

SCHEDULE 1

(introduced by section 2)

SCHEDULED WORKS

In the local government areas of West Lothian and the City of Edinburgh railways linking Edinburgh Airport with the Edinburgh to Glasgow Main Line via a new railway to Kirkliston and the existing Dalmeny Chord railway to the north-west and a new railway to the south connecting with the Main Line at Roddinglaw and linking the airport to the Edinburgh to Fife and North East Railway via new railways connecting with that railway at Dalmeny and Gogar; including a new station at Edinburgh Airport and comprising—

In the local government areas of West Lothian and the City of Edinburgh—

Work No. 1—A railway (3,855 metres in length) between Winchburgh Junction and Kirkliston commencing by a junction with the Edinburgh to Glasgow Main Line at a point 68 metres north-west of the bridge carrying the track between Duntarvie and Auldathie over that railway, passing eastwards and terminating by a junction with the Dalmeny Chord railway at a point 125 metres west of the bridge carrying the M9 spur over that railway. Work No. 1 includes the reconstruction of the bridge carrying the railway over the B8020 road.

In the local government area of West Lothian—

Work No. 1A—A railway (1,166 metres in length) at Winchburgh Junction commencing by a junction with the Edinburgh to Glasgow Main Line at a point 30 metres east of the bridge carrying the track between Duntarvie and Auldathie over that railway, passing eastwards and southwards and terminating by a junction with the Edinburgh to Glasgow Main Line at a point beneath the aqueduct carrying an unnamed watercourse from the Union Canal to the Swine Burn over that railway.

Work No. 1B—A realignment of the access road between the Union Canal and the B8020 road commencing at a point in that access road 60 metres east of the bridge carrying that road over the Edinburgh to Glasgow Main Line and terminating at a point in that road 5 metres east of that bridge. Work No. 1B includes a bridge to carry the access road over Work No. 1A.

In the local government area of the City of Edinburgh—

Work No. 2—A railway (3,165 metres in length and partly in tunnel) between Kirkliston and Wheatlands commencing by a junction with Work No. 1 at its termination, passing eastwards and south-eastwards and terminating in tunnel beneath a point 150 metres north-west of the confluence of the Gogar Burn with the River Almond. Work No. 2 includes a bridge to carry the railway over Work No. 2C and a ventilation shaft with a structure above ground occupying an area not exceeding 40 square metres between the point marked A on the Parliamentary plans and the commencement of Works Nos. 3A and 3B.

Work No. 2A—An access road commencing by a junction with the road (Work No. 2C) at a point 90 metres south of the bridge carrying the Dalmeny Chord railway over Queensferry Road (B800), passing westwards and terminating at a point 25 metres east of the bridge carrying the M9 Spur over the Dalmeny Chord railway.

Work No. 2B—An access road commencing by a junction with the road (Work No. 2C) at a point 40 metres south of the bridge carrying the Dalmeny Chord railway over Queensferry Road (B800), passing westwards and terminating at a point 140 metres south-west of that bridge.

Work No. 2C—A realignment of Queensferry Road (B800) commencing at a point in that road 165 metres north of the junction of Newmains Road with Queensferry Road, passing northwards and terminating at a point in Queensferry Road (B800) 75 metres

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south of the centre of the roundabout at the junction of the M9 Spur with the A8000 and Queensferry Road (B800). Work No. 2C includes strengthening works to the bridge carrying the Dalmeny Chord railway over the proposed road.

Work No. 2D—An access road commencing by a junction with the road (Work No. 2C) at a point 85 metres south of the bridge carrying the Dalmeny Chord railway over Queensferry Road (B800), passing eastwards and terminating at a point in the access road leading from Queensferry Road (B800) to Almondhill 230 metres east of the junction of that access road with Queensferry Road (B800).

Work No. 2E—An access road commencing by a junction with the road (Work No. 2C) at a point 35 metres south of the bridge carrying the Dalmeny Chord railway over Queensferry Road (B800), passing eastwards then northwards and terminating at a point 340 metres north of the north-eastern corner of No. 18 Almondhill Steading.

Work No. 2F—An access road commencing by a junction with the access road (Work No. 2E) at a point 410 metres east of the junction of the access road leading from Queensferry Road (B800) to Almondhill Steading with Queensferry Road (B800), passing eastwards and terminating at a point 120 metres east of its commencement.

Work No. 2G—A drain commencing at a point 240 metres south-east of the bridge carrying the Dalmeny Chord railway over Queensferry Road (B800), passing eastwards and south-eastwards and terminating in the existing sink at a point 104 metres north-west of the north-eastern corner of No. 23 Almondhill Steading.

Work No. 2H—A drain commencing in the existing issues at a point 365 metres north-east of the north-eastern corner of No. 6 Almondhill Steading, passing eastwards and terminating in the existing sinks at a point 450 metres north-east of No. 7 The Verge Cottages.

Work No. 2J—A road (being a partial realignment of Burnshot Road) commencing at a point in that road 300 metres north-east of No. 7 The Verge Cottages, passing north-eastwards and terminating at a point in that road 510 metres south-west of the south-western corner of No. 1 Carlowrie Cottages. Work No. 2J includes a bridge to carry the realigned road over Work No. 2.

Work No. 2K—A realignment of the Newbridge to South Queensferry walkway commencing at a point in that walkway 590 metres east of the northern corner of No. 6 Almondhill Steading, passing north-eastwards and terminating at a point in that walkway 540 metres south-west of the south-western corner of No. 1 Carlowrie Cottages. Work No. 2K includes a bridge to carry the cycleway forming part of the walkway over Work No. 2.

