

Status: Point in time view as at 24/07/2006.

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SCHEDULE 1

(introduced by section 2)

RAILWAY WORKS

In the local government areas of Midlothian and Scottish Borders a railway from the Millerhill Marshalling Yard in Midlothian to Tweedbank in Scottish Borders substantially following the route of the former Waverley railway, including stations at Shawfair, Eskbank, Newtongrange, Gorebridge, Stow, Galashiels and Tweedbank, and comprising—

In the local government area of Midlothian—

Railway between the Millerhill Marshalling Yard and Old Dalkeith Road—

Work No. 1—A railway (3,600 metres in length) commencing by joining the Niddrie North Junction-Bilston Glen line (Edinburgh Crossrail to Newcraighall) at a point in the Millerhill Marshalling Yard 7 metres south-west of the south-western corner of the bridge carrying Whitehall Road over the northern rail entrance to the Millerhill Marshalling Yard and terminating at a point 50 metres north of the bridge carrying Old Dalkeith Road (A68) over the Penicuik-Musselburgh Foot & Cycleway. Work No. 1 includes a bridge under the City of Edinburgh Bypass (A720) and a culvert to carry Dean Burn under the intended railway. Work No. 1 includes a station at Shawfair.

Work No. 1A—A bridge over the intended railway (Work No. 1) to provide access for the proposed Shawfair development.

Work No. 1B—An access road commencing by a junction with Work No. 1C at a point 117 metres south-west of the entrance to the CPL Distribution Depot on the unnamed road forming the western continuation of Newton Church Road and terminating at that entrance.

Work No. 1C—A realignment of the unnamed road forming the western continuation of Newton Church Road and of Newton Church Road commencing at a point in that unnamed road 190 metres south-west of the entrance to the CPL Distribution Depot on the unnamed road, passing over the intended railway (Work No. 1) and terminating at a point 195 metres north-east of the north-eastern corner of Hope Cottage. Work No. 1C includes a bridge over the intended railway (Work No. 1).

Work No. 1D—A road commencing by a junction with Work No. 1C at a point 200 metres north-east of the north-eastern corner of Hope Cottage and terminating by a junction with Newton Church Road at a point 110 metres north-east of the north-eastern corner of Hope Cottage.

Work No. 1E—A footbridge over the intended railway (Work No. 1) to provide access for the proposed station at Shawfair.

Work No. 1F—A footbridge over the intended railway (Work No. 1) at Longthorn between the junction of Newton Village with Newton Church Road and a point 105 metres south-east of the south-eastern corner of Hope Cottage.

Work No. 1G—A road commencing by a junction with Millerhill Road (A6106) and the commencement of Work No. 1J, at a point 222 metres west of the roundabout at the junction of that road and Old Craighall Road (B6415), passing over the intended railway (Work No. 1) and terminating at a point 253 metres north of that roundabout. Work No. 1G includes a bridge over the intended railway (Work No. 1).

Work No. 1H—A road commencing by a junction with Work No. 1G at a point 235 metres north of the roundabout at the junction of Millerhill Road (A6106) and Old Craighall Road (B6415) and terminating by a junction with Old Craighall Road at a point 160 metres north-east of that roundabout.

Work No. 1J—A realignment of Millerhill Road (A6106) commencing by a junction with that road at the commencement of Work No. 1G and terminating by a junction with Millerhill Road at a point 215 metres south of the access road leading to Sheriffhall Mains.

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Work No. 1K—A road commencing by a junction with the access road leading to Sheriffhall Mains at a point 340 metres south of the roundabout at the junction of Millerhill Road (A6106) and Old Craighall Road (B6415) and terminating by a junction with Work No. 1J at a point 282 metres south-west of that roundabout. Work No. 1K includes a bridge over the intended railway (Work No. 1).

Railway between Old Dalkeith Road and the Butlerfield Industrial Estate—

Work No. 2—A railway (4,800 metres in length) commencing by a junction with Work No. 1 at its termination, passing in part over the course of the former Waverley railway and terminating at a point 68 metres north of the northern side of Brewer's Bush Bridge carrying New Hunterfield (B704) over the intended railway. Work No. 2 includes the strengthening of Glenesk Viaduct carrying the intended railway over the river North Esk; the removal of the existing footbridge at the former Eskbank Station; the reconstruction of Hardengreen Farm Bridge carrying the track to that farm over the intended railway; a viaduct carrying the intended railway over Murderdean Road (A7) and the B6392 road at Hardengreen Junction and the strengthening of Newbattle Viaduct carrying the intended railway over the river South Esk. Work No. 2 includes stations at Eskbank and Newtongrange.

