordance with plans approved by, and under the superintendence (if provided) of, the person to whom the sewer or drain belongs, but such approval shall not be unreasonably withheld or delayed.

(4) The authorised undertaker shall take such steps as are reasonably practicable to secure that any water discharged under the powers conferred by this section is as free as may be practicable from gravel, soil or other solid substance or oil or matter in suspension.

(5) Any difference under this section arising between the authorised undertaker and the owner of an artificial watercourse or a public sewer or drain shall, unless the parties otherwise agree, be determined by arbitration.

(6) Nothing in this section shall affect the operation of Part IV of the 1991 Act or the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (SSI 2005/348).

(7) In this section—

"public sewer or drain" means a sewer or drain which belongs to Scottish Water, a private provider who has made an agreement with Scottish Water under section 1(2)(b) of the Sewerage (Scotland) Act 1968 (c.47) (duty of local authority to provide sewerage for their area) or a roads authority; and

"watercourse" includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, sewers and passages through which water flows except a public sewer or drain.

PART 2

LAND

Powers of acquisition

17 Power to acquire land

The authorised undertaker is authorised to acquire compulsorily—

(a) such of the land shown on the Parliamentary plans within the limits of deviation as is required by the authorised undertaker for the purposes of the authorised works;

(b) such of the land so shown within the limits of land to be acquired or used as—

(i) is specified in columns (1), (2) and (3) of Part 1 of schedule 5 to this Act; and

(ii) may be required for the purposes specified in relation to that land in column (4) of that Part; and

(c) the interest of any person other than Network Rail in land comprising Network Rail's operational land on which there are or may be constructed works connected with the authorised works.

18 Acquisition of subsoil or rights

(1) In exercise of the powers conferred by section 17 the authorised undertaker may, as regards any land authorised to be acquired under that section, compulsorily acquire—

(a) so much of the subsoil of the land; or

(b) such servitudes or other rights in, on or over the land,

as may be required for any purpose for which the land may be acquired under that section.

(2) Servitudes and other rights may be acquired under subsection (1) by creating them as well as by acquiring servitudes and other rights already in existence.

(3) Section 90 of the 1845 Lands Act and paragraph 20 of Schedule 15 to the 1997 Act (which provide in certain circumstances for the owner of the land to require the purchase of the whole rather than part of that property) shall not apply to any compulsory acquisition under this section or under section 19.

(4) Subject to subsections (5) and (6), the Lands Clauses Acts, as incorporated with this Act, shall have effect with the modifications necessary to make them apply to the compulsory acquisition of new rights under this section or under section 19 as they apply to the compulsory acquisition of land.

(5) As so having effect, references in those Acts to land shall be treated as, or as including, references to new rights or to the land over which new rights are to be exercisable.

(6) Section 61 of the 1845 Lands Act (estimation of purchase money and compensation) shall apply to the compulsory acquisition of such a right as if for the words from "value" to "undertaking" there were substituted the words "extent (if any) to which the value of the land in or over which the right is to be acquired is depreciated by the acquisition of the right".

19 Purchase of specific new rights over land

(1) The authorised undertaker may acquire compulsorily in, on or over any of the land shown on the Parliamentary plans within any limits of land to be acquired or used and specified in columns (1), (2) and (3) of Part 2 of schedule 5 to this Act, such permanent servitudes or other new rights as it requires for the purposes mentioned in column (4) of that Part.

(2) The authorised undertaker may acquire compulsorily in, on or over any of the land shown on the Parliamentary plans within any limits of land to be acquired or used and specified in columns (1), (2) and (3) of Part 3 of schedule 5 to this Act, such temporary new rights as it requires for the purposes mentioned in column (4) of that Part.

(3) The powers conferred by this section are additional to the powers conferred by section 18.

20 Rights in roads or public places

(1) The authorised undertaker may—

(a) enter upon and appropriate so much of the subsoil of, or air-space over, any road or public place that is authorised to be compulsorily acquired under section 17 as may be required for the purposes of the authorised works; and

(b) may use the subsoil or air-space for those purposes or any other purpose connected with or ancillary to its railway undertaking.

(2) Subject to subsection (3), the powers conferred by subsection (1) may be exercised in relation to a road or public place without the authorised undertaker being required to acquire any part of the road or place or any servitude or other right in relation to it.

(3) Subsection (2) shall not apply in relation to—

(a) any subway or underground building; or

(b) any cellar, vault, arch or other construction in or on a road which forms part of a building fronting onto the road or public place.

(4) The authorised undertaker shall not be required to pay compensation for the exercise of the powers conferred by subsection (1) to the roads authority in respect of a public road or to the authority in which any public place is vested.

(5) Any person other than a roads authority who—

(a) is an owner or occupier of land in respect of which the power conferred by subsection (1) is exercised without the authorised undertaker acquiring any part of that person's interest in the land; and

(b) suffers loss by reason of the exercise of that power,

shall be entitled to compensation to be determined, in case of dispute, under the 1963 Act.

(6) For the purposes of section 28 of the Land Registration (Scotland) Act 1979 (c.33), the powers conferred by this section shall constitute a real right and shall be an overriding interest.

21 Temporary use of land for construction of works

(1) The authorised undertaker may, in connection with the carrying out of the authorised works—

(a) enter upon and take temporary possession of any of the land specified in columns (1), (2) and (3) of schedule 6 to this Act for the purpose specified in relation to that land in column (4) of that schedule relating to the authorised works specified in column (5) of that schedule;

(b) remove any apparatus, buildings or vegetation from that land; and

(c) construct temporary works (including the provision of apparatus or means of access) and buildings on the land.

(2) Not less than 28 days before entering upon and taking temporary possession of land under this section the authorised undertaker shall serve notice of the intended entry on the owners and occupiers of the land.

(3) The authorised undertaker may not, without the agreement of the owners of the land, remain in possession of any land under this section after the end of the period of one year beginning with the date of completion of the work specified in relation to that land in column (5) of schedule 6 to this Act.

(4) Before giving up possession of land of which temporary possession has been taken under this section, the authorised undertaker shall remove all temporary works and restore the land to the reasonable satisfaction of the owners of the land; but the authorised undertaker shall not be required to replace a building removed under this section.

(5) The authorised undertaker shall pay compensation to the owners and occupiers of land of which temporary possession is taken under this section for any loss or damage arising from the exercise in relation to the land of the powers conferred by this section.

(6) Any dispute as to a person's entitlement to compensation under subsection (5), or as to the amount of the compensation, shall be determined under the 1963 Act.

(7) Without prejudice to section 25, nothing in this section shall affect any liability to pay compensation under section 6 or 36 of the 1845 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 subsection (5).

(8) The powers of compulsory acquisition of land conferred by this Act shall not apply in relation to any land of which temporary possession has been taken under subsection (1), except that the authorised undertaker shall not be precluded from acquiring new rights.

(9) Where the authorised undertaker takes possession of land under this section, it shall not be required to acquire the land or any interest in it.

(10) In this section "building" includes any structure or erection.

Compensation

22 Disregard of certain interests and improvements

(1) In assessing any compensation payable on the acquisition from any person of any land under this Act, the tribunal shall not take into account—

(a) any interest in land; or

(b) any enhancement of the value of any interest in land by reason of any building erected, works executed or improvement or alteration made on relevant land,

if the tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works or the making of the improvement or alteration was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

(2) In subsection (1) "relevant land" means—

(a) the land acquired from the person concerned; or

(b) any other land with which that person is, or was at the time when the building was erected, the works executed or the improvement or alteration made, directly or indirectly concerned.

23 Set-off of betterment against compensation

(1) In determining the amount of compensation or purchase money payable to any person in respect of an interest in land acquired under this Act in a case where—

(a) the person has an interest in any other land contiguous with or adjacent to the land so acquired; and

(b) the value of the person's interest in any such contiguous or adjacent land is enhanced by reason of the works authorised by this Act or any of them,

the amount of the enhancement in value shall be set off against the compensation or purchase money.

(2) For the purposes of this section any reduction in expenditure that would have been required in order to comply with an obligation under any enactment with respect to any land is to be treated as an enhancement in the value of an interest in the land.

24 Application of legislation relating to certificates of appropriate alternative development

Section 30(2)(a) of the 1963 Act (which defines the circumstances in which an interest in land is to be taken as an interest to be acquired by an authority possessing compulsory purchase powers) shall have effect in relation to any compulsory purchase authorised by this Act as if for the words "either House of Parliament relating to petitions for private bills" there were substituted the words "the Scottish Parliament".

25 No double recovery

Compensation shall not be payable in respect of the same matter both under this Act and under any other enactment, any contract or any rule of law.

Supplementary

26 Acquisition of part of certain properties

(1) This section shall apply instead of section 90 of the 1845 Lands Act in any case where—

(a) a notice to treat is served on a person ("the owner") under that Act (as incorporated with this Act by section 57) in respect of part only—

(i) of a house, building or factory; or

(ii) of land consisting of a house with a park or garden,

("the land subject to the notice to treat"); and

(b) a copy of this section is served on the owner with the notice to treat.

(2) In such a case, the owner may, within the period of 21 days beginning with the day on which the notice was served, serve on the authorised undertaker a counter-notice objecting to the sale of the land subject to the notice to treat and stating that the owner is willing and able to sell the whole ("the land subject to the counter-notice").

(3) If no such counter-notice is served within that period, the owner shall be required to sell the land subject to the notice to treat.

(4) If such a counter-notice is served within that period and the authorised undertaker agrees to take the land subject to the counter-notice, the notice to treat shall be deemed to be a notice to treat for the land subject to the counter-notice.

(5) If such a counter-notice is served within that period and the authorised undertaker does not agree to take the land subject to the counter-notice, the question as to what land the owner shall be required to sell shall be referred to the tribunal.

(6) If on such a reference the tribunal determines that the land subject to the notice to treat can be taken—

(a) without material detriment to the remainder of the land subject to the counter-notice; or

(b) in the case of part of land consisting of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity or convenience of the house,

the owner shall be required to sell the land subject to the notice to treat.

(7) If on such a reference the tribunal determines that only part of the land subject to the notice to treat can be taken—

(a) without material detriment to the remainder of the land subject to the counter-notice; or

(b) in the case of part of land consisting of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity or convenience of the house,

the notice to treat shall be deemed to be a notice to treat for that part.

(8) If on such a reference the tribunal determines that—

(a) the land subject to the notice to treat cannot be taken without material detriment to the remainder of the land subject to the counter-notice; but

(b) the material detriment is confined to a part of the land subject to the counter-notice,

the notice to treat shall be deemed to be a notice to treat for the land to which the material detriment is confined in addition to the land already subject to the notice.

(9) If the tribunal determines that—

(a) none of the land subject to the notice to treat can be taken—

(i) without material detriment to the remainder of the land subject to the counter-notice; or

(ii) in the case of land consisting of a house with a park or garden, without material detriment to the remainder of the land subject to the counter-notice and without seriously affecting the amenity or convenience of the house; and

(b) the material detriment is not confined to a part of the land subject to the counter-notice,

the notice to treat shall be deemed to be a notice to treat for the land subject to the counter-notice.

(10) A notice to treat shall have the effect it is deemed to have under subsection (4), (8) or (9) whether or not the additional land is land which the authorised undertaker is authorised to acquire compulsorily under this Act.

(11) In any case where by virtue of a determination by the tribunal under this section a notice to treat is deemed to be a notice to treat for less land or more land than that specified in the notice, the authorised undertaker may, within the period of 6 weeks beginning with the day on which the determination is made, withdraw the notice to treat.

(12) If the authorised undertaker withdraws the notice to treat in accordance with subsection (11), it shall pay the owner compensation for any loss or expense occasioned to the owner by the giving and withdrawal of the notice, to be determined in case of dispute by the tribunal.

(13) Where the owner is required under this section to sell only part of a house, building or factory or of land consisting of a house with a park or garden, the authorised undertaker shall pay the owner compensation for any loss sustained by the owner due to the severance of that part in addition to the value of the interest acquired.

27 Extinction or suspension of private rights of way

(1) Subject to subsections (5) and (6), all private rights of way over land subject to compulsory acquisition under this Act shall be extinguished—

(a) as from the acquisition of the land by the authorised undertaker, whether compulsorily or by agreement; or

(b) on the entry on the land by the authorised undertaker under section 29,

whichever is sooner.

(2) Subject to subsections (5) and (6), all private rights of way over land of which the authorised undertaker takes temporary possession under this section shall be suspended and unenforceable for as long as the authorised undertaker remains in lawful possession of the land.

(3) Any person who suffers loss by the extinguishment or suspension of any private right of way under this section shall be entitled to compensation.

(4) Any dispute as to a person's entitlement to compensation under subsection (3), or as to the amount of compensation, shall be determined under the 1963 Act.

(5) This section does not apply in relation to any right of way to which section 224 or 225 of the 1997 Act (extinguishment of rights of statutory undertakers etc.) or paragraph 2 of schedule 7 to this Act applies.

(6) Subsections (1) and (2) shall have effect subject to—

(a) any agreement made (whether before or after this Act comes into force) between the authorised undertaker and the person entitled to the private right of way;

(b) any determination made by the authorised undertaker limiting the application of subsection (1) or (2) to the extent specified in the determination.

(7) A determination relating to subsection (1) must be made before the date on which the right in question would have been extinguished.

(8) A determination relating to subsection (2) may be made at any time before or after temporary possession of any land is taken.

(9) Notice of determination under this section must be given to the person entitled to the right of way to which it relates as soon as practicable after the making of the determination.

(10) This section does not apply to any of the land specified in columns (1), (2) and (3) of Part 2 of schedule 5 to this Act (land outside the limits of deviation in which rights are to be acquired).

(11) In this section "private right of way" means a right of way that is vested in a person and is not a public right of way.

28 Power to enter land for survey, etc.

(1) The authorised undertaker may, in relation to any land within the limits of deviation or the limits of land to be acquired or used, for the purposes of this Act—

(a) survey or investigate the land;

(b) without prejudice to the generality of paragraph (a), make trial holes in such positions as the authorised undertaker thinks fit on the land to investigate the nature of the surface layer and subsoil and remove water and soil samples;

(c) without prejudice to the generality of paragraph (a), carry out archaeological investigations on the land;

(d) take steps to protect or remove any flora or fauna on the land where the flora or fauna may be affected by the carrying out of the authorised works;

(e) place on, leave on and remove from the land apparatus for use in connection with the exercise of any power conferred by paragraphs (a) to (d); and

(f) enter on the land for the purpose of exercising any power conferred by paragraphs (a) to (e).

(2) No land may be entered, or apparatus placed or left on or removed from land, under subsection (1), unless—

(a) on the first occasion at least seven days'; and

(b) on subsequent occasions not less than three days',

notice has been served on every owner and occupier of the land.

(3) Any person entering land under this section on behalf of the authorised undertaker—

(a) shall, if so required, before or after entering the land produce written evidence of authority to do so; and

(b) may enter with such vehicles and equipment as are necessary for the purpose of exercising any of the powers conferred by subsection (1).

(4) No trial hole shall be made under this section in a carriageway or footway without the consent of the road works authority, but such consent shall not be unreasonably withheld.

(5) Any question as to whether consent has been unreasonably withheld under subsection (4) shall, unless the parties otherwise agree, be referred to arbitration.

(6) The authorised undertaker shall pay compensation for any damage occasioned, by the exercise of the powers conferred by this section, to the owners and occupiers of the land.

(7) Any dispute as to a person's entitlement to compensation under subsection (6), or as to the amount of compensation, shall be determined under the 1963 Act.

29 Further powers of entry

(1) At any time after notice to treat has been served in respect of—

(a) any land; or

(b) any servitudes or other rights in, on or over land,

which may be purchased compulsorily under this Act, the authorised undertaker may enter on and take possession of or use the land.

(2) No land may be entered under subsection (1) unless at least 28 days' notice has been given to the owner and occupier of the land specifying the land, or part of the land, of which possession is to be taken or which is to be used.

(3) The authorised undertaker may exercise the powers of this section without complying with sections 83 to 89 of the 1845 Lands Act before such exercise.

(4) Compensation for the land of which possession is taken under this section, and interest on the compensation awarded, shall be payable as if sections 83 to 89 of the 1845 Lands Act had been complied with.

(5) Nothing in this section affects the operation of section 48 of the Land Compensation (Scotland) Act 1973 (c.56).