Work No. 2L—A drain commencing at a point 25 metres north-west of the junction of the access road leading from Wheatlands Cottage with Wheatlands Road, passing southwards and terminating in the River Almond at a point 244 metres north-east of Boathouse Bridge over that river.

Work No. 2M—A temporary diversion of Queensferry Road (B800) commencing at a point in that road 75 metres north of the junction of Newmains Road with Queensferry Road, passing northwards and terminating on the south side of the roundabout at the junction of the M9 Spur with the A8000 and Queensferry Road (B800). Work No. 2M includes a bridge to carry the Dalmeny Chord railway over the temporary road.

Work No. 3A—A railway (1,058 metres in length in tunnel) between Wheatlands and the proposed station at Edinburgh Airport (part of Work No. 4) commencing by a junction with Work No. 2 at its termination, passing south-eastwards beneath the River Almond then southwards beneath Edinburgh Airport main runway and terminating at a point beneath the airport 175 metres south-east of the south-east corner of the airport terminal building.

Work No. 3B—A railway (1,054 metres in length in tunnel) between Wheatlands and the proposed station at Edinburgh Airport (part of Work No. 4) commencing by a junction with

Work No. 2 at its termination, passing south-eastwards beneath the River Almond then southwards beneath Edinburgh Airport main runway and terminating at a point beneath the airport 175 metres south-east of the south-east corner of the airport terminal building. Works Nos. 3A and 3B include a ventilation shaft with a structure above ground occupying an area not exceeding 40 square metres between the termination of Work No. 2 and the point marked B on the Parliamentary plans. Works Nos. 3A and 3B also include a diversion of the airport perimeter road between the points marked A1 and A2 on the Parliamentary plans.

Work No. 3C—An access road commencing at a point 63 metres west of the confluence of the Gogar Burn with the River Almond, passing south-westwards and terminating at a point 230 metres north-east of Boathouse Bridge over the River Almond.

Work No. 3D—A temporary diversion of the River Almond commencing in that river at a point 310 metres north-east of Boathouse Bridge over that river, passing north-eastwards over Works Nos. 3A and 3B and terminating in the River Almond at a point 150 metres east of the confluence of the Gogar Burn with the River Almond.

Work No. 3E—A diversion of Gogar Burn commencing in that burn at a point 130 metres south-east of its confluence with the River Almond, passing north-westwards and terminating in the River Almond at a point 80 metres south-west of its confluence with the River Almond. Work No. 3E includes a diversion of the airport perimeter road between the points marked A3 and A4 on the Parliamentary plans.

Work No. 3F—An access road commencing at a point 55 metres south of the confluence of the Gogar Burn with the River Almond, passing south-westwards and terminating at a point 70 metres south-east of Boathouse Bridge over the River Almond. Work No. 3F includes a bridge to carry the road over Work No. 3E.

Work No. 4—A railway (3,829 metres in length and partly in tunnel) between the proposed station at Edinburgh Airport and Roddinglaw Junction commencing by a junction with Works Nos. 3A and 3B at their terminations, passing southwards and eastwards and terminating by a junction with the Edinburgh to Glasgow Main Line at a point 5 metres west of the bridge carrying Gogar Station Road over that railway. Work No. 4 includes a ventilation shaft with a structure above ground occupying an area not exceeding 40 square metres between the termination of Works Nos. 3A and 3B and the point marked C on the Parliamentary plans, a station at Edinburgh Airport and bridges to carry the railway over Works Nos. 4D and 4E and a tunnel under Work No. 4A.

The station may be situated at any point between the commencement of Work No. 4 and the point marked G on the Parliamentary plans. If the station is constructed in open cutting the southern portal of the tunnel forming part of Work No. 4 will be at a point between the points marked D and E on the Parliamentary plans. If the station is constructed as an underground station that portal will be at a point between the points marked F and G on the Parliamentary plans.

Work No. 4A—A railway (1,743 metres in length) commencing by a junction with the Edinburgh to Glasgow Main Line at a point 440 metres south-east of the bridge carrying that railway over Freeland Road, passing south-eastwards over Works Nos. 4L and 4 and terminating by a junction with that railway at a point 105 metres west of the bridge carrying Gogar Station Road over that railway.

Work No. 4B—A diversion of Gogar Burn commencing at a point in that burn 295 metres north of the bridge carrying Eastfield Avenue over that burn, passing southwards and terminating at a point in that burn 475 metres north of that bridge.

Work No. 4D—A diversion of Gogar Burn commencing at a point in that burn 330 metres south-east of the roundabout at the junction of Gogar Bridge Road and Eastfield Avenue, passing south-westwards under Works Nos. 6, 4E and 4, then northwards and terminating

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at a point in that burn 170 metres south of that roundabout. Work No. 4D includes a conduit to carry the Gogar Burn under Work No. 4E.

Work No. 4E—An access road commencing at a point in Eastfield Road 65 metres south of No. 19 Eastfield Road, passing north-eastwards and terminating at a point 273 metres south of the roundabout at the junction of Gogar Bridge Road and Eastfield Avenue. Work No. 4E includes a platform to carry traffic across the conduit forming part of Work No. 4D.

Work No. 4F—A temporary diversion of Glasgow Road (A8) commencing at a point in that road 300 metres west of the junction of Gogarstone Road with Glasgow Road, passing eastwards and terminating at a point in Glasgow Road 40 metres north-west of that road junction.

Work No. 4G—A temporary diversion of Glasgow Road (A8) commencing at a point in that road 275 metres west of the junction of Gogarstone Road with Glasgow Road, passing eastwards and terminating at a point in Glasgow Road 15 metres north-west of that road junction.