Work No. 2A—A footbridge over the intended railway (Work No. 2) to provide access to the proposed station at Eskbank.

Work No. 2B—An access road commencing by a junction with the private service road off the Tesco car park at a point 40 metres south-east of the entrance to the Tesco Petrol Station at Hardengreen and terminating in the proposed station car park at Eskbank at a point 197 metres east of that entrance.

Work No. 2C—A road commencing by a junction with the access road (Work No. 2B) at a point 75 metres south-east of the entrance to the Tesco Petrol Station at Hardengreen and terminating at the goods entrance to Tesco at a point 75 metres east of that entrance.

Work No. 2D—A road commencing by a junction with the access road (Work No. 2B) at a point 142 metres south-east of the entrance to the Tesco Petrol Station at Hardengreen and terminating at the entrance to K&I Coachworks at a point 140 metres south-east of that entrance.

Work No. 2E—A footbridge over the intended railway (Work No. 2) at Newtongrange between Redwood Walk and Station Road.

Work No. 2F—A footbridge over the intended railway (Work No. 2) at Deanpark between New Star Bank and Station Road.

Railway between Butlerfield Industrial Estate and Borthwick Mains Cottages—

Work No. 3—A railway (5,900 metres in length) commencing by a junction with Work No. 2 at its termination, passing over the course of the former Waverley railway and terminating at a point 70 metres east of the eastern side of Thorniehill Bridge carrying Castle Road over the intended railway. Work No. 3 includes a viaduct carrying the intended railway over the A7 road at Gore Glen Country Park; the removal of Harvieston South Footbridge at the former Fushiebridge station; a station at Gorebridge; and an overbridge at Catcune Farm.

Work No. 3A—A footbridge over the intended railway (Work No. 3) at Gore Glen Country Park (west) between the Country Park's existing footpath network and the Country Park's car park adjacent to the A7 road.

Work No. 3B—A footbridge over the intended railway (Work No. 3) at Gore Glen Country Park (east) to carry the path between the Country Park's existing footpath network and Millbank House over Work No. 3.

Work No. 3C—A railway (346 metres in length), forming a turnback siding at Gorebridge, commencing at a point 322 metres south-east of the south-eastern corner of Millbank

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House and terminating by a junction with the intended railway (Work No. 3) at a point 230 metres west of the bridge carrying Main Street/Station Road over Work No. 3.

Work No. 3D—A footbridge over the intended railway (Work No. 3) at Gorebridge to carry the path between Robertson's Bank and Vogrie Road over Work No. 3.

In the local government areas of Midlothian and Scottish Borders—

Railway between Borthwick Mains Cottages and Cowbraehill—

Work No. 4—A railway (5,100 metres in length) commencing by a junction with Work No. 3 at its termination, passing over the course of the former Waverley railway and terminating at a point 267 metres south-east of the junction of the track leading to Steading Cottage/Cowbraehill with the B6367 road. Work No. 4 includes the reconstruction of the Halflaw Kiln Overbridge, the Halflaw Bow's Overbridge and the bridge carrying the track between the B6367 road and Halflaw Kiln over the intended railway; and the removal of the existing Willow Burn Bridge.

Railway between Cowbraehill and Stagebank—

Work No. 5—A railway (5,000 metres in length) commencing by a junction with Work No. 4 at its termination, passing over the course of the former Waverley railway and terminating at a point 150 metres south-east of the former Stagebank level crossing. Work No. 5 includes the replacement of the decking of the unnamed culverts carrying Cakemuir Burn and Gala Water under the intended railway; the reconstruction of Shoestanes Overbridge over the intended railway; and the replacement of the decking of Heriot Station culvert carrying Gala Water and Shoestanes culvert carrying Shoestanes Burn under the intended railway.

In the local government area of Scottish Borders—

Work No. 5A—A realignment of the A7 road commencing at a point in that road 120 metres north of the existing junction of the private road leading to Falahill Farm with the A7 road and terminating at a point in the A7 road adjacent to No. 6 Falahill Cottages. Work No. 5A includes a bridge over the intended railway (Work No. 5).