30 Persons under disability may grant servitudes, etc.

(1) Persons empowered by the Lands Clauses Acts to sell and convey or dispose of land may grant to the authorised undertaker a servitude, right or privilege required for any of the purposes of this Act in, over or affecting any such land.

(2) A person may not under this section grant a servitude, right or privilege of water in which persons other than the grantor have an interest.

31 Parliamentary plans and book of reference: adjustments agreed with landowners and correction of errors

(1) Where—

(a) the authorised undertaker has entered into a binding obligation ("the obligation") not to acquire any land within the limits of deviation or the limits of land to be acquired or used; and

(b) either the authorised undertaker or the owner desires to reflect that commitment by way of either amendment of, or addendum to, either or both the Parliamentary plans and the book of reference,

the authorised undertaker or the owner of the land may (after giving the notice required by subsection (3)) apply summarily to the sheriff under this section.

(2) If the Parliamentary plans or the book of reference are inaccurate in—

(a) their description of any land; or

(b) their statement or description of the ownership or occupation of any land,

the authorised undertaker may (after giving the notice required by subsection (3)) apply summarily to the sheriff for the correction of such inaccuracy.

(3) The notice required by subsections (1) and (2) is 10 days' prior notice—

(a) in the case of a notice by the authorised undertaker, to the owner, lessee and occupier of the land in question; and

(b) in the case of a notice by an owner, to the authorised undertaker and to any lessee or occupier of the land in question.

(4) Any person to whom a notice has been given under subsection (1) or (2) may, within the period of 10 days from the giving of the notice, give to the sheriff and the person who gave the notice a counter-notice in writing that the person disputes—

(a) in the case of an application under subsection (1), that the proposed amendment or addendum accurately reflects the obligation; and

(b) in the case of an application under subsection (2), that there is an inaccuracy which may be amended under this section.

(5) In relation to any application under this section if it appears to the sheriff—

(a) that the proposed amendment or addendum accurately reflects the obligation; or

(b) that the inaccuracy arose from mistake,

as the case may be, the sheriff shall certify the fact accordingly.

(6) A certificate relating to an application under subsection (2) shall state in what respect any matter is misstated or wrongly described.

(7) If any counter-notice is given pursuant to subsection (4), the sheriff shall, before making any decision on the application cause a hearing to be held.

(8) The certificate shall be deposited in the office of the Clerk of the Parliament.

(9) On the making of the deposit required by subsection (8)—

(a) the Parliamentary plans and the book of reference shall be deemed to be corrected or amended according to the certificate; and

(b) it shall be lawful for the authorised undertaker to take the land or, as the case may be, a right over the land in accordance with the certificate.

(10) The Clerk of the Parliament shall keep every certificate deposited under this section with the Parliamentary plans or book of reference to which it relates.

(11) An application under subsection (1) or (2) may only be made in respect of land identified in the book of reference or on the Parliamentary plans.

(12) In this section "the sheriff" means the sheriff principal of, or any sheriff appointed for, the sheriffdom in which the land is located.

32 Period for compulsory acquisition of land

(1) The powers conferred by sections 17 and 19 for the compulsory acquisition of land and new rights shall cease after five years beginning on the date on which this Act comes into force.

(2) The powers conferred by sections 17, 18 and 19 for the compulsory acquisition of such land and servitudes or other rights shall, for the purpose of this section, be deemed to have been exercised in relation to any land, servitude or right if before the expiry of five years beginning on the date on which this Act comes into force—

(a) notice to treat has been served; or

(b) a declaration has been executed under paragraph 1 of Schedule 15 to the 1997 Act in respect of that land, servitude or right.

33 Extension of time

(1) On the application of the authorised undertaker, the Scottish Ministers may, by order, extend, or further extend, the period referred to in subsection (1) of section 32 provided that—

(a) such application is made prior to the expiry of the period or any extension to it; and

(b) the period referred to in that subsection, taken together with any extension to it, shall not exceed ten years in total.

(2) If the Scottish Ministers extend, or further extend, the period referred to in subsection (1) of section 32, subsection (2) of that section shall have effect as if, for the period referred to in it, there were substituted the extended, or further extended, period.

(3) The power of the Scottish Ministers to make orders under subsection (1) above shall be exercisable by statutory instrument.

(4) A statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of the Parliament.

34 Time limit on validity of notices to treat

Section 78 of the Planning and Compensation Act 1991 (c.34) shall apply in relation to a notice to treat served under section 17 of the 1845 Lands Act as incorporated with this Act.

35 General vesting declarations

(1) Section 195 of, and Schedule 15 to, the 1997 Act shall apply to the compulsory acquisition of land under this Act as if this Act were a compulsory purchase order so as to enable the authorised undertaker to vest by general vesting declaration any land authorised to be compulsorily acquired under this Act.

(2) The notice required by paragraph 2 of that Schedule (as so applied) shall be a notice—

(a) that this Act has received Royal Assent;

(b) containing the particulars specified in sub-paragraph (1) of that paragraph;

(c) published and served in accordance with the requirements of paragraph 6 of Schedule 1 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c.42); and

(d) given at any time after this Act comes into force.

36 Application of Crichel Down Rules

(1) The authorised undertaker shall apply the Crichel Down Rules in relation to surplus land.

(2) In this section—

"the Crichel Down Rules" means the rules set out in the Scottish Development Department Circular 38 of 1992 ("Disposal of Surplus Government Land – the Crichel Down Rules") as amended or superseded from time to time;

"surplus land" means any land acquired compulsorily under section 17 which is subsequently declared by the authorised undertaker to be surplus to the authorised undertaker's requirements for the provision of the authorised works.

PART 3

MISCELLANEOUS AND GENERAL

37 Registration of new rights

(1) A servitude or other right acquired by the authorised undertaker under section 18 or 19 shall, unless otherwise expressly stated in the instrument by which it is created, be treated for all purposes as benefiting the land from time to time held by the authorised undertaker for the purpose of the authorised works.

(2) Notwithstanding section 75 of the Title Conditions (Scotland) Act 2003 (asp 9), where a servitude falls to be treated as mentioned in subsection (1) above, the deed by which it is created shall be effective whether or not it is registered against the benefited property.

38 Power to fell, etc. trees or shrubs

(1) The authorised undertaker may fell, or lop or cut back the roots of, any tree or shrub near any part of the authorised works (or land proposed to be used for the authorised works), if it reasonably believes such action to be necessary in order to prevent the tree or shrub—

(a) from obstructing or interfering with the construction, maintenance or operation of the authorised works or any apparatus used for the purposes of the authorised works; or

(b) from constituting a danger to persons using the authorised works.

(2) In exercising the powers conferred by subsection (1), the authorised undertaker shall not do any unnecessary damage to any tree or shrub.

(3) Any person who suffers loss or damage arising from the exercise of the powers conferred by this section shall be entitled to compensation.

(4) Any dispute as to a person's entitlement to compensation under subsection (3), or as to the amount of compensation, shall be determined under the 1963 Act.

(5) The following, namely—

(a) an order under section 160(1) of the 1997 Act (tree preservation orders); and

(b) section 172(1) of that Act (which prohibits the doing in a conservation area of any act which might be prohibited by a tree preservation order),

shall not apply to any exercise of the powers conferred by subsection (1).

39 Powers of disposal, agreements for operation, etc.

(1) In addition to anything the authorised undertaker may do by virtue of any enactment or rule of law, it shall be competent for the authorised undertaker to enter into, and carry into effect, in connection with the authorised works, any agreement that includes provision for the matters described in subsection (2).

(2) The matters referred to in subsection (1) are—

(a) the transfer to and vesting in another person of all or any of the functions of the authorised undertaker under this Act, including the powers conferred by this section;

(b) the disposal of the whole or any part of the undertaking consisting of the authorised works and any land or rights held for the purposes of, or in connection with, those works;

(c) the creation of any heritable security, charge or other encumbrance secured on the undertaking.

(3) Any restrictions, liabilities or obligations to which the authorised undertaker is subject—

(a) under this Act; or

(b) under any undertaking or commitment relating to the authorised works given by or on behalf of Network Rail or any other authorised undertaker, at any time whether before or after the passing of this Act,

shall (notwithstanding any enactment or rule of law) be equally binding on any authorised undertaker.

(4) Within 21 days of the completion of any agreement providing for any matter described in subsection (2)(a), the authorised undertaker making the transfer shall serve notice on the Scottish Ministers stating the name and address of the transferee and the date when the transfer is to take effect.

(5) If an authorised undertaker fails, without reasonable excuse, to comply with the obligation imposed by subsection (4) it shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) In subsection (1), an agreement entered into in connection with the authorised works includes any agreement—

(a) with respect to the funding, construction, maintenance and operation of the authorised works and any matter consequential thereon or incidental or ancillary thereto; or

(b) which (separately or as part of any other agreement) contains such supplementary, incidental, transitional and consequential provisions as the authorised undertaker may consider to be necessary or expedient.

(7) In this section, unless the context otherwise requires "disposal" includes sale, lease, excambion and charge.

40 Statutory undertakers, etc.

The provisions of schedule 7 to this Act shall have effect in relation to the authorised works.

41 Historic obligations relating to former railway

(1) As from—

(a) the acquisition of any land by the authorised undertaker, whether compulsorily or by agreement; or

(b) the entry on the land by the authorised undertaker under section 29,

whichever occurs earlier, BRBR shall be discharged from any obligation to which it is subject in relation to that land under any statutory provision in a private Act or provisional order specifically relating to the former railway, including any provision of the 1845 Act or the Railways Clauses Act 1863 (c.92) that is incorporated in such a private Act or provisional order.

(2) As from the date of such discharge, all access and other rights (wherever exercisable) in respect of any structure located on land mentioned in subsection (1)(a) and of which, immediately before the discharge, BRBR had the benefit, being rights which arise under a statutory provision of the sort mentioned in subsection (1), shall have effect for the benefit of the authorised undertaker as statutory successor to BRBR in respect of any such structure.

(3) In this section—

"BRBR" means BRB (Residuary) Limited (company no. 04146505) and its successors;

"the former railway" means any railway which at any time prior to the passing of this Act, was situated within the limits of deviation of Work No. 1, Work No. 1A or Work No. 1AA;

"provisional order" means an order made under the Private Legislation Procedure (Scotland) Act 1936 (c.52) or any earlier Act which that Act replaced.

42 Listed buildings

Schedule 8 to this Act (which makes provision for the disapplication or modification, in relation to the authorised works, of controls relating to listed buildings) shall have effect.

43 Saving for town and country planning

(1) So far as they are not inconsistent with the provisions of this Act, the 1997 Act and any orders, regulations, rules, schemes and directions made or given thereunder and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development of that land is or may be authorised or regulated by or under this Act.

(2) In their application to development authorised by this Act, article 3 of, and Class 29 in Part 11 of Schedule 1 to, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (S.I. 1992/223) (which permit development authorised by (among other enactments) any Act of the Parliament which designates specifically both the nature of the development thereby authorised and the land upon which it may be carried out) shall have effect as if the authority to develop given by this Act were limited to development begun within 10 years after the date on which this Act comes into force.

(3) Subsection (2) shall not apply to the carrying out of any development consisting of the alteration, maintenance or repair of the authorised works or the substitution of new works therefor.

44 Assessment of effects on natural habitats

In the application of the Conservation (Natural Habitats &c.) Regulations 1994 (SI 1994/2716) to the authorised works, the Parliament is the competent authority.

45 Mitigation of environmental impacts

(1) The authorised undertaker shall employ all reasonably practicable means to ensure—

(a) that the environmental impacts of the construction and operation of the authorised works as described in the environmental statement are not worse than the residual impacts identified in the environmental statement in relation to those works; and

(b) that—

(i) the additional environmental mitigation measures identified in the promoter's undertakings are carried out; or

(ii) the environmental impacts of the construction or operation of the authorised works as so described are not worse than they would have been had the mitigation measures referred to in sub-paragraph (i) been carried out.

(2) In this section—

"environmental statement" means the environmental statement submitted to the Parliament as an accompanying document with the Bill for this Act;

"the promoter's undertakings" means all undertakings given by Network Rail as Promoter of the Bill for this Act—

(a) to the Committee during the Consideration Stage of the Bill for this Act; or

(b) to any person in connection with that Bill;

"residual impacts" means the environmental impacts of the construction or operation of the authorised works after the mitigation measures proposed in the environmental statement have been carried out.

46 Compliance with code of construction practice, noise and vibration policy and mitigation commitment documents

(1) The authorised undertaker shall employ all reasonably practicable means to ensure that—

(a) the authorised works are carried out in accordance with the code of construction practice as approved by the local planning authority for each area in which the authorised works are located and from time to time amended or replaced in accordance with schedule 9; and

(b) the noise and vibration policy and any mitigation commitment document, as from time to time amended or replaced, is applied to the use and operation of the authorised works as described in that policy and the environmental statement.

(2) None of the code of construction practice, the noise and vibration policy or any mitigation commitment document shall be amended or replaced so as to reduce the standards of mitigation and protection provided for in the versions being amended or replaced.

(3) Schedule 9 has effect in relation to the approval, amendment and replacement of the code of construction practice.

(4) In this section "noise and vibration policy" means the 'Airdrie to Bathgate Noise and Vibration Policy' dated 12 March 2007, a copy of which has been lodged with the Clerk of the Parliament to be held with the accompanying documents relating to the Bill for this Act.

47 Regulation of mitigation measures

(1) The requirements imposed by or pursuant to the following provisions, that is to say—

(a) sections 45 and 46; and

(b) schedule 9 to this Act,

shall be enforceable, and the local planning authority shall have the responsibility to enforce them, as valid planning conditions.

(2) For the purposes only of such enforcement and any appeal against a decision of the local planning authority under this Act, planning permission for the construction of the authorised works shall be deemed to have been granted under section 37 of the 1997 Act subject to the imposition of those conditions under section 41 of that Act.

(3) The authorised undertaker shall maintain a directory containing the code of construction practice, the noise and vibration policy and any mitigation commitment document.

(4) North Lanarkshire Council, West Lothian Council and City of Edinburgh Council shall appoint a single Planning Monitoring Officer to be responsible for the discharge by each of those councils of its functions under this section.

48 Protection of the water environment

Nothing in this Act affects the operation of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (SSI 2005/348) in relation to Works Nos. 1, 1G, 2B, 2C, 2E, 2F, 2J, 2L, 2S, 9, 10, 15, 16A, 18, 20A, 20B and 46, the attachment of overhead line equipment to Birdsmill Viaduct or any ancillary work described in paragraph 7 of schedule 2 to this Act.

49 Saving for Railways Act 1993

Section 45 and section 46 do not affect the carrying out of any activity that is—

(a) subject to regulation under the Railways Act 1993 (c.43); or

(b) connected with such an activity and subject to standards, guidance or other measures that form part of the terms of such regulation.

50 Blighted land

(1) This Act shall be deemed to be a special enactment for the purposes of paragraph 14 of Schedule 14 to the 1997 Act.

(2) Chapter II of Part V of that Act (which makes provision for the purchase of certain interests in land affected by planning proposals) shall apply to land authorised to be compulsorily acquired under this Act.

51 Real burdens and servitudes, etc. affecting land acquired

Any land acquired under or by virtue of this Act shall be treated as if it were acquired by virtue of a compulsory purchase order and the provisions of section 106 of the Title Conditions (Scotland) Act 2003 (asp 9) shall apply to it.

52 Limits of existing railways

The railways authorised by the enactments listed in schedule 10 to this Act shall for all purposes be deemed to have been constructed within the limits of deviation specified in those Acts.

53 Certification of plans, etc.

(1) As soon as practicable after the coming into force of this Act, the authorised undertaker shall submit copies of the book of reference, the Parliamentary plans and the Parliamentary sections to the Clerk of the Parliament for certification under this section.

(2) On being satisfied as to the accuracy of documents submitted under subsection (1), the Clerk shall certify them as being, respectively the book of reference, Parliamentary plans and Parliamentary sections referred to in this Act.

(3) A document certified under subsection (2) shall be admissible in any proceedings as evidence of the contents of the document of which it is a copy.

54 Registration of new rights

(1) A servitude or other right acquired by the authorised undertaker under section 18 or 19 shall, unless otherwise expressly stated in the instrument by which it is created, be treated for all purposes as benefiting the land from time to time held by the authorised undertaker for the purposes of the authorised works.

(2) Notwithstanding section 75 of the Title Conditions (Scotland) Act 2003 (asp 9), where a servitude falls to be treated as mentioned in subsection (1), the deed by which it is created shall be effective whether or not it is registered against the benefited property.