Work No. 4H—A road (being a partial realignment of Freelands Road) commencing at a point in Freelands Road and Gogarstone Road 270 metres north-east of the bridge carrying the Glasgow to Edinburgh railway over that road, passing northwards over Work No. 4 and terminating at a point in Gogarstone Road 150 metres south of the junction of that road with Glasgow Road (A8). Work No. 4H includes a bridge to carry the road over Work No. 4.

Work No. 4J—A road (being a partial realignment of Roddinglaw Road) commencing by a junction with the road (Work No. 4H) at a point 90 metres north-west of the existing junction of Gogarstone Road with Freelands Road and Roddinglaw Road, passing south-eastwards and terminating at a point in Roddinglaw Road 48 metres south-east of that road junction.

Work No. 4K—An access road commencing at a point in Roddinglaw Road 170 metres south-east of the existing junction of Gogarstone Road with Freelands Road and Roddinglaw Road, passing south-westwards and terminating at a point 160 metres south-west of its commencement.

Work No. 4L—An access road commencing at a point in Roddinglaw Road 10 metres north of the bridge carrying that road over the Edinburgh to Glasgow railway, passing westwards then north-eastwards and eastwards and terminating at a point in the existing access road leading from Roddinglaw Road to Gogar Station Road 96 metres east of the existing junction of that access road with Roddinglaw Road. Work No. 4L includes bridges to carry the road over Works Nos. 4A and 4.

Work No. 4M—An access road commencing at a point in Roddinglaw Road 160 metres north-west of the existing junction of the access road leading from Roddinglaw Road to Knocktower with Roddinglaw Road, passing south-eastwards and terminating by a junction with the access road (Work No. 4L) at a point 95 metres north-west of that existing road junction.

Work No. 4N—An access road commencing by a junction with the access road (Work No. 4L) at a point 20 metres north-west of the bridge carrying Roddinglaw Road over the Edinburgh to Glasgow railway, passing eastwards and terminating at a point 75 metres north-east of the northern corner of No. 1 Roddinglaw Cottages.

Work No. 4P—A road commencing at a point in Roddinglaw Road 20 metres south of the bridge carrying the Edinburgh to Glasgow railway over that road, passing north-westwards adjacent to the railway and terminating at a point in Freelands Road 100 metres south-west of the bridge carrying that railway over that road.

Work No. 4Q—A drain commencing in an existing burn adjacent to Freelands Road at a point 50 metres north-east of the bridge carrying that road over the Edinburgh to Glasgow railway, passing southwards then south-eastwards and terminating in that existing burn at

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a point 15 metres north of the bridge carrying that railway over an unnamed watercourse between Ashley and Gogarbank.

Work No. 4R—An access road commencing at a point in Gogar Station Road 20 metres south of the bridge carrying that road over the Edinburgh to Glasgow railway, passing westwards and terminating at a point 425 metres west of its commencement.

Work No. 4S—An access road commencing at a point in Gogar Station Road 30 metres north of the bridge carrying that road over the Edinburgh to Glasgow railway, passing westwards and terminating at a point 190 metres west of its commencement.

Work No. 4T—A road commencing by a junction with the road (Work No. 4P) at a point 55 metres west of the bridge carrying Roddinglaw Road over the Edinburgh to Glasgow railway, passing southwards and terminating at a point 50 metres south of its commencement.

Work No. 5—A railway (2,653 metres in length and partly in tunnel) between Airport North Junction and Wheatlands commencing by a junction with the Edinburgh to Fife and North East railway at a point 12 metres south of the bridge carrying the A90 road over that railway, passing southwards and terminating by a junction with Work No. 2 in tunnel beneath a point 385 metres south-east of the junction of the access road leading from Wheatlands Road to Wheatlands Cottage. Work No. 5 includes a bridge to carry the railway over Work No. 5B.

Work No. 5A—An access road commencing by a junction with the cycleway (Work No. 5B) at a point 20 metres west of the bridge carrying the Edinburgh to Fife and North East railway over Dolphington Burn, passing northwards over that burn and terminating at a point 172 metres north of that bridge.

Work No. 5B—A cycleway commencing by a junction with the road (Work No. 5C) at a point 100 metres west of the north-western corner of Standingstone Cottage, passing northwards then eastwards and terminating by a junction with Standingstone Road at a point 5 metres east of the bridge carrying the Edinburgh to Fife and North East railway over Dolphington Burn.

Work No. 5C—A road (being a partial realignment of the un-named road between Queensferry Road (A8000) and Standingstone Road) commencing by a junction with the un-named road at a point 150 metres west of the junction of that un-named road with Standingstone Road, passing eastwards over Work No. 5 and terminating by a junction with the road (Work No. 5E) at a point 25 metres north of that road junction. Work No. 5C includes a bridge to carry the road over Work No. 5.

Work No. 5D—A temporary realignment of Standingstone Road for the duration of the construction of Works Nos. 5C and 5E, commencing at a point in Standingstone Road 160 metres north of the junction of the un-named road between Queensferry Road (A8000) and Standingstone Road with Standingstone Road, passing southwards and terminating at a point in that road 305 metres south of that road junction.

Work No. 5E—A realignment of Standingstone Road commencing at a point in that road 183 metres north of the junction of the un-named road between Queensferry Road (A8000) and Standingstone Road with Standingstone Road, passing southwards and terminating by a junction with the road (Work No. 5G) at a point 340 metres south of that road junction.

