



# Edinburgh Airport Rail Link Act 2007

## 2007 asp 16

### PART 1

#### WORKS, ETC.

##### *Supplemental powers*

#### **16 Safeguarding works to buildings**

- (1) Subject to the provisions of this section the authorised undertaker may at its own expense and from time to time carry out such safeguarding works to any building situated on land within—
  - (a) the Act limits; or
  - (b) the limits of safeguarding and specified in Part 1 of schedule 4 to this Act, as the authorised undertaker considers to be necessary or expedient.
- (2) The powers conferred by subsection (1) may also be exercised in relation to the boundary wall within the curtilage of Carlowrie House, and comprising part of that house for the purpose of its category A listing.
- (3) The powers conferred by this section shall be exercised subject to and in accordance with Part 2 of schedule 4 to this Act.
- (4) In this section and that schedule—
  - (a) “building” includes any structure or erection (including a road, runway, taxiway or area any of which has a metalled surface) or any part of a building, structure or erection;
  - (b) “category A listing” means the entry in the list of buildings maintained by the Scottish Ministers under section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9) relating to Carlowrie House and dated 30th January 1981;
  - (c) any reference to a building within a specified distance of a work includes—
    - (i) in the case of a work under the surface of the ground, a reference to any building within the specified distance of the point on the surface below which the work is situated; and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) where a work has not commenced, a reference to a building within the specified distance of the proposed site of the work; and
- (d) “safeguarding works”, in relation to a building, means—
  - (i) underpinning, strengthening and any other works the purpose of which is to prevent damage which may be caused to the building by the construction, maintenance or operation of the authorised works; and
  - (ii) any works the purpose of which is to remedy any damage which has been caused to the building by the construction, maintenance or operation of the authorised works.