55 Dispute resolution

(1) Except as provided in sections 6(8) and 7(7), where under this Act any dispute (other than a dispute to which the provisions of the Lands Clauses Acts apply) is to be determined by arbitration (in default of other agreed dispute resolution procedure), the dispute shall be referred to, and settled by, a single arbiter to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after notice in writing to the other) by the President for the time being of the Institution of Civil Engineers.

(2) An arbiter appointed under this section shall be entitled to state a case for the opinion of the Court of Session pursuant to section 3 of the Administration of Justice (Scotland) Act 1972 (c.59).

(3) Section 108 of the 1996 Act (right to refer disputes to adjudication) and any regulations made under that section shall not apply to any dispute under this Act (whether or not it is a dispute of the sort described in subsection (1)).

(4) Subsection (3) does not affect the operation of the 1996 Act so far as applicable to any contract under which a contracting party other than the authorised undertaker is responsible for the construction or funding of the authorised works.

(5) In this section "the 1996 Act" means the Housing Grants, Construction and Regeneration Act 1996 (c.53).

56 Service of notices, etc.

(1) A notice or other document required or authorised to be served on a person for the purposes of this Act may be served—

(a) by delivering it to that person;

(b) by leaving it at that person's proper address; or

(c) by sending it by post to that person at that address.

(2) A notice or document is duly served on a body corporate or a firm—

(a) in the case of a body corporate, if it is served on the secretary or clerk of that body; and

(b) in the case of a firm, if it is served on a partner of that firm.

(3) For the purposes of subsection (1) and of paragraph 4 of Schedule 1 to the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 (S.I. 1999/1379), a letter is properly addressed to—

(a) a body corporate, if addressed to the body at its registered or principal office;

(b) a firm, if addressed to the firm at its principal office; or

(c) any other person, if addressed to the person at that person's last known address.

(4) Where for the purposes of this Act a notice or other document is required or authorised to be served on a person as having any interest in, or as the occupier of, land and the person's name or address cannot be ascertained after reasonable enquiry, the notice may be served by—

(a) addressing it to the person by name or by the description of "owner", or as the case may be "occupier", of the land (describing it); and

(b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) This section shall not be taken to exclude the employment of any method of service not expressly provided for by it.

PART 4

SUPPLEMENTARY

57 Incorporation of enactments

(1) The following enactments (so far as applicable for the purposes of and not inconsistent with, or varied by, the provisions of this Act) are incorporated with this Act—

(a) the Lands Clauses Acts, except sections 120 to 124 and section 127 of the 1845 Lands Act;

(b) the 1845 Act, except sections 1, 7 to 17, 19, 20, 22, 23, 25 to 37, 40 to 50, 52 to 56, 58, 59, 66, 68, 87 and 88; and

(c) in the Railways Clauses Act 1863 (c.92), section 12.

(2) In construing the enactments incorporated with this Act—

(a) this Act shall be deemed to be the special Act;

(b) the authorised undertaker shall be deemed to be the promoter of the undertaking or the company;

(c) the authorised works shall be deemed to be the works or the undertaking;

(d) sections 18 and 21 of the 1845 Act shall not apply in any case where the relations between the authorised undertaker and any other person are regulated by sections 143 and 144 of the 1991 Act; and

(e) section 60 of the 1845 Act shall have effect with the omission of the words from "Such and" to "formation thereof" and from "together with all necessary gates" to "all necessary stiles".

58 Interpretation

(1) In this Act—

"the 1845 Act" means the Railways Clauses Consolidation (Scotland) Act 1845 (c.33);

"the 1845 Lands Act" means the Lands Clauses Consolidation (Scotland) Act 1845 (c.19);

"the 1963 Act" means the Land Compensation (Scotland) Act 1963 (c.51);

"the 1991 Act" means the New Roads and Street Works Act 1991 (c.22);

"the 1997 Act" means the Town and Country Planning (Scotland) Act 1997 (c.8);

"the ancillary works" has the meaning given by section 3;

"associated land", in relation to a private road or private access, means the land on which the road or access is constructed, together with any other road or land acquired by the authorised undertaker under this Act for the purpose of such construction;

"the authorised undertaker" means, at any time, Network Rail or such other person or persons in whom are vested at that time some or all of the functions conferred by this Act on the authorised undertaker;

"the authorised works" means the works authorised by this Act;

"book of reference" means the book of reference submitted to the Parliament as an accompanying document with the Bill for this Act;

"code of construction practice" means the edition of the Code of Construction Practice (which sets out the measures to be employed in the construction of the authorised works so to mitigate the impact of those works) dated 23 March 2007, a copy of which has been lodged with the Clerk of the Parliament to be held with the accompanying documents relating to the Bill for this Act;

"the Committee" means the Airdrie-Bathgate Railway and Linked Improvements Bill Committee to which the Bill for this Act was referred, and includes any assessor appointed in respect of that Bill under Rule 9A.9.1B of the Standing Orders of the Parliament;

"construction" includes execution, placing, alteration and reconstruction and demolition; and "construct" and "constructed" have corresponding meanings;

"cyclepath" means a road over which the public right of passage is only by foot, by pedal cycle or on horseback;

"enactment" includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"the former railway" means any railway which no longer exists but which, prior to the passing of this Act, was situated within the limits of deviation of Work No. 1;

"functions" includes powers, duties and obligations;

"limits of deviation" means the limits so described on the Parliamentary plans;

"limits of land to be acquired or used" means the limits so described on the Parliamentary plans;

"mitigation commitment document" means a document setting out the authorised undertaker's commitments in terms of policy, plans or specific measures for mitigation of the environmental impacts of the authorised works or their construction;

"Network Rail" means Network Rail Infrastructure Limited (company no. 2904587) whose registered office is at 40 Melton Street, London NW1 2EE and any other of the Network Rail group of companies which holds property for railway purposes;

"operational land" has the meaning given by section 215 of the 1997 Act;

"Parliamentary plans" means the plans submitted to the Parliament as accompanying documents with the Bill for this Act;

"Parliamentary sections" means the sections submitted to the Parliament as accompanying documents with the Bill for this Act;

"private road" means any road which a roads authority does not have a duty to maintain;

"road" has the meaning given by section 107 of the 1991 Act;

"the road works authority" has the meaning given by section 108 of the 1991 Act;

"the roads authority" has the meaning given by section 151(1) of the Roads (Scotland) Act 1984 (c.54);

"the scheduled works" has the meaning given by section 2;

"the tribunal" means the Lands Tribunal for Scotland.

(2) Except in relation to section 4, any reference in any description of works, powers or land to area, distance, length or direction, or to a particular location shall be construed as if qualified by the words "or thereby".

59 Rights of Scottish Ministers

(1) Nothing in this Act affects prejudicially any estate, right, power, privilege, authority or exemption of the Scottish Ministers.

(2) Without prejudice to the generality of subsection (1), nothing in this Act authorises the acquisition of land (including any rights or interests in land) held or used by a minister of the Crown, a government department or the Scottish Ministers without the consent in writing of that minister or government department or of the Scottish Ministers.

(3) A consent under subsection (2) may be given unconditionally or subject to terms and conditions.

60 Short title

This Act may be cited as the Airdrie-Bathgate Railway and Linked Improvements Act 2007.

SCHEDULE 1
(introduced by section 2)

SCHEDULED WORKS

In the local government areas of North Lanarkshire, West Lothian and the City of Edinburgh a railway between Drumgelloch and Bathgate, substantially on the solum of the former railway, together with linked improvements to sections of the existing operational railway between Airdrie and Drumgelloch and Bathgate and Edinburgh, associated railway sidings and other works, including the raising of bridges along the existing railway between Bathgate and Edinburgh, and provision for new stations at Caldercruix and Armadale and relocated stations at Bathgate and Drumgelloch; including roads and private accesses necessitated by the railway works, and comprising—

In the local government areas of North Lanarkshire and West Lothian—

Work No. 1—A railway (22,032 metres in length) commencing by a junction with the Drumgelloch-Helensburgh via Queen Street Low Level and Singer Railway at a point 141 metres west of the bridge carrying Crowwood Drive over that railway, passing eastwards largely along the solum of the former railway, and terminating by a junction with the Bathgate branch railway at the relocated Bathgate station at a point 103 metres south of the junction of Gordon Avenue with Edinburgh Road. Work No. 1 includes new stations at Caldercruix and Armadale and relocated stations at Drumgelloch and Bathgate.

In the local government area of West Lothian—

Work No. 1A—A railway (668 metres in length) commencing by a junction with the Bathgate branch railway at a point 240 metres south of the junction of Gordon Avenue with Edinburgh Road, passing eastwards and terminating at a point 82 metres west of the bridge carrying Blackburn Road (B 782) over the Bathgate branch railway. Work No. 1A includes the removal of Rennie's overbridge carrying a path between Edinburgh Road and the Bathgate Golf Course.

Work No. 1AA—A railway (554 metres in length and forming sidings for a light maintenance depot at the site of the relocated Bathgate station) commencing at a point 155 metres south of the junction of Gordon Avenue with Edinburgh Road, passing eastwards and terminating by a junction with Work No. 1A at a point 450 metres east of Rennie's overbridge carrying a path between Edinburgh Road and the Bathgate Golf Course.

In the local government area of North Lanarkshire—

Work No. 1B—A footbridge over the Drumgelloch-Helensburgh via Queen Street Low Level and Singer Railway at Airdrie Station.

Work No. 1C—A footbridge over the railway (Work No. 1), at the relocated Drumgelloch station.

Work No. 1D—A footbridge over the railway (Work No. 1) at the new station at Caldercruix.

In the local government area of West Lothian—

Work No. 1E—A footbridge over the railway (Work No.1) at the new station at Armadale.

Work No. 1F—A footbridge over the Bathgate branch railway at the relocated Bathgate station.

Work No. 1G—A railway (480 metres in length and forming sidings for a freight depot at Boghall) commencing by a junction with the Bathgate branch railway at a point 28 metres east of the bridge carrying the A7066 over that railway, passing eastwards, and terminating at Boghall at a point 69 metres west of the bridge carrying Starlaw Road over the M8.

In the local government area of North Lanarkshire—

Work No. 2A—A cyclepath at Clarkston, commencing in Calderigg Place at a point 7 metres east of the junction of Torrance Avenue with Calderigg Place, passing north-eastwards and eastwards and terminating in Dunrobin Road at a point adjacent to the southern side of the entrance to Caldervale Forge.

Work No. 2B—A cyclepath commencing in Towers Road (Work No. 7) Clarkston at a point 7 metres north of the junction of Katherine Street with Towers Road, passing eastwards and northwards, then in a generally eastwards direction crossing over Katherine Park Lane at Clarkston, then passing northwards and eastwards and southwards, then in a generally eastwards direction then northwards and eastwards at Plains and terminating by a junction with the road (Work No. 9) at a point 151 metres south-east of the junction of that unnamed road with Main Street (A89).

Work No. 2C—A cyclepath adjacent to Brownieside Road, Plains, commencing in that road at a point 50 metres south-east of Brownieside Mill House, passing north-westwards and terminating by a junction with the road (Work No. 10) at a point 18 metres south-east of Brownieside Cottage.

Work No. 2E—A cyclepath commencing by a junction with Main Street (A89), passing northwards and south eastwards, then in a generally eastwards direction, southwards then eastwards and terminating at a point 6 metres south of overbridge 240/052, Caldercruix.

In the local government areas of North Lanarkshire and West Lothian—

Work No. 2F—A cyclepath commencing in Main Street, Caldercruix, at a point 44 metres east of the junction of Glengowan Road with Main Street, passing in a generally easterly direction over North Calder Water, then alongside Hillend Reservoir, and through Bracco Wood, then continuing in a generally easterly direction and terminating by a junction with the existing cyclepath at Mosshouse at a point 80 metres south of the southern corner of the main building at Mosshouse. Work No.2F includes the raising of the bridge over the railway (Work No.1) at Crawberry Hill.

In the local government area of West Lothian—

Work No. 2G—A cyclepath south of the disused Redburn Quarry, commencing by a junction with the existing cyclepath at a point 406 metres south of the junction of an existing track with Main Street (A89), passing southwards, then eastwards and northwards, and terminating by a junction with the existing cyclepath at a point 413 metres south of the junction of that existing track with Main Street.

In the local government areas of North Lanarkshire and West Lothian—

Work No. 2J—A cyclepath commencing by a junction with the existing cyclepath at a point 170 metres south-east of the junction of Bedlormie Drive with Redburn Road, passing eastwards over Barbauchlaw Burn, then southwards and eastwards across the track leading to the western entrance to Standhill Farm, continuing eastwards and terminating by a junction with the Millbank Quarry Road (Work No. 30B) at a point 175 metres south of the junction with the track leading to the eastern entrance to Standhill Farm with Millbank Quarry Road.

In the local government area of West Lothian—

Work No. 2K—A cyclepath at Blackridge, commencing by a junction with Harthill Road (B718) at a point 9 metres east of the junction of Station Road with Harthill Road, passing eastwards and terminating by a junction with the existing cyclepath at a point 174 metres east of that road junction.

Work No. 2L—A cyclepath commencing by a junction with the existing cyclepath at Westrigg at a point 180 metres west of the southern end of the track leading to Brownclair and Airdrie Road (A 89) passing eastwards and terminating at Armadale by a junction with Stonerigg Road at a point 194 metres south-east of that Burn.

Work No. 2N—A cyclepath commencing at Armadale by a junction with Stonerigg Road at a point 224 metres east of Black Moss Burn, passing eastwards to Armadale, then northwards, and terminating by a junction with Station Road (B8084) at a point 190 metres south of the junction of Morgan Way with Station Road.

Work No. 2P—A cyclepath commencing at Armadale by a junction with the road (Work No. 34) at a point 288 metres south-east of the junction of Morgan Way with Station Road, passing in a generally easterly direction and terminating at Teepit Hill by a junction with the cyclepath (Work No. 2Q) at a point 208 metres west of the junction of Birniehill Avenue with Birniehill Crescent.

Work No. 2Q—A cyclepath at Teepit Hill, commencing by a junction with the cyclepath (Work No. 2P) at its termination, passing westwards, then southwards and eastwards, and terminating by a junction with the cyclepath (Work No. 2R) at a point 88 metres west of the junction of Birniehill Avenue with Birniehill Crescent.

Work No. 2R—A cyclepath commencing by a junction with the cyclepath (Work No.2Q) at its termination, passing eastwards and terminating by a junction with Birniehill Avenue at its junction with Birniehill Crescent.

Work No. 2S—A cyclepath at Bathgate, commencing by a junction with Birniehill Avenue at a point 104 metres north-east of the junction of Birniehill Road with Birniehill Avenue, passing north-eastwards, then northwards and terminating at a point on the eastern side of Whitburn Road 25 metres east of the junction of the access road leading to the Bathgate Health Centre with Whitburn Road.

In the local government area of North Lanarkshire—

Work No. 4—A road, being a raising of Carlisle Road (A 73), Airdrie, over the Drumgelloch-Helensburgh via Queen Street Low Level and Singer Railway commencing in that road at a point 53 metres south of the centre of the roundabout at the junction of that road with Clark Street, Motherwell Street and Forrest Street, and terminating in Carlisle Road at a point 150 metres south of the centre of that roundabout.

Work No. 5—A road forming a means of access from Calderrigg Road to the relocated Drumgelloch station.

Work No. 6—A road forming a means of access from Forrest Street to the new station car park at Drumgelloch.

Work No. 7—A road, being a raising of Towers Road, Clarkston, over the railway (Work No. 1) commencing in that road at a point 53 metres north-west of the junction of Dunrobin Road with Towers Road and terminating in Towers Road at a point 10 metres north of the junction of Katherine Street with Towers Road.

Work No. 8A—A temporary road at Clarkston, for the duration of the construction of Work No. 8B, commencing at a point in Katherine Park Lane 30 metres south of the south-eastern corner of Wester Moffat farm house, passing northwards and terminating in Katherine Park Lane at a point 137 metres south-east of the junction of that road with Forrest Street.

Work No. 8B—A road, being a raising of Katherine Park Lane, Clarkston, over the railway (Work No. 1), commencing in that road at a point 29 metres south of the south-eastern corner of Wester Moffat farm house, passing northwards over the railway (Work No. 1) and terminating in that road at a point 142 metres south-east of the junction of that road with Forrest Street. Work No. 8B includes a bridge over the railway (Work No. 1).