Work No. 5B—A road commencing by a junction with Work No. 5A at a point 70 metres south of the existing junction of the private road leading to Falahill Farm with the A7 road and terminating by a junction with that private road at a point 120 metres south-west of that existing road junction.

Work No. 5C—A footbridge over the intended railway (Work No. 5) at the former Heriot Station to replace the length of Heriot Way between points E3 and E4.

Work No. 5D—A road commencing by a junction with the B709 road at a point 120 metres south of the existing junction of Old Stage Road (C11) with the B709 and terminating by a junction with the A7 road at a point 233 metres north-east of that existing road junction. Work No. 5D includes a bridge over the intended railway (Work No. 5) and earthworks for a visibility splay at its junction with the A7 road. Work No. 5D also includes a diversion of Gala Water from its existing course between points E7, E8 and E10 to a new course between points E7, E9 and E10.

Work No. 5E—A road commencing by a junction with Work No. 5D at a point 33 metres north of the existing junction of Old Stage Road (C11) with the B709 road and terminating by a junction with the B709 75 metres north-west of that existing road junction.

Work No. 5F—A road commencing by a junction with Work No. 5D at a point 40 metres south of the existing junction of Old Stage Road (C11) with the B709 road and terminating by a junction with Old Stage Road 130 metres south-east of that road junction.

Work No. 5G—An improvement of the Hangingshaw branch of the C11 road between a point 112 metres south of the junction of that branch road with the A7 road and the junction with Old Stage Road (C11). Work No. 5G includes a bridge over the intended railway (Work No. 5).

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Railway between Stagebank and Hazelbank Quarry—

Work No. 6—A railway (3,300 metres in length) commencing by a junction with Work No. 5 at its termination, passing over the course of the former Waverley railway and terminating at a point 63 metres south of the bridge carrying the former railway over Gala Water. Work No. 6 includes the replacement of the decking of Hangingshaw Cattle Creep under the intended railway and of Little Gala, Crookston Mill, Hollowshank and Bower bridges carrying the intended railway over Gala Water.

Railway between Hazelbank Quarry and Stow—

Work No. 7—A railway (7,000 metres in length) commencing by a junction with Work No. 6 at its termination, passing over the course of the former Waverley railway and terminating at a point 158 metres north-west of the bridge carrying Station Road over the former railway at Stow. Work No. 7 includes a new culvert with track at Fountainhall to carry Still Burn under the intended railway; the reconstruction of Plenploth North, Torquhan South and Watherston bridges to carry the intended railway over Gala Water; the replacement of the decking of the culvert carrying a cattle creep and drain under the railway at Pirn and the culvert carrying Dean Burn under the railway at Watherston; the reconstruction of Craigbank Cattle Creep and of Watherston Dry Underbridge carrying the intended railway over the access track between the A7 road and Watherston Farm at The Craigs Wood; and the replacement of the decking of the bridge to carry the intended railway over Gala Water at Galabank.

Work No. 7A—A road commencing by a junction with the Fountainhall branch of the C11 road at a point 210 metres north-west of the junction of that branch road with Old Stage Road (C11) and terminating by a junction with the A7 road at a point 86 metres north-west of the junction of the Fountainhall branch of the C11 with the A7 road. Work No. 7A includes a bridge over the intended railway (Work No. 7) and earthworks for a visibility splay at its junction with the A7.

Work No. 7B—An access road commencing by a junction with Work No. 7A at a point 100 metres south-west of the junction of the Fountainhall branch of the C11 with the A7 road and terminating by a junction with the private road leading to Allanshaugh at a point 187 metres north-east of the junction of that road with Old Stage Road (C11).

Railway between Stow and Bowland Bridge—

Work No. 8—A railway (5,400 metres in length) commencing by a junction with Work No. 7 at its termination, passing over the course of the former Waverley railway, through the existing Bowshank Tunnel and terminating at a point 216 metres south-east of the bridge (Bowland Bridge) carrying the former railway over the Caddonfoot to Bowland road (B710). Work No. 8 includes a station at Stow; the replacement of the decking of the bridges carrying the intended railway over Lugate Water and Ferniehirst Dry; the replacement of the decking of Ferniehirst Water and Bowshank South bridges carrying the intended railway over Gala Water and the bridge (Bowland Bridge) carrying the intended railway over the Caddonfoot to Bowland road (B710); the replacement of the decking of the sheep and cattle creeps under the intended railway at Lugate Dry, Ferniehirst Dry and Bow Bridge; the improvement of Bowshank Tunnel; and the removal of Bowshank Farm Bridge over the intended railway.