Work No. 5F—A cycleway commencing by a junction with the existing cycle track 15 metres north of the bridge carrying that track over Burnshot Road, passing northwards and terminating by a junction with the road (Work No. 5C) at a point 60 metres west of the junction of the un-named road between Queensferry Road (A8000) and Standingstone Road with Standingstone Road.

Work No. 5G—A road (being a partial realignment of Burnshot Road) commencing at a point in Burnshot Road 480 metres south-west of the south-western corner of No. 1 Carlowrie Cottages, passing north-eastwards, then eastwards and south-eastwards and

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terminating at a point in Burnshot Road adjacent to No.3 Carlowrie Farm Cottages. Work No. 5G includes a bridge to carry the road over Work No. 5.

Work No. 5H—A road (being a partial realignment of Wheatlands Road) commencing by a junction with the road (Work No. 5G) at a point 175 metres north-west of the bridge carrying the Newbridge to South Queensferry walkway over Wheatlands Road, passing south-eastwards and terminating at a point in that road 5 metres north-west of that bridge.

Work No. 5J—A road commencing by a junction with the road (Work No. 5H) at a point 85 metres north-west of the bridge carrying the Newbridge to South Queensferry walkway over Wheatlands Road, passing north-eastwards and terminating at a point in Burnshot Road 95 metres north of that bridge.

Work No. 5K—A road (being a partial realignment of Wheatlands Road) commencing at a point in Wheatlands Road 100 metres south-east of the bridge carrying the Newbridge to South Queensferry walkway over that road, passing southwards and terminating at a point in Wheatlands Road 470 metres north of Boathouse Bridge.

Work No. 5L—An access road commencing by a junction with the road (Work No. 5K) at a point 140 metres south-east of the bridge carrying the Newbridge to South Queensferry walkway over Wheatlands Road, passing eastwards and terminating at a point 80 metres north-east of its commencement.

Work No. 5M—A diversion of an existing burn commencing at a point in that burn 40 metres east of the bridge carrying the Newbridge to South Queensferry walkway over Burnshot Road, passing southwards then eastwards and terminating at a point in that burn 305 metres south-east of the bridge carrying the Newbridge to South Queensferry walkway over Wheatlands Road. Work No. 5M includes a conduit to carry the burn under Work No. 5.

Work No. 5N—An access road commencing by a junction with the road (Work No. 5K) at a point 160 metres north-west of the junction of the access road leading from Wheatlands Cottage with Wheatlands Road, passing westwards and terminating at a point 68 metres from its commencement.

Work No. 5P—An access road commencing by a junction with the road (Work No. 5G) at a point 145 metres west of the south-western corner of No. 1 Carlowrie Farm Cottages and terminating at a point in Burnshot Road 40 metres east of the junction of Burnshot Road with Standingstone Road.

Work No. 5Q—A drain commencing at a point adjacent to No.3 Carlowrie Farm Cottages, passing south-eastwards and terminating at a point in the existing drain at Carlowrie Farm adjacent to Burnshot Road 280 metres from its commencement.

Work No. 5R—An access road commencing by a junction with the road (Work No. 5K) at a point 55 metres south-west of the junction of the access road leading from Wheatlands Cottage with Wheatlands Road, passing north-eastwards and northwards and terminating at a point in that road 25 metres south of that road junction.

Work No. 6—A railway (2,602 metres in length) between Ingliston Junction and Gogar Junction commencing by a junction with Work No. 4 at a point 85 metres south-east of the bridge carrying Eastfield Avenue over Gogar Burn, passing south-eastwards and eastwards and terminating by a junction with the Edinburgh to Fife and North East railway at a point beneath the northern side of the bridge carrying Glasgow Road (A8) over that railway. Work No. 6 includes bridges to carry the railway over Work No. 4D and Gogar Burn.

Work No. 6A—An access road (being a vertical realignment of Gogar Mains Road) commencing at a point 303 metres south-east of the southern corner of No. 1 Gogar Mains Farm Cottages, passing northwards and terminating at a point 142 metres south of that cottage. Work No. 6A includes a bridge to carry the access road over Work No. 6.

Work No. 6B—An access road (being a realignment of Castle Gogar Drive) commencing at a point in Castle Gogar Drive 80 metres north-west of the junction of that road with

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Glasgow Road (A8), passing northwards then westwards and terminating at a point 370 metres south-east of Castle Gogar forecourt on Castle Gogar Drive. Work No. 6B includes a bridge to carry the access road over Work No. 6.

Work No. 6C—An access road commencing by a junction with the access road (Work No. 6B) at a point in Castle Gogar Drive 400 metres south-east of Castle Gogar forecourt on Castle Gogar Drive, passing westwards and terminating at a point 295 metres north-west of the north-western corner of No. 194 Glasgow Road (A8).

Work No. 6D—An access road commencing by a junction with the access road (Work No. 6B) at a point 290 metres north-east of the north-eastern corner of No. 194 Glasgow Road (A8), passing eastwards and terminating at a point in the existing access track leading from Gogar roundabout to Meadowfield Farm 480 metres north-west of the bridge carrying Glasgow Road (A8) over the Edinburgh to Fife and North East railway.

Work No. 6E—An access road commencing by a junction with the access road (Work No. 6D) at a point 506 metres north-west of the bridge carrying Glasgow Road (A8) over the Edinburgh to Fife and North East railway, passing eastwards and terminating at a point 260 metres north-west of that bridge.

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 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.

