

GLASGOW AIRPORT RAIL LINK ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Land

Compensation

Section 30 – Restrictions on compulsory purchase in respect of operational airport land

146. The Act will authorise works on land within Glasgow Airport. It is recognised that the exercise of unrestricted compulsory powers over such land could compromise the operation or safety of this key transport undertaking. The object of these provisions is to restrict the exercise of compulsory powers in order to safeguard the statutory responsibilities of the body which owns and operates the relevant infrastructure while at the same time establishing that this body must act reasonably in imposing requirements in relation to the construction of the railway.
147. Subsection (1) refers by reference to the parcel numbers on the Parliamentary plans to the land within Glasgow Airport, and provides that compulsory acquisition of this land or the exercise of powers to occupy land temporarily is subject to such requirements as Glasgow Airport Limited, the owner and operator of the airport, may reasonably make to ensure there is no material adverse impact on the operation or safety of its airport undertaking. The requirements imposed could cover the extent of land being acquired, the nature of the interest (in so far as this could have an impact on airport operations) and the terms on which the acquisition is made. However they relate only to operational requirements (rather than for example issues relating to retail facilities at the airport).
148. Subsection (2) and (3) provide for disputes to be determined by arbitration, unless the parties agree on some other alternative form of dispute resolution, and that the authorised undertaker will not take possession of any of the land stipulated until the dispute has been resolved. Arbitration is governed by [section 35](#) of the Act.
149. Subsection (4) amends in relation to operational airport land, the restriction on the length of leases imposed by section 67(1) of the Abolition of Feudal Tenure etc (Scotland) Act 2000 which sets the maximum as 175 years and provides the authorised undertaker with powers to take leases of up to 250 years at Glasgow Airport.