



Waverley Railway (Scotland) Act 2006

2006 asp 13

PART 1

WORKS, ETC.

Supplemental powers

12 Safeguarding works to buildings

- (1) The authorised undertaker may at its own expense and from time to time carry out such safeguarding works to any building any part of which is within 20 metres of any part of the authorised works as the authorised undertaker considers to be necessary or expedient.
- (2) The powers conferred by this section shall be exercised subject to and in accordance with schedule 5 to this Act.
- (3) In this section and that schedule—
 - (a) “building” includes any structure or erection or any part of a building, structure or erection;
 - (b) 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
 - (ii) where a work has not commenced, a reference to a building within the specified distance of the proposed site of the work; and
 - (c) “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.