Work No. 8A—A realignment of the Bow branch of the C11 road between a point 130 metres south-west of the junction of that branch road with the A7 road and a point 130 metres north-east of the junction of that branch road with Old Stage Road (C11). Work No. 8A includes a bridge under the intended railway (Work No. 8).

Work No. 8B—A footbridge over the intended railway (Work No. 8) to provide access to the station at Stow.

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Railway between Bowland Bridge and Torwoodlee—

Work No. 9—A railway (3,300 metres in length) commencing by a junction with Work No. 8 at its termination, passing over the course of the former Waverley railway, through the existing Torwoodlee Tunnel and terminating at a point 80 metres south of the southern portal of the Torwoodlee Tunnel. Work No. 9 includes the replacement of the decking of Whitelee Culvert carrying Halk Burn under the intended railway; the replacement of the decking of Whin Underbridge carrying the intended railway over Gala Water at Robin's Knowe; the replacement of the decking of Torwoodlee Cattle Creep under the intended railway; and a bridge (Torwoodlee Water Underbridge) to carry the intended railway over Gala Water at Torwoodlee.

Railway between Torwoodlee and Tweedbank—

Work No. 10—A railway (5,780 metres in length) commencing by a junction with Work No. 9 at its termination, passing over the course of the former Waverley railway and terminating at a point 35 metres north of the junction of the Tweedbank Industrial Estate Road with Tweedbank Drive. Work No. 10 includes bridges to carry the intended railway over Gala Water at Torwoodlee and over Wheatlands Road (DG108); the reconstruction of the bridge carrying the intended railway over Gala Water adjacent to Plumtreehall Brae (DG84); a station at Galashiels; the removal of the existing Station Brae Bridge; bridges to carry the intended railway over the Langhaugh Industrial Estate Road (DG125/2), the access road (Work No. 10H), Glenfield Road West (DG39) and the path between Glenfield Road East and Huddersfield Street; a bridge to carry Winston Road over the intended railway; and a station at Tweedbank.

Work No. 10A—A footbridge over the intended railway (Work No. 10) to replace the length of Plumtreehall Brae (DG84) between a point 75 metres south-west of the junction of that road with Magdala Terrace (A7) and a point 95 metres south of that road junction.

Work No. 10B—A reconstruction of the bridge carrying Plumtreehall Brae (DG84) over Gala Water north-east of the junction with King Street (A72).

Work No. 10C—A footbridge over the intended railway (Work No. 10) to replace the length of the unnamed road between High Buckholmside (A7) and Low Buckholmside (DG68) between a point 50 metres south of the junction of that unnamed road with High Buckholmside and a point 8 metres north of the junction of the unnamed road with Low Buckholmside.

Work No. 10D—A road commencing by a junction with Work No. 10E at a point 75 metres east of the junction of Station Brae (B6374) with Market Street (A7) and terminating by a junction with Station Brae at a point 30 metres north-west of the junction of that road with High Road (B6452). Work No. 10D includes a bridge over the intended railway (Work No. 10).

Work No. 10E—A road commencing in Currie Road (DG125/2) at a point 60 metres east of its junction with Ladhope Vale (A7) and terminating by a junction with Currie Road (DG125/2) at a point 40 metres north-west of the junction with Currie Road of the entrance to the Health Centre and public car park.

Work No. 10F—An access road commencing at the junction of Station Brae (B6374) with Market Street (A7) and terminating at the entrance to the car park adjoining Our Lady and St Andrew Church.

Work No. 10G—An access road commencing by a junction with Work No. 10F at a point 12 metres north-east of the junction of Station Brae (B6374) with Market Street (A7) and terminating at the entrance to the car park adjoining Anderson's Chambers.

Work No. 10H—An access road commencing by a junction with Glenfield Road West (DG39) at a point 180 metres south-east of the junction of the Langhaugh Industrial Estate Road (DG125/2) with Currie Road (DG125/2) and terminating at a point 190 metres south-east of that road junction.

