



# Edinburgh Tram (Line One) Act 2006

## 2006 asp 7

### PART 2 **S**

#### LAND

#### *Supplemental powers*

### **38 Correction of errors in Parliamentary plans and book of reference **S****

- (1) If the Parliamentary plans or the book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the authorised undertaker, after giving not less than 10 days' notice to the owner, lessee or occupier of the land in question, may apply to the sheriff for the correction of such inaccuracy.
- (2) Any person to whom a notice has been given under subsection (1) may, within the period of 10 days from the giving of the notice, give to the sheriff and the authorised undertaker a counter-notice in writing that the person disputes that there is an inaccuracy which may be amended under this section.
- (3) If in relation to any application under this section which has not been the subject of a counter-notice it appears to the sheriff that the inaccuracy arose from mistake, the sheriff shall certify the fact accordingly and shall in such certificate state in what respect any matter is misstated or wrongly described.
- (4) If any counter-notice is given under subsection (2), the sheriff shall before making any decision on the application cause a hearing to be held.
- (5) The certificate shall be deposited in the office of the Clerk of the Parliament, and a copy with the sheriff clerk, with the Partner Libraries with whom the book of reference and the Parliamentary plans have been deposited and with the solicitor to the authorised undertaker, from which time the Parliamentary plans and the book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the authorised undertaker to take the land or, as the case may be, a right over the land and execute the works in accordance with the certificate.
- (6) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

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**Changes to legislation:** There are currently no known outstanding effects for the  
Edinburgh Tram (Line One) Act 2006, Section 38. (See end of Document for details)

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- (7) An application under subsection (1) may only be made in respect of land identified in the book of reference and on the Parliamentary plans.
- (8) In this section “Partner Libraries” means the following public libraries: Edinburgh Central Library, Blackhall Library, Morningside Library, Portobello Library and Wester Hailes Library.

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