
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 188

**TRANSPORT AND WORKS
TRANSPORT**

The Network Rail (Waverley Steps) Order 2010

Made - - - - *11th May 2010*

Coming into force *1st June 2010*

THE NETWORK RAIL (WAVERLEY STEPS) ORDER 2010

PART 1

1. Citation and commencement
2. Interpretation

PART 2

Principal Powers

3. Power to construct, operate and maintain works
4. Permitted deviation
5. Power to execute road works
6. Access to works
7. Agreements with roads authority
8. Permanent stopping up of road
9. Construction, maintenance and vesting of Work No. 2

Supplementary powers

10. Temporary stopping up, alteration or diversion of roads
11. Discharge of water
12. Safeguarding works to buildings
13. Power to survey and investigate land

PART 3

Powers of acquisition

14. Power to acquire land

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

15. Acquisition of subsoil, servitudes and other rights
16. Purchase of specific servitudes or other new rights
17. Imposition of obligations
18. Rights in roads or public places

Temporary possession of land

19. Temporary use of land for construction of works

Compensation

20. Disregard of certain interests and improvements
21. Set-off of betterment against compensation
22. No double recovery

Supplementary

23. Application of Lands Clauses Acts
24. General vesting declarations
25. Acquisition of part only of certain properties
26. Extinction of private rights
27. Further powers of entry
28. Persons under disability may grant servitudes, etc.
29. Time limit for exercise of powers of acquisition
30. Time limit on validity of notices to treat

PART 4

31. Enforcement and registration of rights and obligations
 32. Real burdens and servitudes, etc. affecting land acquired
 33. Disapplication of existing height restrictions
 34. Planning permission: operational land
 35. Status of Work No. 1
 36. Statutory undertakers, etc.
 37. Protective provisions
 38. Provision as to Work No. 2
 39. Certification of plans, etc.
 40. Dispute resolution
 41. Rights of the Crown
- Signature

SCHEDULE 1	SCHEDULED WORKS
SCHEDULE 2	ANCILLARY WORKS
SCHEDULE 3	SAFEGUARDING WORKS: PROCEDURE
SCHEDULE 4	ACQUISITION OF SPECIFIC NEW RIGHTS, ETC.
	PART 1 ACQUISITION OF PERMANENT RIGHTS, ETC.
	PART 2 ACQUISITION OF TEMPORARY RIGHTS
SCHEDULE 5	SPECIFIC OBLIGATIONS INCLUDED IN PART 2 OF SCHEDULE 8
SCHEDULE 6	LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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SCHEDULE 7	STATUTORY UNDERTAKERS, ETC.
SCHEDULE 8	PROTECTIVE PROVISIONS
PART 1	FOR PROTECTION OF SPECIFIED UNDERTAKERS
PART 2	FOR PROTECTION OF BALMORAL HOTEL AND PRINCES MALL

Explanatory Note