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Work No. 10J—A footbridge over the intended railway (Work No. 10) to replace a length of the path between Dale Street (DG15) and Langlee Drive (DG60).

Work No. 10K—An access road commencing at a point in the proposed station car park at Tweedbank 65 metres north of the existing junction of the Tweedbank Industrial Estate Road with Tweedbank Drive and terminating at a point 12 metres south of that existing road junction.

Work No. 10L—An improvement of Tweedbank Drive between a point in that road 25 metres north-west of the existing junction of the Tweedbank Industrial Estate Road with Tweedbank Drive and a point in Tweedbank Drive 40 metres south-east of that existing road junction.

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 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.
- 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.

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SCHEDULE 3

(introduced by section 8)

PRIVATE CROSSINGS

PART 1

CONTINUING PRIVATE CROSSINGS

<i>Local government area</i>	<i>Sheet of Parliamentary plans</i>	<i>Road</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
Midlothian	11	Dalhousie Mains private access
Midlothian	15	Redheugh private access
Midlothian	22	Overbridge, Catcune (part of Work No. 3)
Midlothian	22	Catcune Farm Underbridge
Midlothian	24	Borthwick Mains Overbridge
Midlothian	25	Halflaw Kiln Overbridge
Midlothian	26	Halflaw Bow's Overbridge
Midlothian	28	Willow Burn Overbridge
Midlothian	31	Old Moss Overbridge, Cowbraehill
Scottish Borders	35	Shoestanes Overbridge, Nettlingflat
Scottish Borders	39	Hangingshaw Cattle Creep, Hangingshaw
Scottish Borders	39	Little Gala Underbridge, Halfree
Scottish Borders	42	Crookston Mill Underbridge, Crookston
Scottish Borders	42	Hollowshank Underbridge, Crookston
Scottish Borders	43	Bower Underbridge, Hazelbank
Scottish Borders	44	Pirntaton Overbridge
Scottish Borders	44	Sheep creep carrying Still Burn, Fountainhall, under the intended railway
Scottish Borders	45	Access road to Allanshaugh, Fountainhall

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Scottish Borders	47	Plenploth North Underbridge, Plenploth
Scottish Borders	48	Torquhan South Underbridge, Torquhan
Scottish Borders	48	Pirn Underbridge, Torquhan
Scottish Borders	50	Craigbank Cattle Creep
Scottish Borders	51	Watherston Underbridge, Watherston
Scottish Borders	52	Watherston Dry Underbridge, Watherston
Scottish Borders	52	Galabank Underbridge, Galabank
Scottish Borders	57	Lugate Dry Underbridge, Lugate
Scottish Borders	57	Lugate Water Underbridge, Lugate
Scottish Borders	58	Furniehurst Underbridge, Furniehurst
Scottish Borders	59	Furniehurst Water Underbridge, Furniehurst
Scottish Borders	59	Unnamed sheep creep, Bow Bridge
Scottish Borders	61	Harper's Overbridge, Dryburn
Scottish Borders	63	Whitelee Overbridge, Whitelee
Scottish Borders	64	Whin Overbridge, Whitelee
Scottish Borders	65	Whin Underbridge, Robin's Knowe
Scottish Borders	66	Torwoodlee Cattle Creep, Torwoodlee
Scottish Borders	66	Torwoodlee Road Overbridge, Torwoodlee
Scottish Borders	70	Torwoodlee Water Underbridge, Gala Water
Scottish Borders	70	Torwoodlee Culvert carrying Mill Lead, Torwoodlee
Scottish Borders	70	Culvert carrying Buckholm Mill Lade, Torwoodlee
Scottish Borders	70	Ryehaugh Dry Culvert, Torwoodlee

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Scottish Borders	70	Ryehaugh Water Underbridge, Gala Water
Scottish Borders	71	Kilnknowe Farm Overbridge, Galashiels

PART 2

PRIVATE CROSSINGS TO BE STOPPED UP AND DISCONTINUED

<i>Local government area</i>	<i>Sheet of Parliamentary plans</i>	<i>Location</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
Midlothian	22	Existing overbridge, Catcune Farm
Scottish Borders	47	Unnamed crossing between Plenploth North Underbridge and Torquhan South Underbridge
Scottish Borders	51	Unnamed at grade crossing adjacent to Watherston Farm Cottage, Watherston
Scottish Borders	60	Bowshank Farm Overbridge, Bowshank
Scottish Borders	63	Unnamed at grade crossing at Bowland Wood