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- 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 14)

STOPPING UP AND DIVERSION OF ROADS

PART 1

ROADS TO BE PERMANENTLY STOPPED UP

<i>Sheet of Parliamentary plans</i>	<i>Road to be stopped up</i>	<i>Extent of stopping up</i>	<i>Substitute to be provided or alternative</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>In the local government area of the City of Edinburgh—</i>			
7, 8	Queensferry Road (B800)	Between points P1 and P2	Work No. 2C
7	Access road	Between points P3 and P4	Work No. 2D
9	Track between Almondhill Farm and Almondhill Steading	Between points P5 and P6	Works Nos. 2C, 2D, 2E
10	Burnshot Road	Between points P7 and P8	Work No. 2J
10	Newbridge to South Queensferry Cycleway	Between points P9 and P10	Work No. 2K
23, 24, 26	Newbridge to South Queensferry Cycleway	Between points P11 and P12	Works Nos. 5B, 5C, 5F
10, 26	Burnshot Road	Between points P13 and P14	Works Nos. 5G, 5H, 5J
26	Burnshot Road	Between points P15 and P16	Works Nos. 5G, 5P
25	Burnshot Road	Between points P17 and P18	Works Nos. 5G, 5P
11, 12, 26	Wheatlands Road	Between points P19 and P20	Work No. 5K
26	Wheatlands Road	Between points P21 and P22	Work No. 5H

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<i>Sheet of Parliamentary plans</i>	<i>Road to be stopped up</i>	<i>Extent of stopping up</i>	<i>Substitute to be provided or alternative</i>
(1)	(2)	(3)	(4)
18	Freelands Road	Between points P23 and P24	Works Nos. 4H, 4J
18	Gogarstone Road	Between points P25 and P26	Works Nos. 4H, 4J
18	Roddinglaw Road	Between points P27 and P28	Work No. 4J
19	Roddinglaw Road	Between points P29 and P30	Works Nos. 4H, 4J, 4P
19	Track between Roddinglaw Road and Gogar Station Road	Between points P31 and P32	Works Nos. 4L, 4M
24	Standingstane Road	Between points P33 and P34	Works Nos. 5D, 5E, 5G, 5P
24	Road between Queensferry Road (A8000) and Standingstane Road	Between points P35 and P36	Work No. 5C
28	Castle Gogar Drive	Between points P37 and P38	Work No. 6B
29	Access track between Gogar roundabout and Meadowfield Farm	Between points P39, P40 and P41	Works Nos. 6B, 6D

PART 2

ROADS TO BE TEMPORARILY STOPPED UP

<i>Sheet of Parliamentary plans</i>	<i>Road to be stopped up</i>	<i>Extent of stopping up</i>
(1)	(2)	(3)
<i>In the local government area of West Lothian—</i>		
1	Access track between Duntarvie and Auldcaithie	Between points T1 and T2
2	Access track between Beatlie Road (B8020) and Union Canal at Myreside	Between points T3 and T4

In the local government area of the City of Edinburgh—

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<i>Sheet of Parliamentary plans</i>	<i>Road to be stopped up</i>	<i>Extent of stopping up</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
7, 8	Queensferry Road (A8000/ B800)	Between points T11 and T12
7, 9	Access track between Queensferry Road (B800) and Almondhill	Between points P4 and T5
10, 26	Newbridge to South Queensferry Cycleway	Between points P12 and P10
12, 13	Footpath over Boathouse Bridge and adjacent to south bank of River Almond	Between points T6, T7, T8
17	Glasgow Road (A8)	Between points T9 and T10

SCHEDULE 4

(introduced by section 16)

SAFEGUARDING WORKS

PART 1

LAND FOR SAFEGUARDING WORKS

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on Parliamentary plans</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>In the local government area of West Lothian—</i>		
Winchburgh Junction	1	746 to 752
Myre	2	753 to 763, 763a, 764 to 767, 767a, 768 to 772
Niddry Mains	3	773 to 790
Muiriehall Wood	4	791 to 795, 798
<i>In the local government area of the City of Edinburgh—</i>		
Muiriehall Wood	4	796, 797, 799 to 802
Swine Burn	5	803 to 808, 812 to 814
Humbie	6	815 to 830
Wheatlands	11	209, 831 to 835
Wheatlands	11, 13	836, 837
Wheatlands	11, 12, 13	838

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<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on Parliamentary plans</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
River Almond	12	840 to 846
River Almond to Burnside Road	12, 14	847
Edinburgh Airport – Main Runway to Eastfield Avenue	13, 14, 15	849
Edinburgh Airport – Main Runway to Eastfield Avenue	14, 15	848
Edinburgh Airport – Main Runway to Eastfield Avenue	14, 15, 16	850
Eastfield Avenue	16	851, 852, 855, 856
Ingliston Mains	17	859 to 865
Easter Norton	18	866 to 875
Ashley Lodge	20	876 to 879, 881 to 888
Standingstone Road	24	893, 896, 897
Burnshot Road	25	898 to 901, 903
Castle Gogar	28	902, 902a

PART 2

SAFEGUARDING WORKS: PROCEDURE

- 1 Safeguarding works may be carried out—
 - (a) at any time before or during the construction in the vicinity of the building of any part of the authorised works; or
 - (b) after the completion of the construction of that part of the authorised works, at any time up to the end of the period of five years beginning with the day on which that part of the authorised works is first opened for use.
- 2 For the purpose of determining how the powers conferred by section 16 of this Act are to be exercised, the authorised undertaker may enter and survey any building falling within subsection (1) of that section and any land belonging to it and may affix to, place on, leave on and remove from such building or land apparatus for use in connection with such survey.
- 3 For the purpose of carrying out safeguarding works to a building under section 16 of this Act, the authorised undertaker may (subject to paragraphs 4 and 5)—
 - (a) enter the building and any land belonging to it; and
 - (b) where the works cannot be carried out reasonably conveniently without entering land adjacent to the building, enter the adjacent land (but not any building erected on it).
- 4 Before exercising—

Status: This is the original version (as it was originally enacted).