Work No. 9—A road at Plains commencing by a junction with Main Street (A 89) at a point 35 metres east of the junction of Meadowhead Road with Main Street (A 89) passing south-eastwards over the railway (Work No.1) then eastwards and terminating by a junction with Brownieside Road in that road at a point 47 metres south-east of the south-eastern corner of Brownieside Mill House. Work No. 9 includes a bridge over the railway (Work No.1).

Work No. 9A—A road at Plains commencing by a junction with the road (Work No. 9) passing eastwards and terminating at the entrance to the existing Express Dairies depot.

Work No. 10—A road at Plains commencing by a junction with Brownieside Road at a point in that road 21 metres south-east of the south-eastern corner of Brownieside Cottage, passing north-eastwards and terminating at the entrance to Ford Farm, Loadmanford.

Work No. 11—A road at Plains commencing by a junction with the road (Work No.12) at a point in Station Road 69 metres south-east of the junction of that road with Main Street (A89), passing north-eastwards and terminating at a point 65 metres north-east of the junction of Station Road with Main Street (A89).

Work No. 12—A realignment of Station Road, Plains, commencing in that road at a point 65 metres south-east of its junction with Main Street (A89), passing north-westwards and terminating in Station Road at a point 41 metres south-east of its junction with Main Street.

Work No. 13—A footbridge over the railway (Work No. 1) at Plains to provide a link between Main Street (A89), Brownieside Road and Plains Country Park commencing by a junction with Main Street (A89), passing south-eastwards then south-westwards and terminating by a junction with Station Road.

Work No. 14—A temporary realignment of Main Street (A 89)/Airdrie Road (A 89) east of Plains, commencing in Main Street at a point 315 metres north-east of Ford Bridge, passing westwards, then south-westwards and terminating in Airdrie Road (A89) at a point 94 metres north-east of Ford Bridge. Work No. 14 includes a bridge over the railway (Work No. 1).

Work No. 15—A temporary realignment of the Caldercruix Sewage Works and Easterton Farm access road commencing in that access road at a point 98 metres north of its junction with Airdrie Road (A89), passing generally northwards and terminating in that access road at a point 172 metres north of that road junction.

Work No. 16—A realignment of Airdrie Road (A 89), Caldercruix commencing in that road at a point 198 metres east of the entrance to Clints Farm, passing westwards and terminating in that road at a point 19 metres east of that farm entrance.

Work No. 16A—An access road at Caldercruix commencing by a junction with the realigned Airdrie Road (Work No. 16) at a point 119 metres east of the entrance to Clints Farm, passing northwards over North Calder Water, and terminating at Caldercruix at a point 192 metres north-east of that farm entrance. Work No. 16A includes a bridge over North Calder Water.

Work No. 18—An improvement of Main Street, Caldercruix, commencing at a point in that road at its junction with Airdrie Road (A 89), passing northwards over North Calder Water and terminating in Main Street at a point 30 metres west of the junction of Church Place with Main Street. Work No. 18 includes a bridge over North Calder Water.

Work No. 19—A road, being a raising of Main Street, Caldercruix, over the railway (Work No. 1), commencing in Main Street at a point 38 metres north-east of the junction of Millstream Crescent with Main Street, passing in a north-easterly direction over the railway (Work No. 1) and terminating in Main Street at a point 10 metres north-east of the junction of Station Road with Main Street. Work No. 19 includes a bridge over the railway (Work No. 1).

Work No. 20A—A temporary road at Hillend, for the duration of the construction of Work No. 20B, commencing in the unnamed road between Airdrie Road (A 89) and Hillend Reservoir Car Park at a point 122 metres north of the junction of that road with Airdrie Road, passing northwards and terminating in that unnamed road at a point 269 metres north of that road junction.

Work No. 20B—A road, being a raising of the unnamed road between Airdrie Road (A 89) and Hillend Reservoir Car Park, over the railway (Work No. 1), commencing in that unnamed road at a point 122 metres north of its junction with Airdrie Road, passing northwards over the railway (Work No. 1), and terminating in that unnamed road at a point 269 metres north of that road junction. Work No. 20B includes a bridge over the railway (Work No. 1).

Work No. 21—A footbridge over the railway (Work No. 1) at Hillend Fishing Lodge between Airdrie Road (A89) and Hillend Angling Club.

Work No. 22A—A temporary road at Forrestfield, for the duration of the construction of Work No. 22B, commencing by a junction with Airdrie Road at a point 25 metres west of the existing junction of Woodside Road with Airdrie Road (A 89), passing northwards and terminating by a junction with Work No. 23.

Work No. 22B—A road, being a raising of Woodside Road, Forrestfield, over the cyclepath (Work No. 2F) and the railway (Work No. 1), commencing at the junction of Airdrie Road (A 89) with Woodside Road, passing northwards over the cyclepath (Work No. 2F) and the railway (Work No. 1), and terminating by a point in Woodside Road 165 metres north of that junction. Work No. 22B includes a bridge over the cyclepath (Work No. 2F) and the railway (Work No. 1).

Work No. 23—An access road at Forrestfield, commencing by a junction with Woodside Road at a point 165 metres north of the junction of that road with Airdrie Road (A89), passing southwards then westwards and terminating at a point 140 metres south-west of its commencement.

Work No. 24—A road at Raiziehill, commencing at a point adjacent to the property known as Raiziehill, passing northwards, then eastwards and terminating by a junction with the track between the unnamed road and the property known as Raiziehill at a point 82 metres north of that property.

In the local government areas of North Lanarkshire and West Lothian—

Work No. 25A—A temporary road at Bedlormie Toll, for the duration of the construction of Work No. 25B, commencing in Airdrie Road (A89) at a point 173 metres south-east of the property known as Raiziehill, passing eastwards and terminating at a point in Airdrie Road 521 metres south-east of that property.

Work No. 25B—A road, being a raising of Airdrie Road (A 89), Bedlormie Toll, over the railway (Work No. 1) and the cyclepath (Work No. 2F), commencing in that road at a point 200 metres south-east of the property known as Raiziehill, passing eastwards over the railway (Work No. 1) and the cyclepath (Work No. 2F), and terminating in Airdrie Road (A89) at a point 390 metres east of that property. Work No. 25B includes a bridge over the railway (Work No. 1) and the cyclepath (Work No. 2F).

In the local government area of West Lothian—

Work No. 26—A road at Mosshouse, commencing at a point adjacent to the property known as Mosshouse 36 metres south-west of the main building at Mosshouse, passing southwards over the railway (Work No. 1) then westwards and terminating at a point 133 metres south-west of the southern corner of that main building. Work No. 26 includes a bridge replacing the existing bridge over the railway (Work No. 1).

Work No. 27—A road in part adjacent to the disused Redburn Quarry, being a realignment of the Bogend Farm Access Road between Main Street (A 89) and Bogend Farm, commencing in that access road at a point 200 metres south of that unamed road with Main Street, passing southwards over the railway (Work No. 1) and terminating at a point in Bogend Farm 496 metres south of that road junction. Work No. 27 includes a bridge over the railway (Work No. 1).

Work No. 28—An access road adjacent to the disused Redburn Quarry, commencing by a junction with the road (Work No. 27) passing southwards and terminating at a point 79 south-westwards of that junction.

In the local government areas of North Lanarkshire and West Lothian—

Work No. 29—A road west of Blackridge, being a realignment of the unnamed road leading to the western entrance to Standhill Farm, commencing in that unnamed road at a point 30 metres south of that entrance, passing southwards over the railway (Work No. 1) and terminating in that unnamed road at a point 173 metres south of that entrance. Work No. 28 includes a bridge over the railway (Work No. 1).

In the local government area of West Lothian—

Work No. 30A—A temporary road at Blackridge, for the duration of the construction of Work No. 30B, commencing in Millbank Quarry Road at a point 96 metres south of the junction of the access road leading to the eastern entrance to Standhill Farm with Millbank Quarry Road, passing south-eastwards and terminating in Station Road at a point 240 metres south-east of that road junction.

Work No. 30B—A road, being a raising of Millbank Quarry Road/Station Road, Blackridge, over the railway (Work No. 1), commencing in Millbank Quarry Road at a point 113 metres south of the junction of Millbank Quarry Road with the access road leading to the eastern entrance to Standhill Farm, passing south-eastwards over the railway (Work No. 1), and terminating in Station Road at a point 216 metres south of that road junction. Work No. 30B includes a bridge over the railway (Work No. 1).

Work No. 31—A road, being a lowering of Harthill Road (B718), Blackridge, under the railway (Work No. 1), commencing in Westcraigs Road at a point 36 metres south of the bridge carrying that road over Barbauchlaw Burn, passing southwards under the railway (Work No. 1), and terminating in Harthill Road (B718) at a point 5 metres east of the junction of Station Road with Harthill Road. Work No. 31 includes a bridge replacing the existing bridge under the railway (Work No. 1).

Work No. 31A—A road at Blackridge, commencing at a point 482 metres south-east of the junction of Airdrie Road (A89) with the access track adjacent to Brownclair, passing south-westwards, then northwards over the railway (Work No. 1) and the cyclepath (Work No. 2L) and terminating at a point 258 metres south of that junction. Work No. 31A includes a bridge over the cyclepath (Work No. 2L) and the railway (Work No. 1).

In the local government areas of North Lanarkshire and West Lothian—

Work No. 32—A road at Black Moss Burn, commencing by a junction with Stonerigg Road at a point 197 metres south-east of Black Moss Burn, passing south-eastwards and terminating by a junction with the access road between Netherhouses and Westfield Farm and Stonerigg Road at a point 317 metres south of the junction of that access road and Stonerigg Road.

In the local government area of West Lothian—

Work No. 33—A realignment of Station Road (B8084), Armadale, commencing in Station Road at a point 101 metres south of No.79 Station Road, passing north-westwards over the railway (Work No. 1) then northwards and terminating in that road at a point 38 metres south of the junction of Morgan Way with Station Road. Work No. 33 includes a bridge over the railway (Work No. 1).

Work No. 34—A road at Armadale, commencing by a junction with the road (Work No. 33) at a point 114 metres south of the junction of Morgan Way with Station Road (B 8084), passing north-eastwards then eastwards and south-eastwards across the road (Work No. 37) and terminating in the new station car park at Armadale at a point 302 metres south-east of the junction of Morgan Way with Station Road.

Work No. 35—An access road at Armadale, commencing by a junction with the road (Work No. 33) at a point 25 metres south-west of No. 79 Station Road, passing westwards and terminating by a junction with Springfield Access Road at a point 82 metres west of No. 79 Station Road.

Work No. 36—A road at Armadale, commencing in the access road leading to Tarrareoch Farm and Honeysuckle cottage at a point 223 metres east of that road junction, passing south-westwards and terminating by a junction with the road (Work No. 34) at a point 189 metres east of the junction of Morgan Way with Station Road (B8084).

Work No. 37—A road at Armadale, commencing at a point 218 metres east of the junction of Morgan Way with Station Road (B 8084), passing north-eastwards across the road (Work No. 34) and terminating at a point 284 metres east of that road junction.

Work No. 38—A road at Whiteside, commencing at the proposed feeder station adjacent to the A 801 road overbridge 240/034A, passing eastwards and terminating by a junction with the track leading to Whitburn Road (B7002) at a point 374 metres north-west of the junction of that track with that road.

Work No. 39A—A temporary road at Bathgate, for the duration of the construction of Work No. 39B, commencing in Whitburn Road (B7002) at a point 132 metres east of the junction of Birniehill Road with Birniehill Avenue, passing northwards and terminating in Whitburn Road (B7002) at a point 4 metres north-west of the junction of Whiteside with Whitburn Road (B7002).

Work No. 39B—A road, being a raising of Whitburn Road, Bathgate (B7002), over the cyclepath (Work No. 2S) and the railway (Work No. 1), commencing in Whitburn Road (B7002) at a point 138 metres east of the junction of Birniehill Road with Birniehill Avenue, passing northwards over the cyclepath (Work No. 2S) and the railway (Work No. 1), and terminating at a point in Whitburn Road 9 metres north-west of the junction of Whiteside with Whitburn Road. Work No. 39B includes a bridge over the cyclepath (Work No. 2S) and the railway (Work No. 1).

Work No. 40—A road at Bathgate, commencing in Menzies Road at a point 34 metres north-west of the centre of the existing roundabout at the junction of Menzies Road with Whitburn Road (B7002), passing south-eastwards, then eastwards and south-eastwards and terminating at a point 148 metres south of the junction of Academy Street with Edinburgh Road.

Work No. 41—A road at Bathgate, commencing in Whitburn Road (B7002) at a point 54 metres east of the centre of the existing roundabout at the junction of Menzies Road with Whitburn Road, passing south-westwards and terminating in Whitburn Road at a point 54 metres south-west of the centre of that existing roundabout.

Work No. 42—A road at Bathgate, commencing at the entrance to Bathgate Foundry, passing south-westwards and terminating by a junction with the road (Work No. 40) at a point 48 metres south-east of the centre of the existing roundabout at the junction of Menzies Road with Whitburn Road.

Work No. 43—An access road at Bathgate, commencing by a junction with the road (Work No. 40) at a point 121 metres south of the junction of Academy Street with Edinburgh Road, passing south-eastwards and terminating in the access road leading to Bathgate Golf Course at a point 175 metres south-east of that road junction.

Work No. 44—A footbridge over the Bathgate branch railway at Boghall, to carry the existing path between Hunter Grove and the A7066.

Work No. 45—A temporary road at Boghall, commencing by a junction with the A 7066 at a point 35 metres north-west of the centre of the roundabout at that junction, passing northwards then north-eastwards and northwards and terminating at a point 51 metres south-west of the footbridge (Work No. 44).

Work No. 46—A road at Boghall, commencing by a junction with the A7066 at a point 30 metres south-east of the centre of the roundabout at the junction of that road with the entrance to The Pyramids Business Park, passing north-eastwards then eastwards and northwards and terminating in Bog Burn at a point 155 metres south-east of the bridge carrying the A7066 over the Bathgate branch railway.

Work No. 47A—A temporary road at Livingston, for the duration of the construction of Work No. 47B, commencing in Deans North Road at a point 10 metres south-east of its junction with Deans South Road, passing south-eastwards and terminating in Deans North Road at a point 118 metres south-east of that road junction.

Work No. 47B—A road, being a raising of Deans North Road, Livingston, over the Bathgate branch railway, commencing in that road at a point 19 metres south-east of its junction with Deans South Road, passing south-eastwards and terminating in Deans North Road at a point 109 metres south-east of its junction with Deans South Road. Work No. 47B includes a bridge over the Bathgate branch railway.

Work No. 48A—A temporary footbridge over the Bathgate branch railway at Camps Rigg, Livingston, for the duration of the construction of Work No. 48B, to carry the path between Camps Rigg and Sutherland Way.

Work No. 48B—A raising of the footbridge over the Bathgate branch railway at Camps Rigg, Livingston which carries the path between Camps Rigg and Sutherland Way.

Work No. 49A—A temporary footbridge over the Bathgate branch railway at Morrison Way, Livingston, for the duration of the construction of Work No. 49B, to carry the path known as The Loan Path.

Work No. 49B—A raising of the footbridge over the Bathgate branch railway at Morrison Way, Livingston, which carries the path known as The Loan Path.

Work No. 50—A raising of the footbridge over the Bathgate branch railway at the Houstoun Industrial Estate, Livingston East, which carries a path into that estate.

Work No. 51—A road at Uphall commencing by a junction with Station Road at a point 204 metres north of the bridge carrying the M8 over that road, passing eastwards then southwards and terminating in plot no. 989 at a point 204 metres north-east of that bridge.

Work No. 52—A footbridge over the Bathgate branch railway and the M8 at Uphall Station providing a link between the proposed northern car park and the southern platform of the station.

Work No. 52A—A ramp from the central span of the footbridge (Work No. 52) to the northern platform of Uphall Station.

In the local government area of the City of Edinburgh—

Work No. 53—An access road in the Newbridge Industrial Estate commencing by a junction with Cliftonhall Road at a point 21 metres south of the bridge carrying the Edinburgh to Glasgow Main Line over that road, passing eastwards then southwards and terminating at a point adjacent to the Bathgate branch railway 316 metres east of that bridge.