SCHEDULE 4

(introduced by sections 9 and 10)

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>
In the local government area of Midlothian—			
2	Track crossing former Monktonhall Colliery site	Between points A1 and A2	No alternative

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3	Road (unnamed)/ Newton Church Road, Longthorn	Between points A3 and A4	Works Nos. 1C and 1D
3	Newton Church Road, Longthorn	Between points A5 and A7	Work No. 1F (pedestrians) Works Nos. 1C and 1D and existing road network (vehicles)
4	Path between Longthorn and Wester Millerhill	Between points A8 and A9	Work No. 1H and Old Craighall Road
4	Road (unnamed) to Sheriffhall Mains	Between points A13 and A15a	Work No. 1K
4, 5	Millerhill Road, Wester Millerhill	Between points A12, A11, A13 and A14	Work No. 1J
4, 5	Road (unnamed) between Millerhill Road and Sheriffhall Mains	Between points A15, A16 and A17	Works Nos. 1J and 1K
6	Path between Dean Burn/Dalkeith Country Park and A68 King's Gate overbridge	Between points B3 and B2	No alternative
6 to 9	Track (Penicuik- Musselburgh Foot & Cycleway)	Between points B1 and B2 Between points B6, B7, B9, B11, B13, B17, B19 and B20	Track between points B4 and B5 Existing road and footpath network
7	Path between Glenesk Viaduct and High Woods, Ironmills Park	Between points B5 and B6	Existing footpath network (Ironmills Park)
7	Track between Glenesk Viaduct (south end), former Dalkeith railway leading to Cemetery Road and former railway	Between points B7, B8 and B9	Existing road and footpath network
7	Track between Garden Cottage (Viewpoint Housing Association, Avenue Road) and former railway	Between points B10 and B11	No alternative

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8	Track between Station Road and former railway	Between points B12 and B13	No alternative
8	Path between Hardengreen Industrial Estate and Westfield Bank	Between points B14 and B15	Work No. 2A, Hardengreen Lane and Westfield Park
9	Track between Hardengreen Lane and former railway	Between points B16 and B17	Footpath between B16 and B16a and Work No. 2A
12	Track between Station Road and Redwood Walk	Between points B27 and B28	Work No. 2E
12, 13	Track between Victoria Road and Deanpark	Between points B25, B26 and B31	Victoria Road, track between points B28 and B30 and Work No. 2F
13	Track between Station Road and New Star Bank	Between points B29 and B30	Work No. 2F
13 to 16	Path between Murderdean Road and Gore Glen Country Park	Between points B32, C1, C2 and C3	No alternative
16	Track between A7 road and former Kirkhill Hotel	Between points C3a and C3b	Via Povert Road
16, 17	Paths, Gore Glen Country Park	Between points C4, C3, C5 and C6, points C7 and C8 and points C9 and C10	Path between points C4, C7 and C10 and Work No. 3A
17	Path between Millbank House and Gore Glan Country Park footpath network	Between points C13, C14 and C15	Work No. 3D
17	Path between Old Shank Bridge and Gorebridge (ROW 59)	Between points C16 and C17	Path between points C13, C17 and C18
17 to 20	Path between Millbank House and Goreside	Between points C14, C16, C19 and C20	Path between points C13, C17 and C18 and existing road network
20	Path at Goreside	Between points C21 and C22	Work No. 3D

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21	Harvieston South Footbridge (former Fushiebridge Station Footbridge)	Between points C23 and C24	Fushiebridge Station Road bridge
22	Path at Catcune	Between points C25 and C26	Bridge to be provided (part of Work No. 3)
28	Track between B6367 and Halflaw Kiln	Between points D3, D6 and D5	Bridge to be provided (part of Work No. 4)
In the local government area of Scottish Borders—			
33, 34	A7 road at Falahill	Between points E1 and E2	Work No. 5A
34	Lay-by (A7) at Falahill	Between points E2a and E2b	Lay-by at Falahill between points X and Y
36	Heriot Way (B709), Heriot	Between points E3 and E4	Works Nos. 5C, 5D and 5E and existing road network
36,37	B709 road and Old Stage Road (C11)	Between points E11 and E12 and points E11 and E13	Works Nos. 5D, 5E and 5F
38	Path, former Stagebank Crossing, Stagebank	Between points E7 and E8	No alternative
40	Track between Haltree and A7 road	Between points F1 and F2	Existing road network
44	Road (C11 Fountainhall branch) between Old Stage Road and A7 road at Fountainhall	Between points G1 and G2	Work No. 7A
57	Track between Torsonce Mains and Old Stage Road	Between points H1 and H2	No alternative
59	Road (C11 Bow branch) between Old Stage Road and A7 road at Bow Bridge, Bow	Between points H3 and H4	Work No. 8A
70, 71	Path between Gala Water and Wheatlands Road	Between points K1, K2 and K3	Paths between points K1 and K4 and points K5 and K6 and existing footway network
71	Track between Black Path and Lee Brae	Between points K10 and K15	No alternative