- (a) a right under section 16 of this Act to carry out safeguarding works to a building;
- (b) a right under paragraph 2 to enter a building;
- (c) a right under paragraph 3(a) to enter a building or land; or
- (d) a right under paragraph 3(b) to enter land,

the authorised undertaker shall, except in the case of emergency, serve on the owners and occupiers of the building or land not less than 14 days' notice of its intention to exercise that right; and in a case falling within sub-paragraph (a) or (c) above the notice shall also specify the safeguarding works proposed to be carried out.

5 Where notice is served under paragraph 4(a), (c) or (d), the owner or occupier of the building or land concerned may, by serving a counter-notice within the period of 10 days beginning with the day on which the notice was served, require the question whether it is necessary or expedient to carry out the safeguarding works or to enter the building or land to be determined by arbitration.

6 The authorised undertaker shall compensate the owners and occupiers of any building or land in relation to which the powers conferred by this schedule have been exercised for any loss or damage arising to them by reason of the exercise of those powers.

7 Where—

- (a) safeguarding works to a building are carried out under section 16 of this Act; and
- (b) within the period of five years beginning with the day on which the part of the authorised works constructed in the vicinity of the building is first opened for use, it appears that the safeguarding works are inadequate to protect the building against damage caused by the construction or operation of that part of the authorised works,

the authorised undertaker shall compensate the owners and occupiers of the building for any damage sustained by them.

8 Nothing in this schedule shall relieve the authorised undertaker from any liability to pay compensation under the Land Clauses Acts.

9 Any dispute as to a person's entitlement to compensation under paragraph 6 or 7 above or as to the amount of compensation shall be determined under the 1963 Act.

Status: This is the original version (as it was originally enacted).

SCHEDULE 5

(introduced by sections 17 and 19)

ACQUISITION OF LAND, ETC. OUTSIDE LIMITS OF DEVIATION

PART 1

ACQUISITION OF LAND

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which land to be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>In the local government area of West Lothian—</i>			
Myre	2	17a, 17b, 41	Provision of track and access for construction and thereafter for maintenance
<i>In the local government area of the City of Edinburgh—</i>			
Humbie	6, 7	98b	Relocation of apparatus (subsoil only)
Humbie	7, 9	125a	Relocation of apparatus (subsoil only)
Humbie	7	136	Relocation of apparatus (subsoil only)
Humbie	7	140	Relocation of apparatus
Almondhill	9	148	Environmental mitigation
Almondhill	9	149	Relocation of apparatus (subsoil only)
Wheatlands	11, 12	194, 246b, 246c	Relocation of apparatus (subsoil only)
Wheatlands	13	246b	Relocation of apparatus (subsoil only)
Edinburgh Airport – Main Runway	14, 15	291, 291a, 300	Relocation of apparatus (subsoil only)

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which land to be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
Gogar Bridge Road/ Burnside Road/ Eastfield Avenue	15,16	291b, 300a	Relocation of apparatus (subsoil only)
Eastfield Avenue	16	293	Relocation of apparatus (subsoil only)
Gogar Bridge Road/ Burnside Road/ Eastfield Avenue	16	300b, 300c, 300d, 300e, 300f	Relocation of apparatus (subsoil only)
Ingliston Mains	16, 17	334	Replacement park and ride facilities
Ingliston Mains	17	334b, 345	Replacement park and ride facilities
Glasgow Road (A8)	17	358b	Farm access
Ingliston Mains	17, 18	365a	Access for construction and thereafter environmental mitigation
Easter Norton	18	366, 368	Relocation of apparatus (subsoil only)
Easter Norton	18	379, 381, 385a	Provision of track
Easter Norton	18	369a, 369b, 389	Environmental mitigation
Roddinglaw	18, 19	393	Environmental mitigation
Roddinglaw	19	421a	Relocation of apparatus
Roddinglaw	19	456	Environmental mitigation
Roddinglaw	19, 21, 22	460	Environmental mitigation
Ashley Lodge	20	397, 404a, 410a, 410b, 413a	Environmental mitigation
Ashley Lodge	20	400a, 400b, 400c	Farm access
Ashley Lodge/Ratho Park Golf Course	20, 30, 31	743	Exchange land for Scottish Agricultural Science Agency

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which land to be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
Standingstone Road	24	500, 502 to 504	Relocation of apparatus
Standingstone Road	24	559	Environmental mitigation
Standingstone Road	24	561, 586	Relocation of apparatus (subsoil only)
Carlowrie	24, 25	575, 576	Environmental mitigation
Carlowrie	24, 26	580	Environmental mitigation
Carlowrie	24, 25, 26	587	Provision of road
Carlowrie	25	591	Environmental mitigation
Carlowrie	26	568, 568a, 571	Relocation of apparatus (subsoil only)
Carlowrie	26	638, 638a	Environmental mitigation
Carlowrie	27, 28	674	Access for construction and thereafter environmental mitigation
Castle Gogar	27, 28	674a	Environmental mitigation
Castle Gogar	28	681	Relocation of apparatus (subsoil only)
Castle Gogar	28	681a, 693, 694, 701	Environmental mitigation
Castle Gogar	28, 29	709	Relocation of apparatus (subsoil only)
Gogar	29	712, 713, 729, 734	Relocation of apparatus (subsoil only)
Ratho Park Golf Course	31, 32	744	Exchange land for Scottish Agricultural Science Agency

Status: This is the original version (as it was originally enacted).