Work No. 54A—A temporary road at Norton Mains, for the duration of the construction of Work No. 54B, commencing on the southern side of the Edinburgh to Glasgow Main Line in the track leading to Norton Mains Cottages at a point 138 metres south-west of those Cottages, passing northwards and terminating on the northern side of the Edinburgh to Glasgow Main Line in the track leading to Norton Mains Cottages at a point 53 metres west of those Cottages.

Work No. 54B—A road, being a raising of the track leading Norton Mains Cottages, Norton Mains, over the Edinburgh to Glasgow Main Line, commencing on the southern side of that railway in the track leading to those Cottages at a point 120 metres south-west of those Cottages, passing northwards over that railway and terminating on the northern side of that railway in the track leading to those Cottages at a point 85 metres west of those Cottages. Work No. 54B includes a bridge over the Edinburgh to Glasgow Main Line.

Work No. 55A—A temporary road at Roddinglaw, for the duration of the construction of Work No. 55B, commencing in Roddinglaw Road at a point 146 metres north-west of No.1 Roddinglaw Cottages, passing southwards and terminating in that road at a point 19 metres north-west of that Cottage.

Work No. 55B—A road, being a raising of Roddinglaw Road, Roddinglaw, over the Edinburgh to Glasgow Main Line, commencing in that road at a point 129 metres north-west of No.1 Roddinglaw Cottages, passing southwards over that railway and terminating in that road at a point 29 metres-west of that Cottage. Work No. 55B includes a bridge over the Edinburgh to Glasgow Main Line.

Work No. 56A—A temporary road at Gogar, for the duration of the construction of Work No. 56B, commencing in Gogar Station Road at a point adjacent to No.3 Poultry Farm Cottages, passing southwards and terminating in that road at a point 100 metres north-west of Gogar Bank House.

Work No. 56B—A road, being a raising of Gogar Station Road, Gogar, over the Edinburgh to Glasgow Main Line, commencing in that road at a point 60 metres south of No.3 Poultry Farm Cottages, passing southwards over that railway and terminating in that road at a point 124 metres north-west of Gogar Bank House. Work No. 56B includes a bridge over the Edinburgh to Glasgow Main Line.

Work No. 57A—A temporary road at Gogar, for the duration of the construction of Work No. 57B, commencing on the northern side of the Edinburgh to Glasgow Main Line in the track leading to Fairview at a point 105 metres north-west of the bridge carrying The City of Edinburgh Bypass (A 720) over that railway, passing southwards and terminating on the southern side of the Edinburgh to Glasgow Main Line in that track at a point 77 metres north-west of the bridge carrying The City of Edinburgh Bypass (A 720) over that railway.

Work No. 57B—A road, being a raising of the track leading to Fairview, Gogar, over the Edinburgh to Glasgow Main Line, commencing on the northern side of that railway in that track at a point 67 metres north-west of the bridge carrying The City of Edinburgh Bypass (A720) over that railway, passing southwards and terminating on the southern side of the Edinburgh to Glasgow Main Line in that track at a point 64 metres north-west of the bridge carrying The City of Edinburgh Bypass (A 720) over that railway. Work No. 57B includes a bridge over the Edinburgh to Glasgow Main Line.

SCHEDULE 2
(introduced by section 3)

ANCILLARY WORKS

1 Stations, buildings, platforms, junctions and stopping places.

2 Bridges, subways, stairs, lifts, escalators, roundabouts and means of access.

3 Junctions and communications with, and widening of, any road, path or way.

4 Works for the provision (for the authorised undertaker or any other person) of apparatus, plant or machinery and for the accommodation of such works, including telecommunications and radio masts, communications equipment, mains, sewers, pipes, drains, cables, lights, conduits and culverts.

5 Works for the strengthening, underpinning, protection, alteration or demolition of any building or structure.

6 Works or operations to stabilise the condition of any land or for the purposes of flood prevention.

7 Works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses.

8 Works to alter the position of any existing apparatus or any existing street furniture, including the alteration of the position of existing works of the sort described in paragraph 4 above.

9 Without prejudice to the generality of paragraph 8 above, works to alter the position of any railway track or other railway apparatus.

10 Landscaping, ecological and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised works.

11 Works for the benefit or protection of premises affected by the authorised works.

12 The removal by the authorised undertaker of any works constructed by it pursuant to this Act which have been constructed as temporary works or which it no longer requires.

13 Such other works (of whatever nature) as may be necessary or expedient for the purposes of, in connection with, or in consequence of, the construction of the authorised works.

SCHEDULE 3
(introduced by sections 10 and 15)

STOPPING UP AND DIVERSION OF ROADS

PART 1

ROADS TO BE PERMANENTLY STOPPED UP

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
4	Cyclepath between the buffer stops at Drumgelloch station and road (unnamed) off Calderigg Place, Drumgelloch	Between points P1 and P2	Crowwood Drive, Bankhead Avenue and Calderigg Place
4	Cyclepath between road (unnamed) off Calderigg Place and old Airdrie Bathgate Railway solum, Drumgelloch	Between points P2 and P3	Crowwood Drive and Drumclair Place
4	Cyclepath on old Airdrie Bathgate Railway solum, Drumgelloch	Between points P1 and P4	Crowwood Drive, Clarkston Drive and Drumclair Place
4	Footpath between Caldervale Forge and Springfield, Clarkston	Between points P4A and P4B	Work No. 1C
4	Footpath between Station Road and access to Dunrobin Road	Between points P4C and P4D	Works Nos. 1C and 7
4	Cyclepath on old Airdrie Bathgate Railway solum, Drumgelloch	Between points P4 and P5	Crowwood Drive, Clarkston Drive, Forrest Street and Towers Road
4	Footpath between Station Road and Dunrobin Road, west of Towers Road overbridge	Between points P5 and P5A	Work No. 7
4	Footpath between Towers Road and Katherine Park	Between points P6 and P6A	Work No. 7
4	Cyclepath at Towers Road, Clarkston	Between points P5 and P6	Work No. 7
4, 5	Cyclepath between Towers Road and Katherine Park access	Between points P6 and P7	Towers Road, Forrest Street and

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	road/Wester Moffat Farm access track, Clarkston		Katherine Park Lane
5	Footpath between existing Cyclepath and Katherine Park	Between points P7A and P7B	Works Nos. 2B and 8B
5	Access between Forrest Street (A89) and Wester Moffat Farm field	Between points P7C and P7D	Works Nos. 2B and 8B
5	North Calder Heritage Trail, Plains	Between points P7B and P7E	Towers Road and Work No. 2B
5	Cyclepath across old Airdrie Bathgate Railway solum, between Clarkston and Plains	Between points P7 and P8	Works Nos. 2B and 8B
5,6	Access between St. Philips School and Wester Moffat Farm field	Between points P8A and P8B	Works Nos. 2B and 8B
5, 6, 7	Cyclepath between access track to St. Philips School and Station Road, Plains	Between points P8 and P11	Airdrie Road, Main Street and Station Road
6	Access between Main Street and Express Dairies Depot, Plains	Between points P9 and P10	Works Nos. 9 and 9A
6	Access between Cyclepath and St. Philips School	Between points P9A and P9B	Works Nos. 2B and 9
7	Station Road, Plains	Between points P12 and P13	Station Road, Main Street and Work No. 13
7	Footpath between Station Road and Plains Country Park, Plains	Between points P13 and P16	Works Nos. 2C, 9 and 10
7	Footpath between old Airdrie Bathgate Railway solum and Plains Country Park , Plains	Between points P14 and P17	Works Nos. 2C, 9, 10 and 13
7	Cyclepath between old Airdrie Bathgate railway solum and Plains Country Park access track, Plains	Between points P14 and P18	Works Nos. 2C, 9, 10 and 13
7	Cyclepath on old Airdrie Bathgate Railway solum,	Between points P14 and P21	Station Road and Main Street

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	Plains		
7	Track between Cyclepath and access and Station Road	Between points P17A and P17B	Work No.13
7	Ford Forge access, Plains	Between points P19 and P20	Works Nos. 9, 10 and 13
7, 8	Cyclepath crossing old Airdrie Bathgate Railway solum, Plains	Between points P21 and P24	Main Street
8	Ford Farm access, Plains	Between points P22 and P23	Works Nos. 9 and 10
8, 9	Cyclepath crossing old Airdrie Bathgate Railway solum between Plains and Caldercruix	Between points P24 and P25	Works Nos. 2E and 15
9, 10	Cyclepath between Caldercruix Sewage Works and Easterton Farm access road and old Airdrie Bathgate Railway solum, Caldercruix	Between points P25 and P26	Airdrie Road and Main Street
9	Footpath between Easterton Farm and Caldercruix Sewage Works access road and existing Cyclepath	Between points P25 and P25A	Work No. 2E
9	Footpath between existing Cyclepath and Easterton Farm and Caldercruix Sewage Works access road	Between points P25B and P25C	Work No. 2E
9	Footpath between existing Cyclepath and Easterton Farm and Caldercruix Sewage Works access road	Between points P25 and P25B	Work No. 2E
9	Access between Caldercruix Sewage Works and Airdrie Road (A89)	Between points P25D and P25E	Works Nos. 2E and 15
10	Track east of Caldercruix lagoons towards existing	Between points P25F and P25G	Work No. 1D

Sheet of Parliamentary plans *(1)*	*Road to be stopped up* *(2)*	*Extent of stopping up* *(3)*	*Substitute to be provided or alternative* *(4)*
	Cyclepath, Caldercruix		
11, 13	Cyclepath between Main Street, Caldercruix, and Hillend Sailing Club access track	Between points P27 and P28	Main Street, Airdrie Road and Work No. 20B
11	Track between existing Cyclepath and access to Main Street, Caldercruix	Between points P27A and P27B	Work No. 19
11	Footpath between existing Cyclepath and Caldercruix Bowling Green	Between points P27C and P27D	Existing road network
13	Footpath between Airdrie Road (A89) and Hillend Reservoir south shore	Between point P28A and P28B	Work No. 2F
13, 14	Cyclepath between Hillend Boat Club access track and Airdrie Road (A89) lay-by	Between points P28 and P29	Work No. 2F
14	Footpath between Airdrie Road (A89) and south shore of Hillend Reservoir	Between points P28C and P28D	Work No. 2F
14	Footpath between existing Cyclepath and south shore of Hillend Reservoir	Between points P33A and P34	Work No. 2F
14	Cyclepath between Airdrie Road (A89) lay-by and Hillend Reservoir path	Between points P29 and P30	Work No. 2F
14	Cyclepath between Hillend Reservoir path and existing Cyclepath	Between points P30 and P31	Work No. 2F
14	Footpath at south shore of Hillend Reservoir	Between points P30 and P33	Work No. 2F
14	Footpath at south shore of Hillend Reservoir	Between points P31 and P33	Work No. 2F
14	Cyclepath between path at Hillend Reservoir and Stones Path	Between points P31 and P34	Work No. 2F
14, 15	Cyclepath between Stones Path and Hillend Reservoir path, Bracco	Between points P34 and P35	Work No. 2F

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	Wood		
15	Footpath from existing Cyclepath to Bracco Wood	Between points P34A and P34B	Work No. 2F
15	Footpath from Airdrie Road (A89) to Bracco Wood	Between points P34C and P34D	Work No. 2F
15	Footpath from existing Cyclepath to south shore of Hillend reservoir	Between points P34E and P34F	Work No. 2F
15	Footpath from existing Cyclepath to Airdrie Road (A89)	Between points P35 and P35A	Work No. 2F
15	Footpath from existing Cyclepath to south shore of Hillend Reservoir	Between points P35B and P35C	Work No. 2F
15	Footpath from existing Cyclepath to south shore of Hillend Reservoir	Between points P36A and P36B	Work No. 2F
15	Cyclepath at Bracco Wood, south shore of Hillend Reservoir	Between points P35 and P36	Work No. 2F
15, 16	Cyclepath between Bracco Wood and Gatehouse access track	Between points P36 and P39	Work No. 2F
16	Access to Hillend Fishing Lodge	Between points P37 and P38	Work No. 2F
16	Cyclepath between Gatehouse access track and cyclepath route 75, Hillend	Between points P39 and P40	Work No. 2F
16, 17	Cyclepath between cyclepath route 75 and Woodside Road, Forrestfield	Between points P40 and P41	Work No. 2F
17	Cyclepath at Woodside Road, Forrestfield	Between points P41 and P42	Work No. 22B
17, 18, 19	Cyclepath between Woodside Road, Forrestfield, and Airdrie Road (A89), Bedlormie	Between points P41 and P46	Work No. 2F

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	Toll		
17	Track between existing Cyclepath and Woodside Farm field, Forrestfield	Between P41A and P41B	Works Nos. 22B and 23
19	Raiziehill Farm access track	Between points P43 and P44	Work No. 24
19	Cyclepath at Bedlormie Toll, south of Airdrie Road (A89)	Between points P45 and P46	Work No. 2F
19	Access track, Bedlormie Toll	Between points P45A and P45B	Work No. 25B
19	Track, Bedlormie Toll	Between points P46 and P46A	Work No. 25B
19, 20, 21, 22	Cyclepath between Bedlormie Toll and cyclepath route 75 at Redburn Quarry	Between points P46 and P48	Work No. 2F
20	Access, Crawberry Hill	Between points P46B and P46C	Work No. 2F
21, 22	Mosshouse Farm access	Between points P47 and P48	Works Nos. 2F and 26
22	Access track, Redburn Quarry	Between points P48 and P49	Work No. 27
22	Access track to Main Street, Blackridge	Between points P48 and P50	Works Nos. 27 and 28
22	Cyclepath, Redburn Quarry	Between points P48 and P52	Work No. 2G
22	Footpath, Redburn Quarry	Between points P48 and P53	Work No. 2G
22	Cyclepath access to Redburn Road	Between points P54 and P55	Work No. 27, Main Street and Redburn Road
22	Cyclepath, Blackridge	Between points P56 and P59	Works Nos. 2J and 29
22	Cyclepath, Blackridge	Between points P57 and P58	No alternative
22, 24	Cyclepath, Blackridge	Between points P58 and P63	Work No. 2J
24	Standhill Farm access,	Between points P60 and	Work No. 29

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	Blackridge	P61	
24	Track between Standhill Farm and existing Cyclepath	Between points P60A and P60B	Work No. 29
24	Cyclepath, Blackridge	Between points P62 and P63	Work No. 2J
24	Cyclepath, Blackridge	Between points P63 and P64	Works Nos. 2J and 30B
24	Cyclepath between cyclepath route 75 and Station Road, Blackridge	Between points P64 and P65	Work No. 30A
24, 25	Cyclepath between cyclepath route 75 and old Airdrie Bathgate Railway solum, Blackridge	Between points P64 and P66	No alternative
24	Track between Station Road and existing Cyclepath	Between points P65 and P65A	No alternative
25	Cyclepath, Blackridge	Between points P66 and P67	Work No. 2K
25	Cyclepath along old Airdrie Bathgate Railway solum, Blackridge	Between points P66 and P68	Work No. 2K and Cyclepath
25	Cyclepath between track and access road to Craiginn Terrace (A89), Blackridge	Between points P68 and P69	Works Nos. 2K and 31
27	Cyclepath south of Airdrie Road (A89), Westrigg	Between points P70 and P71	Works Nos. 2L, 2M
27, 29, 30	Cyclepath between track and cyclepath route 75, Westrigg	Between points P71 and P72	Work No. 2L
29	Access between Standhill farm field and existing Cyclepath	Between points P71A and P71B	Work No. 31A
30	Footpath, Black Moss Burn	Between points P71C and P71D	Work No. 2L
30, 31	Cyclepath between cyclepath route 75 and Stonerigg Road	Between points P72 and P73	Footpath G - H

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
30, 31, 32	Cyclepath between cyclepath route 75 and track	Between points P72 and P78	Work No. 2N
31	Netherhouses and Westfield Farm access	Between points P74 and P75	Work No. 32
32	Footpath access to Tarrareoch farm field, Netherhouses	Between points P76 and P77	No alternative
32	Track west of Station Road (B8086), Armadale	Between points P78 and P79	Work No. 2N
32, 33	Cyclepath between track and old Airdrie Bathgate Railway solum, Armadale	Between points P78 and P85	Works Nos. 33 and 35
32, 33	Track between track and Station Road (B 8084), Armadale	Between points P79 and P80	Works Nos. 2N and 33
33	Station Road (B 8084), Armadale	Between points P81 and P82	Work No. 33
33	Cyclepath between Station Road (B 8084) and track, Armadale	Between points P83 and P84	No alternative
33	Tarrareoch Farm field access, Armadale	Between points P85 and P86	Works Nos. 33 and 34
33, 34	Cyclepath route 75, Armadale	Between points P87 and P88	Work No. 2P
34	Cyclepath route 75, Armadale	Between points P88 and P89	Work No. 2P
34	Cyclepath route 75, Armadale	Between points P88 and P90	Work No. 2P
34	Footpath off of existing Cyclepath, Armadale	Between points P88A and P88B	Work No. 2P
34	Footpath off of existing Cyclepath	Between points P88B and P88C	Work No. 2P
34	Cyclepath route 75, Armadale	Between points P89 and P90	Work No. 2P
34,35 38	Cyclepath between cyclepath route 75 and West Mains access, Armadale	Between points P90 and P91	Work No. 2P