PART 2

ACQUISITION OF RIGHTS

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on Parliamentary plans</i>	<i>Purposes for which rights may be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>In the local government area of the City of Edinburgh—</i>			
Humbie	6, 7	98b	Access for construction and thereafter maintenance
Humbie	7, 9	125a	Access for construction and thereafter maintenance
Humbie	7	136	Access for construction and thereafter maintenance
Almondhill	9	149	Access for construction and thereafter maintenance
Wheatlands	11, 12	194, 246c	Access for construction and thereafter maintenance
Wheatlands	11	239	Access for construction and thereafter maintenance
River Almond	11, 12, 13	246b	Access for construction and thereafter maintenance
River Almond	12	275a	Access for construction
River Almond	12	279a	Access for construction and thereafter maintenance
Edinburgh Airport – Main Runway	14, 15	291, 291a, 300	Access for maintenance

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on Parliamentary plans</i>	<i>Purposes for which rights may be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
Edinburgh Airport – Main Runway	15, 16	291b, 300a	Access for maintenance
Burnside Road/ Eastfield Avenue/ Eastfield Road	16	292a, 292b, 292c, 300e, 300f	Access for construction and thereafter maintenance
Gogar Bridge Road/ Burnside Road/ Eastfield Avenue	16	293, 300b, 300c, 300d	Access for maintenance
Easter Norton	18	366, 368	Access for construction and thereafter maintenance
Dalmeny	23	485	Access for maintenance
Standingstone Road	24	561, 586	Access for construction and thereafter maintenance
Carlowrie	26	568, 568a, 571	Access for construction and thereafter maintenance
Castle Gogar	27	662a	Replacement farm access
Castle Gogar	28	681	Access for construction and thereafter maintenance
Castle Gogar	28	705, 711b	Provision of road
Castle Gogar	28, 29	709	Access for construction and thereafter maintenance
Gogar	29	712, 713, 729, 734	Access for construction and thereafter maintenance
Ratho Park Golf Course	31	743a	Access to exchange land

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on Parliamentary plans</i>	<i>Purposes for which rights may be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
Gogar Station Road	33	745a	Access to exchange land

SCHEDULE 6

(introduced by section 21)

LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
<i>In the local government area of West Lothian—</i>				
Winchburgh Junction	1	4, 5, 8	Access for construction	Works Nos. 1, 1A
Winchburgh Junction	1, 2	9a	Working space	Work No. 1
Winchburgh Junction	1	11	Working space and access for construction	Works Nos. 1, 1A
Myre	2	17, 34	Construction compound, working space and access for construction	Works Nos. 1, 1A, 1B
Myre	2	17c	Temporary landscaping	Works Nos. 1, 1A and 1B
Myre	2	9b, 33, 37	Access for construction	Works Nos. 1, 1A
Myre	2	31	Working space and access for construction	Work No. 1
<i>In the local government area of the City of Edinburgh—</i>				
Humbie	6, 7	98	Working space and access for construction	Works Nos. 2, 2A, 2B, 2C, 2M

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
Humbie	7	102, 143	Construction compound, working space and access for construction	Works Nos. 2, 2A, 2B, 2C, 2D, 2E, 2F
Humbie	7	136	Working space	Works Nos. 2, 2C, 2D, 2E
Humbie	7, 9	125	Working space and access for construction	Works Nos. 2, 2C, 2D, 2E, 2G
Almondhill	9	148a, 148b, 148c	Working space	Work No. 2G
Almondhill	9	150, 150a, 151	Working space and access for construction	Work No. 2G
Almondhill	9, 10	156	Access for construction	Works Nos. 2, 2H, 3D, 5
Carlowrie	10	163, 179	Construction compound, working space and access for construction	Works Nos. 2, 2J, 2K
Carlowrie	10	169	River protection	Works Nos. 2, 2J, 2K
Carlowrie	10	186, 187	Working space and protection of apparatus	Works Nos. 2J, 5G
Carlowrie	10, 26	164	Access for construction	Works Nos. 5, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H
Carlowrie	10, 11	190	Access for construction	Works Nos. 2, 2H-3D, 5
Carlowrie	10, 26	193	Construction compound, working space and access for construction	Works Nos. 5G, 5H
Wheatlands	11	198	Construction compound, working space	Works Nos. 5, 5K

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
			and access for construction	
Wheatlands	11	194a, 205, 237	Access for construction	Works Nos. 5, 5R
Wheatlands	11, 26	201	Working space and access for construction	Works Nos. 5, 5K
Wheatlands	11	203, 204	Working space and access for construction	Works Nos. 5, 5K, 5R
River Almond	12	243	Working space	Works Nos. 2, 5K, 2L
River Almond	12, 13	246	Construction compound, working space and access for construction	Works Nos. 2, 2L, 3A, 3B, 3C, 3D, 3E, 3F, 5, 5K, 5N, 5R
River Almond	12	246a	Construction compound, working space and access for construction	Works Nos. 2, 2L, 3A, 3B, 3C, 3D, 3E, 3F, 5, 5K, 5N, 5R
River Almond	12	275, 278	Working space and access for construction	Works Nos. 3A, 3B, 3E, 3D, 3F
River Almond	13	263	Archaeological works	Works Nos. 3A, 3B
Edinburgh Airport – Main Runway	14, 15	291, 291a, 300	Working space and access for construction	Works Nos. 3A, 3B, 4, 4B
Burnside Road/ Eastfield Avenue	15, 16	291b	Working space and access for construction	Works Nos. 3A, 3B, 4, 4B, 4D, 4E, 6
Gogar Bridge Road	15, 16	300a	Construction compound and access for construction	Works Nos. 3A, 3B, 4
Burnside Road/Eastfield	16	292a, 292b, 292c	Access for construction	Work No. 4

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
Avenue/ Eastfield Road				
Burnside Road/ Eastfield Avenue	16	300b, 300c, 300d	Working space and access for construction	Works Nos. 3A, 3B, 4
Eastfield Avenue	16	293	Working space and access for construction	Work No. 4
Eastfield Avenue	16	301	River protection	Work No. 4D
Ingliston Mains	17	339, 340, 341	Working space and access for construction	Work No. 4
Ingliston Mains	17	348, 349, 350, 352, 353, 354, 358, 359, 360, 363	Working space	Works Nos. 4, 4F, 4G
Ingliston Mains	17, 18	365	Construction compound, working space and access for construction	Works Nos. 4, 4F, 4G
Ingliston Mains	17	365c	Construction compound, working space and access for construction	Works Nos. 4, 4F, 4G
Ingliston Mains	17	365b, 365d	Temporary landscaping	Works Nos. 4, 4F and 4G
Easter Norton	18	375, 378	Construction compound, working space and access for construction	Works Nos. 4H, 4J, 4
Easter Norton	18	385	Working space	Works Nos. 4, 4H
Easter Norton	18	382	Working space and access for construction	Works Nos. 4, 4H
Roddinglaw	19	416, 417, 422	Construction compound,	Works Nos. 4A, 4L, 4M, 4N

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
			working space and access for construction	
Roddinglaw	19	453, 454, 455, 457	Working space and access for construction	Works Nos. 4, 4A, 4L
Ashley Lodge	20	398	Access for construction	Work No. 4P
Ashley Lodge	20	402	Construction compound, working space and access for construction	Work No. 4P
Ashley Lodge	20	402a	Temporary landscaping	Work No. 4P
Kellerstain	21	461	Working space and access for construction	Works Nos. 4, 4A
Gogar Station Road	22	465	Working space and access for construction	Works Nos. 4, 4A
Dalmeny	23	473, 485, 487, 488	Working space and access for construction.	Works Nos. 5, 5B
Standingstane Road	24	525, 538, 586	Construction compound, working space and access for construction	Works Nos. 5, 5C, 5F, 5B
Standingstane Road	24	513, 543, 561	Working space and access for construction	Works Nos. 5, 5B
Standingstane Road	24	540	Plant and materials storage and private access	Works Nos. 5E, 5D
Carlowrie	25	577	Working space and access for construction	Works Nos. 5G, 5P
Carlowrie	25	605	Working space	Work No. 5G

Status: This is the original version (as it was originally enacted).

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which temporary possession may be taken</i>	<i>Authorised work</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
Carlowrie	24, 25	586a	Access for construction	Works Nos. 5G, 5P
Carlowrie	26	582, 589, 590, 593, 597, 613, 621, 622	Working space and access for construction	Works Nos. 5, 5G, 5H, 5J
Carlowrie	26	632, 639, 639a, 640	Access for construction	Works Nos. 5, 5G, 5A, 5B, 5C, 5D, 5E, 5F
Carlowrie	26	631, 633	Construction compound, working space and access for construction	Works Nos. 5G, 5H, 5J
Gogar Mains	27	301a	River protection	Work No. 4D
Gogar Mains	27	335a	Access for construction	Works Nos. 3A, 3B, 4, 4B, 4D, 4E, 4F, 6, 6A
Gogar Mains	27	662	Construction compound, working space and access for construction	Works Nos. 6, 6A
Gogar Mains	27	662a, 673	Construction compound, working space and access for construction	Works Nos. 3A, 3B, 4, 4B, 4D, 4E, 4F, 6, 6A
Castle Gogar	28	675, 677, 678, 680	Working space and access for construction	Works Nos. 6, 6B, 6C
Gogar	29	721, 728	Construction compound, working space and access for construction	Works Nos. 6, 6D, 6E
Gogar	29	726, 727, 729a, 730, 731, 732	Access for construction	Works Nos. 4, 4B, 4D, 4E, 4F, 6A, 6B, 6C, 6D, 6E

Status: This is the original version (as it was originally enacted).

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—

Status: This is the original version (as it was originally enacted).

“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 12 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 subparagraph (2); and
 - “statutory undertaker” has the same meaning as in the Roads (Scotland) Act 1984 (c. 54).

Status: This is the original version (as it was originally enacted).

SCHEDULE 8

(introduced by section 42)

LISTED BUILDINGS AND CONSERVATION AREAS

- 1 (1) In the case of a listed building which was not such a building immediately before the assessment date—
- (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 sub-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 sub-paragraph (b) above.
- (2) If a building included in a conservation area and not a listed building was not included in a conservation area immediately before the assessment date, section 66 of the Listed Buildings Act (control of demolition in conservation areas) shall not apply to the demolition of the building in exercise of the powers conferred by Part 1 of this Act.
- (3) 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.
- 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 assessment date” means, in the case of a building within the area of—
 - (a) City of Edinburgh Council, 8th October 2004; and
 - (b) West Lothian Council, 20th January 2005;
 - “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 50)

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—
- (a) the code of construction practice; and
 - (b) the draft of any local construction plan that the authorised undertaker proposes to implement in the area of the local planning authority concerned,
- are submitted to that local planning authority for its written approval.
- 2 The local planning authority shall send a copy of every code or plan 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 or any local construction plan.
- 4 In approving the code of construction practice or any local construction plan, 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 plan 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);
 - “SNH” means Scottish Natural Heritage established under section 1 of the Natural Heritage (Scotland) Act 1991 (c. 28).