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
34	Footpath off of existing Cyclepath	Between points P90A and P90B	Work No. 2P
35	Access track from the A801, Whiteside	Between points P90C and P90D	No alternative
35	Access track from the A801, Whiteside	Between points P90E and P90F	No alternative
38	Track between West Mains access and Whiteside Lane Cottage access	Between points P91 and P92	Existing road network
38	Cyclepath route 75, Whiteside	Between points P91 and P93	Works Nos. 2P, 2Q
38	Cyclepath between cyclepath route 75 and Teepit Hill	Between points P93 and P94	Work No. 2P
38, 39	Cyclepath between Teepit Hill and Playground at Birniehill Crescent	Between points P93 and P96	Works Nos. 2Q, 2R
39, 40	Cyclepath between cyclepath route 75 and path adjacent to Birniehill Avenue and Whiteside, Bathgate	Between points P95 and P99	Birniehill Avenue and Work No. 2S
39	Access to Cyclepath from Birniehill Avenue and Birniehill Crescent, Bathgate	Between points P95 and P96	Works Nos. 2R, 2Q
39	Access between Whiteside Industrial Estate and Birniehill Avenue	Between points P96A and P96B	Work No. 2R
39, 40	Footpath between cyclepath and access track off Factory Road, Bathgate	Between points P95 and P98	No alternative
40	Track between factory Road and Birniehill Avenue	Between points P97 and P98	Work No. 39B
40	Footpath between existing Cyclepath and Whitburn Road (B7002)	Between points P98A and P98B	Work No. 2S
40	Footpath south of	Between points P99 and	Works Nos. 2S and

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*	*Substitute to be provided or alternative (4)*
	Whiteside, Bathgate	P100	39B
40	Cyclepath between path and Whitburn Road (B 7002), Bathgate	Between points P99 and P103	Works Nos. 2S and 39B
40	Cyclepath route 75, Bathgate	Between points P101 and P102	Work No. 2S
40	Cyclepath route 75, Bathgate	Between points P101 and P103	No alternative
40	Cyclepath route 75, Bathgate	Between points P102 and P104	Work No. 2S
40, 41	Cyclepath between cyclepath route 75 and Whitburn Road (B 7002), Bathgate	Between points P104 and P105	Works Nos. 2S and 39B
41	Foundry access, Bathgate	Between points P106 and P107	Work No. 40
41	Bathgate Golf Course access road, Bathgate	Between points P108 and P109	Works Nos. 40 and 43
41	Bathgate Golf Course access road, Bathgate	Between points P109 and P110	Works Nos. 40, 43
41	Bathgate Golf Course access road, Bathgate	Between points P109 and P111	Work No. 40
43	Rennie's Overbridge, Bathgate	Between points P111A and P111B	No alternative
46	Track south-east of the A7066, Bog Hall	Between points P114 and P115	No alternative
47	Footbridge carrying footpath over existing railway solum, Livingston	Between points P116 and P117	Work No. 47B
48	Footpath to Waverley Crescent and Raeburn Rigg, Livingston	Between points P118 and P119	Deans North Road
50	Track to Deer Park Golf Course	Between points P120 and P121	Morrison Way, Works Nos. 49A, 49B
57	Track north-west of Hilwood House and Linden House, Edinburgh	Between points P122 and P123	Harvest Road

PART 2

ROADS TO BE TEMPORARILY STOPPED UP

Sheet of Parliamentary plans *(1)*	*Road to be stopped up* *(2)*	*Extent of stopping up* *(3)*
3	Carlisle Road (A73), Airdrie	Between points T5 and T6
4	Crowwood Drive, Clarkston	Between points T7 and T8
4	Old Bore Road, Clarkston	Between points T9 and T10
4	Clarkston Drive, Clarkston	Between points T11 and T12
4	Towers Road, Clarkston	Between points T13 and T14
4, 5	Footpath between Towers Road and Katherine Park, Drumgelloch	Between points T15 and T16
5	Footpath to Katherine Park from Forrest Street (A 89), Clarkston	Between points T16A and T16B
5	Katherine Park Lane , Clarkston	Between points T17 and T18
7	Brownieside Road and Station Road, Plains	Between points T19 and T20
8	Airdrie Road (A89), Plains	Between points T21 and T22
9	Caldercruix Sewage Works and Easterton Farm access road, Caldercruix	Between points T23 and T24
11	Main Street, Caldercruix	Between points T25 and T26
11	Main Street, Caldercruix	Between points T27 and T28
12, 13	Cyclepath between Gowan Brae, Caldercruix, and Hillend Sailing Club car park	Between points T29 and T30
13	Hillend Sailing Club access	Between points T31 and T32
16	Hillend Angling Club access	Between points T32A, T32B and T32C
16	Gatehouse access track, Hillend	Between points T33 and T34
17	Woodside Road, Forrestfield	Between points T35 and T36
19	Airdrie Road (A89), Bedlormie Toll	Between points T37 and T38
20	Field access, Crawberry Hill	Between points T39 and T40
21	Mosshouse field access	Between points T41 and T42
24	Millbank Quarry Road/Station Road, Blackridge	Between points T43 and T44
24	Westcraig Road/Harthill Road (B718), Blackridge	Between points T45 and T46
24, 25	Cyclepath, Blackridge	Between points T47 and T48

Sheet of Parliamentary plans (1)	*Road to be stopped up (2)*	*Extent of stopping up (3)*
25, 27	Cyclepath, Blackridge	Between points T48A and T48B
27	Track, Westrigg	Between points T48C and T48D
30, 31	Stonerigg Road, Armadale	Between points T50 and T51
32	Track, Armadale	Between points T52 and T53
33	Footpath, Armadale	Between points T54 and T55
33	Footpath, Armadale	Between points T56 and T57
33	Access to Tarrareoch Farm and Farm House and Honeysuckle Cottage, Armadale	Between points T58 and T59
34, 35	Track, Armadale	Between points T60 and T61
35	Track, Whiteside	Between points T62 and T63
38, 39	Path, Bathgate	Between points T63A and T63B
40	Whitburn Road (B7002), Bathgate	Between points T64 and T65
41	Track, Bathgate	Between points T66 and T67
43, 44	Cyclepath, Bathgate	Between points T67A and T67B
44	Footpath, Boghall	Between points T68 and T69
44	Footpath, Boghall	Between points T68 and T72
44, 45	Cyclepath, Boghall	Between points T70 and T71
47	Deans North Road, Livingston	Between points T73 and T74
49	Camps Rigg footpath, Livingston	Between points T75 and T76
49	Footpath, Livingston	Between points T76 and T80
49	Footpath, Livingston	Between points T77 and T80
49	Footpath, Livingston	Between points T78, T100, T101, T102 and T82
49	Footpath, Livingston	Between points T79 and T100
49	Footpath, Livingston	Between points T80and T101
49	Footpath, Livingston	Between points T81 and T102
49	Footpath, Livingston	Between points T83 and T84
49	Footpath, Livingston	Between points T85 and T86
49	Footpath, Livingston	Between points T103 and T104

Sheet of Parliamentary plans *(1)*	*Road to be stopped up* *(2)*	*Extent of stopping up* *(3)*
49	Footpath, Livingston	Between points T104 and T105
50	The Loan Path, Livingston	Between points T87 and T88
51	Footpath, Houstoun Industrial Estate, Livingston	Between points T89 and T90
51	Footpath, Houstoun Industrial Estate, Livingston	Between points T89 and T91
52	Station Road and Pumpherston Road, Uphall	Between points T91A and T91B
53	Station Road, Drumshoreland Muir	Between points T91C and T91D
58	Track, Norton Mains	Between points T92 and T93
59	Roddinglaw Road, Roddinglaw	Between points T94 and T95
60	Gogar Station Road, Gogar	Between points T96 and T97
60	Track, Gogar Burn	Between points T98 and T99

SCHEDULE 4
(introduced by section 11)

PRIVATE CROSSINGS

PART 1

CONTINUING PRIVATE CROSSINGS

Local government area (1)	*Sheet of Parliamentary plans (2)*	*Road (3)*
North Lanarkshire	5	Wester Moffat Farm overbridge, Clarkston
North Lanarkshire	10	Caldercruix Farm underbridge, Caldercruix
North Lanarkshire	13	Hillend Sailing Club overbridge, Hillend
North Lanarkshire	19	Raiziehill Farm overbridge, Blackridge
West Lothian	20	Bedlormie Farm overbridge, Crawberry Hill
West Lothian	21	Mosshouse Farm overbridge, Crawberry Hill
West Lothian	22	Bogend Farm overbridge, Blackridge
West Lothian	24	Standhill Farm overbridge, Blackridge
West Lothian	24	Millbank Quarry road overbridge, Blackridge
West Lothian	51	Houstoun Industrial Estate footbridge, Livingston
City of Edinburgh	58	Norton Mains Farm overbridge, Edinburgh

PART 2

DISCONTINUED PRIVATE CROSSINGS

Local government area (1)	*Sheet of Parliamentary plans (2)*	*Road (3)*
North Lanarkshire	5	Unnamed at grade crossing east of Wester Moffat Farm
North Lanarkshire	5, 6	Unnamed at grade crossing adjacent to St. Phillips School, Plains
North Lanarkshire	6	Unnamed at grade crossing east of, St. Phillips School, Plains
North Lanarkshire	7	At or around 132-139 Main Street private access, Plains
North Lanarkshire	7	At or around 140-152 Main Street private access, Plains
North Lanarkshire	7	At or around 153-172 Main Street private access, Plains
North Lanarkshire	7	Ford Farm / Ford Forge private access, Plains
North Lanarkshire	8	Ford Farm private access, Plains
North Lanarkshire	8	Stepends Farm private access, Plains
North Lanarkshire	8	Barblues crossing, Plains
North Lanarkshire	9	Rockbank Farm crossing, Caldercruix
North Lanarkshire	9	Rockbank Farm crossing, Caldercruix
North Lanarkshire	10	Holm Farm private access, Caldercruix
North Lanarkshire	10	Drumbow Homes / Tusker Developer Ltd. private access, Caldercruix
North Lanarkshire	16	Hillend Angling Club level crossing
North Lanarkshire	17	At or around Ardenlea Cottage, Airdrie Road private access, Forrestfield
North Lanarkshire	17	At or around Lochview, Airdrie Road private access, Forrestfield
North Lanarkshire	17	At or around 71 Airdrie Road private access, Forrestfield
North Lanarkshire	17	At or around Daisy Cottage, Airdrie Road private access, Forrestfield
North Lanarkshire	17	At or around Arth-Leen Cottages Airdrie Road private access, Forrestfield

Local government area *(1)*	*Sheet of Parliamentary plans* *(2)*	*Road* *(3)*
North Lanarkshire	17	At or around Forrestfield Garage, Airdrie Road private access, Forrestfield
North Lanarkshire	18	Unnamed crossing at Forrestfield Wood
North Lanarkshire	19	Forrest Farm crossing, Crawberry Hill
West Lothian	20	Bedlormie Mains Farm private access, Crawberry Hill
West Lothian	21	Mosshouse Farm access to railway solum, Blackridge
West Lothian	21	Field access south-east of Mosshouse Farm Farmhouse, Blackridge
West Lothian	22	Unnamed crossing at Redburn Quarry
West Lothian	25	Westercraigs Farm crossing, Blackridge
West Lothian	27	Westercraigs Farm private access, Westrigg
West Lothian	25	Hardhill Farm private access
West Lothian	29	Standhill Farm level crossing, Woodend Junction
West Lothian	30	Standhill Farm private access
West Lothian	31	Netherhouses and Westfield Farm access to solum and Stonerigg Road, west of Armadale
West Lothian	31	Netherhouses and Westfield Farm private access east of Stonerigg Road, west of Armadale
West Lothian	32	Tarrareoch Farm level crossing, west of Station Road (B8084)
West Lothian	33	Cappers Farm Cottages private access, Armadale
West Lothian	33	Tarrareoch Farm level crossing, Armadale, east of Station Road, (B8084)
West Lothian	34	Tarrareoch Farm level crossing, Armadale, west of A801
West Lothian	35	Whiteside Farm level crossing, Whiteside

Local government area *(1)*	*Sheet of Parliamentary plans* *(2)*	*Road* *(3)*
West Lothian	35	West Mains Farm level crossing, Whiteside
West Lothian	38	Whiteside Lane Cottages private access
West Lothian	38	Whiteside Industrial Estate private access
West Lothian	39	Whiteside Industrial Estate crossing
West Lothian	40	Birniehill Avenue private access, Bathgate
West Lothian	40	At or around 96-90 Whiteside private access, Bathgate
West Lothian	40	At or around 93-96 Whiteside private access, Bathgate
West Lothian	40	At or around 89-92 Whiteside private access, Bathgate
West Lothian	40	At or around 81-88 Whiteside private access, Bathgate
West Lothian	40	At or around 73-80 Whiteside private access, Bathgate
West Lothian	40	At or around 65-72 Whiteside private access, Bathgate
West Lothian	40	At or around 59-64 Whiteside private access, Bathgate
West Lothian	40	At or around 49-58 Whiteside private access, Bathgate

SCHEDULE 5
(introduced by sections 17 and 19)

ACQUISITION OF LAND, ETC. OUTSIDE LIMITS OF DEVIATION

PART 1

ACQUISITION OF LAND

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on plans* *(3)*	*Purposes for which land to be acquired* *(4)*
In the local government area of North Lanarkshire—			
Airdrie Station	1	3B, 5	Station improvements
Airdrie Station	1	6	Provision of layby
Sundial, Clarkston	4	49	Removal of sundial
Near Sundial, Clarkston	4	50A	Installation of railway equipment
Near Sundial, Clarkston	4	51	Relocation of sundial
Between Grant Court and Forrest Street, Clarkston	4	62	Provision of footpath
West of Station Road, Clarkston Airdrie	4	63A	Station and car park
Station Road, Clarkston	4	65	Road improvements
Caldervale Forge, Clarkston	4	66, 67, 69	Provision of footpath
Forrest Street, Clarkston	4	72, 73	Provision of laybys
Station Road, Clarkston	4	74	Environmental mitigation
Main Street, Plains	7	172A, 173A, 174A, 175A	Mitigation
Lagoons (settlement tanks), Caldercruix	10	249A	Station car park
Station Road, Caldercruix	10, 11	276A	Provision of station access
Millstream Crescent, Caldercruix	11	277A, 277B, 277F, 277E, 277D	Mitigation

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on plans* *(3)*	*Purposes for which land to be acquired* *(4)*
Bracco Wood, Hillend Reservoir, Caldercruix	15, 16	361	Provision of angling jetty
Hillend Angling Club, Hillend Reservoir, Caldercruix	16	365A, 365B, 365C	Provision of angling club car park and access
Hillend Angling Club, Hillend Reservoir, Caldercruix	16	367, 367A, 367B	Provision of angling club bus and car park
Land and house, Bedlormie Toll Cottage	19	428A	Mitigation
In the local government area of West Lothian—			
Barbauchlaw Burn, Blackridge	22	462B	Provision of cyclepath
Redburn Quarry, Blackridge	22	462	Provision of cyclepath
Redburn Quarry, Blackridge	22	478A	Provision of footpath
Blackridge Farm, Blackridge	22	479A	Provision of footpath
Barbauchlaw Burn, Blackridge	22	488, 488A	Provision of footpath
Barbauchlaw Burn, Blackridge	22, 24	489	Provision of footpath
East of Barbauchlaw Burn, Blackridge	22	492	Provision of footpath
Standhill Farm, Blackridge	24	497	Provision of footpath
Blackmoss Burn, Blackridge	30	574, 575	Provision of footpath
East of Black Moss Burn, Blackridge	30, 31	579	Provision of footpath
Stonerigg Road, Armadale	31	598A	Provision of footpath
Springfield Farm,	32, 33	626	Provision of footpath

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on plans* *(3)*	*Purposes for which land to be acquired* *(4)*
Armadale			
The Snab, Station Road, Armadale	33	651	Provision of footpath
Tarrareoch Farm, Armadale	33	661A	Provision of station and car park
Trees Farm and West Mains Farm, Armadale	33, 34, 35	666A	Ground stabilisation
Woodland, Armadale	35	684A	Provision of feeder station
Whitburn Road (B7002), Bathgate	38	700A	Provision of access track
Whitburn Road (B7002), Bathgate	40	756	Provision of footpath
Whitburn Road (B7002), Bathgate	40, 41	757	Provision of footpath
West of Bog Burn Bridge, Bathgate	41	758	Provision of footpath
Industrial Estate, Edinburgh Road, Bathgate	42	786A	Provision of station and car park
Edinburgh Road, Bathgate	42	789	Provision of station and car park
Cyclepath south of operational railway, Bathgate	43, 44	811A	Ground stabilisation
Road (A7088), Bathgate	44	826A	Ground stabilisation
The Bog Burn, Bathgate	44, 46	840	Provision of car depot
Boghall Farm, Bathgate	46	849	Demolition of bridge
Luggie Bridge, Livingston	48	911	Demolition of bridge
Knightsridge Bridge, Livingston	50	937	Demolition of bridge
M8 Motorway, Uphall	52	990	Provision of station car park
Uphall Station	52	998	Station improvements

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on plans* *(3)*	*Purposes for which land to be acquired* *(4)*
Station Road Bridge, Uphall	52	1003	Bridge replacement
Station Road, Drumshoreland Station	53	1017	Bridge replacement
Birdsmill Viaduct	54	1025, 1029	Provision of overhead masts and equipment
In the local government areas of West Lothian and the City of Edinburgh—			
Birdsmill Viaduct	54	1026, 1030	Provision of overhead masts and equipment
In the local government area of the City of Edinburgh—			
Birdsmill Viaduct	54	1027, 1031	Provision of overhead masts and equipment
Harvest Road, Edinburgh	57	1041	Provision of footpath
Hillwood, Ratho	57	1048	Demolition of bridge

PART 2

ACQUISITION OF PERMANENT RIGHTS

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on Parliamentary plans* *(3)*	*Purpose for which rights may be permanently acquired* *(4)*
In the local government area of North Lanarkshire—			
Airdrie Station	1	3, 3A, 3F, 3G	Construction and maintenance of station facilities
Easterton Farm, Caldercruix	9	225A	Access for construction and thereafter for maintenance
Station Road, Caldercruix	10	265	Provision of cylcepath and station access
Main Street, Caldercruix	10, 11	267	Provision of cyclepath and station access
Hillend Reservoir, Caldercruix	13	320A	Access for construction and thereafter for maintenance
In the local government area of West Lothian—			
Redburn Quarry, Blackridge	22, 23	466A	Access for construction and thereafter for maintenance
Wester Torrance Farm, Blackridge	25	549, 551	Upgrade of existing path and thereafter provision of cyclepath
Westriggs Colliery, Blackridge	25	550	Upgrade of existing path and thereafter provision of cyclepath
Westriggs Colliery, Blackridge	25, 27	552A	Upgrade of existing path and thereafter provision of cyclepath
Barbauchlaw Burn, Westrigg, Blackridge	25, 26	554	Access for construction and thereafter for maintenance
Standhill Farm, Blackridge	27, 28, 29	557	Access for construction and

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on Parliamentary plans* *(3)*	*Purpose for which rights may be permanently acquired* *(4)*
			thereafter for maintenance
Netherhouses and Westfield Farm, Armadale	31	607	Provision of turning space
Netherhouses and Westfield Farm, Armadale	31	615	Provision of turning space
Tarrareoch Farm, Armadale	33	659A	Provision of drainage facilities and provision of access for maintenance
Armadale	35	679	Installation and provision of electricity supply and thereafter access for maintenance
Armadale	35, 36, 37	680	Installation and provision of electricity supply and thereafter access for maintenance
Armadale	37	681, 682, 683	Installation and provision of electricity supply and thereafter access for maintenance
West Mains Farm, Bathgate	38	691	Access to feeder station
Access to Whiteside Cottage, Bathgate	38	696	Provision of turning space
Golf Club, Bathgate	42	784	Access for construction and thereafter for maintenance
Blackburn Road (B793), Bathgate	43	807	Replacement of bridge parapets
Road (A7066), Bathgate	44	833	Replacement of bridge parapets
Starlaw Road, Bathgate	46	859	Replacement of bridge parapets
M8 Motorway, near Bathgate	46	868	Replacement of bridge parapets
Deans Road, Livingston	47	877	Replacement of bridge

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on Parliamentary plans* *(3)*	*Purpose for which rights may be permanently acquired* *(4)*
			parapets
Livingston North Station	48	894, 901	Access for construction and thereafter for maintenance
Livingston North Station	48	894A, 894B	Construction and maintenance of station improvements
Deans South, Livingston	48	899	Replacement of bridge parapets
Knightsridge West Bridge, Livingston	49	927	Replacement of bridge parapets
Nettlehill Bridge, Livingston	51	962	Replacement of bridge parapets
M8 Motorway slip road bridge, Livingston	51	964	Replacement of bridge parapets
Houstoun Industrial Estate, Livingston	51	980	Access for construction and thereafter for maintenance
Houstoun Industrial Estate, Livingston	51	986	Access for construction and thereafter for maintenance
Uphall Station	52	995A	Construction and maintenance of station improvements
Birdsmill Viaduct	54	1035A	Provision of turning space
In the local government areas of West Lothian and the City of Edinburgh—			
Birdsmill Viaduct	54	1028	Provision of overhead masts and equipment
Birdsmill Viaduct	54, 55	1035	Access for construction and thereafter for maintenance

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on Parliamentary plans* *(3)*	*Purpose for which rights may be permanently acquired* *(4)*
In the local government area of the City of Edinburgh—			
Hillwood, Ratho	57	1045, 1046A	Access for construction and thereafter for maintenance
Norton Mains	58	1054, 1056	Access for construction and thereafter for maintenance
Fairview, Gogarburn	60	1106	Access for construction and thereafter for maintenance
Sauchiebank, off Russell Road, Edinburgh	61	1107	Access for construction and thereafter for maintenance

PART 3

ACQUISITION OF TEMPORARY RIGHTS

Location *(1)*	*Sheet of Parliamentary plans* *(2)*	*Number of land shown on Parliamentary plans* *(3)*	*Purposes for which rights may be temporarily acquired* *(4)*	*Authorised work* *(5)*
In the local government area of North Lanarkshire—				
Wester Moffat Farm, Wester Moffat	5	97A, 97B	Access for construction	Works Nos. 8A, 8B
Stepends Farm, Plains	8	189, 190	Access for construction	Works Nos. 1, 14
Millstream Crescent, Caldercruix	11	277C	Access for construction	Works Nos. 1, 19
In the local government area of West Lothian—				
Inch Wood, Bathgate	44	821	Provision of footpath between points N and P	Works Nos. 44, 45 Footpath between points N and P

SCHEDULE 6
(introduced by section 21)

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
In the local government area of North Lanarkshire—				
Carlisle Road (A73), Airdrie	3	30, 31, 35, 36	Construction compound, working space and access	Work No. 4
Scrap yard, Carlisle Road (A73), Airdrie	3	38, 39	Construction compound and working space	Works Nos. 1, 4
Crowwood Drive, Airdrie	4	41, 42, 47	Construction compound and working space	Replacement of bridge parapets for overbridge 240/059B (Crowwood Drive)
Crowwood Drive, Airdrie	4	43, 45	Working space	Replacement of bridge parapets for overbridge 240/059B (Crowwood Drive)
Drumclair Place, Airdrie	4	46	Construction compound and working space	Replacement of bridge parapets for overbridge 240/059B (Crowwood Drive)
Stepends Farm, Plains	8	188	Construction compound	Works Nos. 1, 14
Rockbank Farm, Caldercruix	8	199	Farm access	Work No. 14
Rockbank Farm, Caldercruix	9	239	Construction compound	Works Nos. 1, 2E, 15

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Lagoons (settlement tanks), Caldercruix	10	244A	Ground treatment	Works Nos. 1, 2E
Easterton Farm, Caldercruix	10	254A	Working space	Works Nos. 1, 1D, 2E
Braefoot Court, Caldercruix	10	258, 259, 260, 261	Stabilisation works	Work No. 1
North of cyclepath, Caldercruix	10	262A	Stabilisation works	Work No. 1
Gas Governor, Main Street, Caldercruix	11	292	Diversion of gas main	Work No. 19
Limelands, Caldercruix	11	294	Working space	Work No. 1
North of Hillend Road, Caldercruix	11, 13	304A	Construction compound	Works Nos. 1, 2F, 20A, 20B
North of Hillend Road, Caldercruix	13	305A	Construction compound	Works Nos. 1, 2F, 20A, 20B
Hillend Reservoir, Caldercruix	13	323A	Stabilisation works	Work No. 2F
Hillend Reservoir, Caldercruix	16	363	Working space	Work No. 2F
Forrestfield, Caldercruix Wood, Airdrie Road	18	407	Construction compound	Works Nos. 1, 2F
Popcorn Factory, Raiziehill Farm	19	422A	Ground stabilisation	Works Nos. 1, 2F, 24

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
In the local government area of West Lothian—				
Crawberry Hill Bridge, Blackridge	20	440, 442	Working space	Works Nos. 1, 2F
Redburn Quarry, Blackridge	22	462A	Working space	Works Nos. 1, 2G, 27, 28
Redburn Quarry, Blackridge	22	478, 479	Construction compound	Works Nos. 1, 2G, 27, 28
Standhill Farm, Blackridge	24	508	Construction compound	Works Nos. 1, 2J, 29, 30A, 30B
Westercraigs Farm, Blackridge	25, 26, 27	553	Construction compound and working space	Work No. 1
Westrigg Colliery, Blackridge	27, 29	562	Construction compound and working space	Works Nos. 1, 2L, 31A
Netherhouses and Westfield Farm, Armadale	31	600	Construction compound	Works Nos. 1, 2N, 32
Netherhouses Wood, Armadale	31	604	Working space	Works Nos. 1, 2N, 32
Netherhouses and Westfield Farm, Armadale	31	607	Working space	Works Nos. 1, 2N, 32
Netherhouses and Westfield Farm, Armadale	31	608A, 609, 610, 611	Working space	Works Nos. 1, 2N, 32
Netherhouses and Westfield Farm, Armadale	31	615	Working space	Works Nos. 1, 2N, 32

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Netherhouses Cottage and Netherhouses Farm, Armadale	31	616	Working space	Works Nos. 1, 2N, 32
Springfield Farm, Armadale	32, 33	627	Working space	Works Nos. 1, 2N, 33, 34
Tarrareoch Farm, Armadale	32	628	Working space	Works Nos. 1, 2N, 33, 34
Tarrareoch Farm, Armadale	32, 33	654	Construction compound and working space	Works Nos. 1, 2N, 33, 34
Tarrareoch Farm, Armadale	33	659A	Working space	Work No. 1E
West Mains Farm, Bathgate	38	693, 694	Working space	Works Nos. 1, 2P, 38
Access to Whiteside Cottage, Bathgate	38	695	Working space	Works Nos. 1, 2P, 38
Access to Whiteside Cottage, Bathgate	38	696	Working space	Works Nos. 1, 2P, 38
Birniehill Road, Bathgate	40	723	Working space	Works Nos. 1, 2S, 39A, 39B
Whitburn Road (B7002), Bathgate	40	727	Working space	Works Nos. 1, 2S, 39A, 39B
Bog Burn, Bathgate	41	764	Working space	Works Nos. 1, 2S
Foundry, Bathgate	41	768	Working space	Works Nos. 1, 40, 41, 42
Bathgate Station	41	781, 782A	Construction compound and working space	Works Nos. 1, 40, 43

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Rennie's Bridge, Bathgate	43	790, 791, 792, 793, 796, 797	Working space	Works Nos. 1A, 1AA Demolition of overbridge 240/030 (Rennie's Bridge)
Blackburn Road (B782), Guildiehaugh, Bathgate	43	802, 803, 804, 805, 806, 808, 809, 810, 811	Working space	Replacement of bridge parapets for overbridge 240/029 (Blackburn Road)
Hunter Grove, Bathgate	44	815	Access for construction	Demolition and relocation of overbridge 240/028 (Inch Farm)
Hunter Grove, Bathgate	44	822	Working space	Works Nos. 44, 45 Demolition and relocation of overbridge 240/028 (Inch Farm)
West of A7088, Bathgate	44	826	Working space	Work No. 44 Demolition and relocation of overbridge 240/028 (Inch Farm)
Road (A7066) Bathgate	44	829, 830, 831, 832, 834, 835, 836, 837, 838	Working space	Replacement of bridge parapets for overbridge 240/027A (Bathgate Branch Railway Bridge)
Boghall Farm, Bathgate	46	841, 842	Access for construction	Demolition of overbridge 240/027 (Boghall Farm)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Road (A7066), Bathgate	46	843	Construction compound and working space	Demolition of overbridge 240/027 (Boghall Farm)
Boghall Farm, Bathgate	46	844, 845, 846, 847, 848, 850, 851, 852	Working space	Demolition of overbridge 240/027 (Boghall Farm)
Starlaw Road, Bathgate	46	855, 856, 857, 858, 860, 861, 862, 863	Working space	Replacement of bridge parapets for overbridge 240/025A (Starlaw Road)
M8 Motorway, near Bathgate	46	864, 865, 866, 867, 869, 870, 871, 872	Working space	Replacement of bridge parapets for overbridge 240/024C (M8)
Dean's Road, Livingston	47	873, 874, 875, 876, 878, 879, 880, 881	Working space	Replacement of bridge parapets for overbridge 240/021A (Deans Road)
Station Road, Livingston	47	882	Working space	Works Nos. 47A, 47B
Barracks Roundabout, Houstoun Road West, Livingston	47	889	Construction compound and working space	Works Nos. 47A, 47B
Livingston North Station, Livingston	48	895, 896, 898, 897, 900, 900A, 902, 903, 904, 905	Working space	Replacement of bridge parapets for overbridge 240/018C (Deans East)
Newyearfield Strip, Livingston	48	906	Construction compound and working space	Replacement of bridge parapets for overbridge 240/018C (Deans East) Demolition of overbridge 240/018 (Luggie)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Newyearfield Strip, Livingston	48	907	Construction compound	Replacement of bridge parapets for overbridge 240/018C (Deans East) Demolition of overbridge 240/018 (Luggie)
Raeburn Rigg, Livingston	48	908, 909, 910	Working space	Demolition of overbridge 240/018 (Luggie)
Waverley Crescent, Livingston	48	912, 913, 914	Working space	Demolition of overbridge 240/018 (Luggie)
Livingston	49	922A	Construction compound	Works Nos. 48A, 48B Replacement of bridge parapets for overbridge 240/016B (Knightsridge West) Demolition of overbridge 240/016 (Knightsridge)
Sutherland Way, Livingston	49	922B	Access for construction	Works Nos. 48A, 48B Replacement of bridge parapets for overbridge 240/016B (Knightsridge West) Demolition of overbridge 240/016 (Knightsridge)
Knightsridge West Road, Livingston	49	923, 924, 925, 926, 928, 929, 930, 931, 932	Working space	Replacement of bridge parapets for overbridge 240/016B (Knightsridge West)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Deer Park Golf Course, Livingston	50	933, 934, 935, 936, 938, 939, 940	Working space	Demolition of overbridge 240/016 (Knightsridge)
Morrison Way, Livingston	50	941, 953, 954	Working space	Demolition of overbridge 240/016 (Knightsridge)
Morrison Way, Livingston	50	942	Construction compound and working space	Demolition of overbridge 240/016 (Knightsridge)
Deer Park Golf Course, Livingston	50	943	Construction compound and working space	Works Nos. 49A, 49B
Fairways Business Park, Livingston	50	955	Construction compound and working space	Works Nos. 49A, 49B
Livingston East Roundabout, Livingston	51	956, 957, 958, 959, 960, 961, 963, 965, 966, 967, 968	Working space	Replacement of bridge parapets for overbridge 240/014A (M8 Motorway sliproad) Replacement of bridge parapets for overbridge 240/014B (Nettlehill Railway Bridge) Replacement of bridge parapets for overbridge 240/014C (Nettlehill Railway Bridge)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Livingston East Roundabout, Livingston	51	969	Working space	Replacement of bridge parapets for overbridge 240/014A (M8 Motorway sliproad) Replacement of bridge parapets for overbridge 240/014B (Nettlehill Railway Bridge)
Livingston East Roundabout, Livingston	51	970	Working space	Replacement of bridge parapets for overbridge 240/014C (Nettlehill Railway Bridge)
Houstoun Industrial Estate, Livingston	51	983, 984	Working space and access	Work No. 50
Houstoun Industrial Estate, Livingston	51	987	Construction compound	Work No. 50
Station Road, Uphall	52	999, 1000, 1001, 1002, 1004, 1005	Working space	Deck replacement underbridge 240/013 (Pumpherston Road)
Uphall Station	52	1006	Working space	Deck replacement underbridge 240/013 (Pumpherston Road)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Drumshoreland Station	53	1008, 1015	Construction compound and working space	Deck replacement underbridge 240/008 (Drumshoreland Station)
Drumshoreland Station	53	1009, 1010, 1011, 1012, 1013, 1014, 1016, 1018, 1019, 1020, 1021	Working space	Deck replacement underbridge 240/008 (Drumshoreland Station)
Birdsmill Viaduct	54	1022	Construction compound and working space	Provision of overhead masts and equipment at underbridge 240/004 (Birdsmill)
Birdsmill Viaduct	54	1032	Working space	Provision of overhead masts and equipment at underbridge 240/004 (Birdsmill)
In the local government areas of West Lothian and the City of Edinburgh—				
Birdsmill Viaduct	54	1023, 1033	Working space	Provision of overhead masts and equipment at underbridge 240/004 (Birdsmill)
In the local government area of the City of Edinburgh—				
Birdsmill Viaduct	54	1024, 1034	Working space	Provision of overhead masts and equipment at underbridge 240/004 (Birdsmill)

Location (1)	*Sheet of Parliamentary plans (2)*	*Number of land shown on plans (3)*	*Purposes for which temporary possession may be taken (4)*	*Authorised work (5)*
Hillwood, Ratho	57	1039, 1040, 1042, 1044, 1047, 1049, 1050, 1051, 1052	Working space	Demolition of overbridge 070/012 (Harvest Road Footbridge) Footpath between points S and T
Hillwood, Ratho	57	1043	Access for construction	Demolition of overbridge 070/012 (Harvest Road Footbridge) Footpath between points S and T
Hillwood, Ratho	57	1046	Construction compound	Demolition of overbridge 070/012 (Harvest Road Footbridge) Footpath between points S and T
Norton Mains	58	1053	Construction compound	Works Nos. 54A, 54B
Norton Mains	58	1057, 1061, 1065, 1069	Working space	Works Nos. 54A, 54B
Roddinglaw	59	1070, 1071	Working space	Works Nos. 55A, 55B
Roddinglaw	59	1072	Access for construction	Works Nos. 55A, 55B
Roddinglaw	59	1073, 1080	Construction compound and working space	Works Nos. 55A, 55B
Gogarburn Farm, Gogarburn	60	1084, 1091	Construction compound and working space	Works Nos. 56A, 56B
Gogarburn	60	1095, 1102	Construction compound and working space	Works Nos. 57A, 57B

SCHEDULE 7
(introduced by section 40)

STATUTORY UNDERTAKERS, ETC.

Apparatus of statutory undertakers, etc. on land acquired

1 (1) Subject to the provisions of this schedule, sections 224 to 227 of the 1997 Act (power to extinguish rights of statutory undertakers, etc. and power of statutory undertakers, etc. to remove or re-site apparatus) shall apply in relation to any land which has been acquired under this Act, or which is held by the authorised undertaker and is appropriated or used (or about to be used) by it for the purposes of this Act or for purposes connected with this Act.

(2) All such other provisions of the 1997 Act as apply for the purposes of the provisions applied by paragraph 1 above (including sections 228 to 231, which contain provisions consequential on the extinguishment of any rights under sections 224 and 225, and sections 232(2) to (4), 233 and 235, which provide for the payment of compensation) shall have effect accordingly.

(3) In the provisions of the 1997 Act, as applied by sub-paragraphs (1) and (2) above—

(a) references to the purpose of carrying out any development with a view to which land was acquired or appropriated are references to the purpose of carrying out the authorised works; and

(b) references to land acquired or appropriated as mentioned in section 224(1) of the 1997 Act are references to land acquired, appropriated or used as mentioned in sub-paragraph (1) above.

(4) Where any apparatus of a utility undertaker or of a public communications provider is removed in pursuance of a notice or order given or made under section 224, 225 or 226 of the 1997 Act, as applied by sub-paragraph (1) above, any person who is the owner or occupier of premises to which a supply was given from that apparatus shall be entitled to recover from the authorised undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

(5) Sub-paragraph (4) above shall not apply in the case of the removal of a public sewer, but where such a sewer is removed in pursuance of such a notice or order as is mentioned in that paragraph, any person who is—

(a) the owner or occupier of premises the drains of which communicated with that sewer; or

(b) the owner of a private sewer which communicated with that sewer,

shall be entitled to recover from the authorised undertaker compensation in respect of expenditure reasonably incurred by that person, in consequence of the removal, for the purpose of making the person's drain or sewer communicate with any other public sewer or with a private sewage disposal plant.

(6) The provisions of the 1997 Act mentioned in sub-paragraphs (1) and (2) above, as applied by those sub-paragraphs, shall not have effect in relation to apparatus as respects which Part IV of the 1991 Act applies.

(7) In this paragraph—

"gas transporter" has the meaning given by section 7(1) of the Gas Act 1986 (c.44);

"public communications provider" has the meaning given by section 151(1) of the Communications Act 2003 (c.21); and

"utility undertaker" means a person who is—

(a) authorised by any enactment to carry on an undertaking for the supply of water;

(b) a gas transporter; or

(c) the holder of a licence under section 6 of the Electricity Act 1989 (c.29),

and who is, or is deemed to be, a statutory undertaker within the meaning of section 214 of the 1997 Act.

Apparatus of statutory undertakers, etc in stopped up roads

2 (1) Where a road is stopped up under section 10 of this Act any statutory undertaker whose apparatus is under, in, upon, over, along or across the road shall have the same powers and rights in respect of that apparatus, subject to the provisions of this paragraph, as if this Act had not been passed.

(2) Where a road is stopped up under section 10 of this Act any statutory undertaker whose apparatus is under, in, upon, over, along or across the road may, and if reasonably requested to do so by the authorised undertaker, shall—

(a) remove the apparatus and place it or other apparatus provided in substitution for it in such other position as the statutory undertaker may reasonably determine and have power to place it; or

(b) provide other apparatus in substitution for the existing apparatus and place it in such a position.

(3) The allowable costs of the relocation works shall be—

(a) determined in accordance with section 144 (Sharing costs of necessary measures) of the 1991 Act and any regulations for the time being having effect under that section (as having effect by virtue of section 13 of this Act); and

(b) borne by the authorised undertaker and the statutory undertaker in such proportions as may be prescribed by any such regulations.

(4) In this paragraph—

"apparatus" has the same meaning as in Part IV of the 1991 Act;

"relocation works" means works executed, or apparatus provided, under sub-paragraph (2); and

"statutory undertaker" has the same meaning as in the Roads (Scotland) Act 1984 (c.54).

SCHEDULE 8
(introduced by section 42)

LISTED BUILDINGS

1 (1) Subject to sub-paragraph (2), if a listed building was such a building immediately before 17th January 2006 and is specified in columns (1), (2) and (3) of the following table—

(a) section 6 of the Listed Buildings Act (restriction on works affecting listed buildings) shall not apply to works carried out in relation to the building in exercise of the powers conferred by Part 1 of this Act;

(b) to the extent that a notice issued in relation to the building under section 34(1) of that Act (enforcement) requires the taking of steps which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by Part 1 of this Act, it shall not have effect or, as the case may be, shall cease to have effect;

(c) no steps may be taken in relation to the building under section 38(1) of that Act (execution of works specified in notice under section 34(1)) which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b) above; and

(d) no works may be executed for the preservation of the building under section 49 of that Act (urgent works to preserve unoccupied listed buildings) which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b) above.

(2) In the case of any building specified in columns (1), (2) and (3) of the following table in relation to which any description of works is specified in column (4) of that table, sub-paragraph (1) shall have effect as if the references to works carried out in exercise of the powers conferred by Part 1 of this Act were, so far as concerns works of demolition or alteration (as opposed to extension), to works so carried out which are of a description specified in relation to it in that column.

(3) Paragraphs (a) to (d) of sub-paragraph (1) shall also apply in relation to a listed building which was not such a building immediately before 17th January 2006.

(4) Anything which, by virtue of section 1(4) of the Listed Buildings Act (objects or structures fixed to, or within the curtilage of, a building), is treated as part of a building for the purposes of that Act shall be treated as part of the building for the purposes of this paragraph.

TABLE

Local government area (1)	*Sheet of Parliamentary plans (2)*	*Buildings authorised to be demolished or altered (3)*	*Extent of authorised demolition or alteration (4)*
West Lothian and City of Edinburgh	54	Birdsmill Viaduct (Underbridge 240/004)	Attachment of overhead line equipment

2 Section 53 of the Listed Buildings Act (acts causing or likely to result in damage to listed buildings) shall not apply to anything done in exercise of the powers conferred by Part 1 of this Act with respect to works.

3 In this schedule—

"the Listed Buildings Act" means the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9); and

"building" and "listed building" have the same meanings as in the Listed Buildings Act.

SCHEDULE 9
(introduced by section 46)

CODE OF CONSTRUCTION PRACTICE

1 Before commencing construction of the authorised works located in the area of a local planning authority the authorised undertaker shall secure that the code of construction practice is submitted to that local planning authority for its written approval.

2 The local planning authority shall send a copy of every code submitted pursuant to paragraph 1, and any amendment or replacement proposed by the authorised undertaker pursuant to paragraph 3, to SNH and SEPA and shall take account of any representations made to the local planning authority by either of those bodies.

3 The authorised undertaker may with the approval of the local planning authority amend or replace the code of construction practice.

4 In approving the code of construction practice or any amendment or replacement submitted under this schedule, the local planning authority may require the authorised undertaker to make amendments to the code or to the amendment or replacement as the case may be.

5 For the purpose of any appeal against a decision of a local planning authority under this schedule, an application for approval under paragraph 1 or 3 shall be deemed to be an application for planning permission made under section 32 of the 1997 Act.

6 In this schedule—

"SEPA" means the Scottish Environment Protection Agency established under section 20 of the Environment Act 1995 (c.25); and

"SNH" means Scottish Natural Heritage established under section 1 of the Natural Heritage (Scotland) Act 1991 (c.28).

SCHEDULE 10
(introduced by section 52)

ENACTMENTS AUTHORISING EXISTING RAILWAYS

Enactment
Edinburgh and Glasgow Railway Act 1838 (c.lviii)
Edinburgh and Glasgow Railway Act 1844 (c.lviii)
Edinburgh and Bathgate Railway Act 1846 (c.cccxxxii)
Caledonian Railway (Edinburgh Station and Branches) Act 1847 (c.ccxxxvii)
Edinburgh and Bathgate Railway (Deviation and Amendment) Act 1847 (c.ccxlvi)
Monkland Railways Branches Act 1857 (c.lxxviii)
North British Railway (New Works) Act 1866 (c.cclxvi)
Caledonian Railway (Additional Powers) Act 1872 (c.cxiv)
North British Railway Act 1873 (c.ccix)
Edinburgh Suburban and Southside Junction Railway Act 1880 (c.cxciv)
North British Railway Act 1888 (c.clxiii)
North British Railway (Waverley Station, &c.) Act 1891 (c.cxcii)
North British Railway (General Powers) Act 1898 (c.ccxxviii)
North British Railway Act 1901 (c.clxxxviii)
London and North Eastern Railway Order Confirmation Act 1936 (c.xliv)
British Transport Commission Order Confirmation Act 1948 (c.xxi)
British Transport Commission Order Confirmation Act 1958 (c.xxviii)

SCHEDULE 11
(introduced by sections 6 and 7)

ROADS, BUS LAY-BY, CAR PARKS AND CYCLEPATH

PART 1

CONSTRUCTION AND MAINTENANCE

Sheet of Parliamentary plans (1)	*Road (2)*	*Structure not to vest in roads authority (3)*
3	Work No. 4	The bridge over the railway
4	Crowwood Drive Overbridge, Clarkston, Works Nos. 2A, 6 and 7, so much of Station Road, Airdrie as is in plot no. 65 in North Lanarkshire and the footpaths between points A and B and C and D	
4, 5, 6	Work No. 2B	
6	Work No. 9A	
6, 7	Work No. 9	
7	Works Nos. 2C, 11, 12 and 13	
7, 8	Work No. 10	
8, 9, 10	Work No. 2E	
10	Work No. 16 and the footbridge between Main Street, Caldercruix and Station Road, Caldercruix	
11	Works Nos. 18 and 19	
12, 13, 14, 15, 16, 17, 18, 19, 20, 21	Work No. 2F	The bridge over the railway at Bedlormie Mains Farm
16	Work No. 21	
17	Works Nos. 22B and 23	
19	Work No. 25B	
22	Works Nos. 2G and 27 and the footpath between points C1and D1	
22, 24	Work No. 2J and the footpath between points E and F	
24	Work No. 31	The bridge under the railway
24	Work No. 30B	The bridge over the railway and so much of Millbank Quarry road as is in plots nos. 511, 513 and 515

Sheet of Parliamentary plans (1)	*Road (2)*	*Structure not to vest in roads authority (3)*
24, 25	Work No. 2K	
27, 29, 30	Work No. 2L	
28, 29	Work No. 31A	
30, 31	So much of the footpath between points G and H as is between Standhill Farm and Stonerigg Road, Armadale	
31, 32, 33	Work No. 2N	
32, 33	Work No. 33, so much of Work No. 34 as is in plots nos. 629, 633 and 652 in West Lothian and so much of the footpath between points J and K as is between Station Road, Armadale (B8084) and point J	
33	Work No. 37	
33, 34, 35, 38	Work No. 2P	
38	Work No. 2Q	
38, 39	Work No. 2R	
40	Work No. 39B	
40, 41	Work No. 2S and the footpath between points L and M	
41	Work No. 40	The bridge under the railway
41	Works Nos. 41 and 42	
44	Work No. 44	
47	Work No. 47B	The bridge over the railway
52	Work No. 51 and so much of Work No. 52 as is in plots nos. 991, 992 and 993 in West Lothian	So much of the bridge structure as is designated by Network Rail
57	The footpath between points S and T	
59	Work No. 55B	The bridge over the railway
60	Work No. 56B	The bridge over the railway

PART 2

VESTING IN ROADS AUTHORITY

Authorised work *(1)*	*Time of vesting* *(2)*
Each road specified in subsection (1)	The expiry of the period during which the authorised undertaker is liable to maintain any road under subsection (2)
The car park and access provided in plots nos. 365A, 365B and 365C in North Lanarkshire	Completion of construction
The bus lay-by and car park provided in plots nos. 367, 367A and 367B in North Lanarkshire	Completion of construction
The car park provided in plot no. 990 in West Lothian	Completion of construction
The cyclepath provided in plots nos. 457 and 458 in West Lothian	Completion of construction
The cyclepath provided in plots nos. 462 and 462B in West Lothian	Completion of construction
The cyclepath provided in plots nos. 549, 550, 551 and 552A in West Lothian	Completion of construction

PART 3

VESTING OF PRIVATE ACCESSES

Sheet of Parliamentary plans (1)	*Private access (2)*	*Structure not to vest as private access (3)*
5	Work No. 8B (Katherine Park Lane)	The bridge over the railway
13	Work No. 20B	The bridge over the railway
19	Work No. 24	The bridge over the railway
21	Work No. 26	The bridge over the railway
24	Work No. 30B	The bridge over the railway and so much of Millbank Quarry Road and Station Road as is in plots nos. 519 and 522
30, 31	Work No. 32	
33	Works Nos. 35 and 36	
38	Access track in plot no. 700A in West Lothian	
41	Work No. 43	
44, 45	Work No. 46	
58	Work No. 54B	The bridge over the railway
60	Work No. 57B	The bridge over the railway

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