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

71 to 73	Track (Black Path)	Between points K9, K10, K11, K12 and K14	Track between points K21 and K22 and existing footway network
72	Path between Black Path and A7 road, High Buckholmside	Between points K11 and K20	Existing footway network
72	Plumtreehall Brae (DG 84)	Between points K16 and K17	Work No. 10A (pedestrians) Existing road network (vehicles)
73	Road (unnamed) between High and Low Buckholmside at Brewerybrig	Between points K26 and K27	Path between points K26 and K27 and Work No. 10C (pedestrians) No alternative (vehicles)
73	Track to Ladhope Vale (A7)	Between points K12 and K13	No alternative
73	Footway (Ladhope Vale (A7))	Between points K13 and K14	Existing footway network
73, 74	Currie Road (DG 125/2)	Between points K34 and K35	Work No. 10E
74	Station Brae (B6374)	Between points K30 and K31	Works Nos. 10D and 10E and existing road network
74	Track (Black Path)	Between points K32 and K33	Existing footway network
74	Langhaugh Industrial Estate Road (DG 125/2)	Between points K38 and K39	Work No. 10H and existing road network
74	Path between Langhaugh Industrial Estate Road (DG125/2) and Langhaugh Lane	Between points K40 and K41	Work No. 10H, path between points K41 and K42 and existing road network
74, 75	Track (Black Path)	Between points K46, K47, K48, K49, K50, K51, K52 and K53	Track between points K46, K57, K58 and K53
75	Tracks between Glenfield Road West and Black Path	Between points K54 and K48, points K55 and K49, points K50 and K52 and points K56 and K52	Track between points K46, K57, K58 and K53 and points K58 and K56 and existing road network
75	Path at Glenfield	Between points K47 and K56	Track between points K46, K57 and K58,

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and points K56 and K58
75 to 77	Track (Black Path)	Between points K51, K63, K73, K75 and K76	Existing footbridge to south of Gala Water then existing footway and footpath network to point K82
76	Middle section of path between Langlee Drive and Dale Street	Between points K60, K61, and K62	Work No. 10J
76	Spur path between Black Path and pedestrian footbridge over Gala Water	Between points K63 and K64	No alternative
76	Path between playground at Woodstock Avenue and point K71	Between points K67, K68, K69, K70 and K71	No alternative
76	Track between Woodstock Avenue and Black Path	Between points K72 and K73	No alternative
76	Track between Winston Place and Black Path	Between points K74 and K75	No alternative
77	Track (Southern Upland Way/Black Path)	Between points K77, K76, K78, K80, K81 and K83	Path between points K82 and K83
77	Access to Black Path	Between points K79 and K80	No alternative
77	Path, Lowood to Tweedbank	Between points K84 and K85	No alternative
77, 78	Track (Black Path)	Between points K81, K84 and K86	Existing footpath and footway network on south side of railway
78	Path, Well Park to Tweedbank	Between points K86 and K87	No alternative
78	Track (Southern Upland Way/Black Path)	Between points K86 and K88	Existing footway network on south side of railway

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

PART 2

ROADS TO BE TEMPORARILY STOPPED UP

<i>Sheet of Parliamentary plans</i>	<i>Road to be stopped up</i>	<i>Extent of temporary stopping up</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
In the local government area of Midlothian—		
4	Old Craighall Road, Wester Millerhill	Between points A10 and A11
5, 6	The City of Edinburgh Bypass (A720), Sheriffhall	Between points A18, A19, A20 and A21
9	Track between Hardengreen House and K&I Coachworks, Hardengreen	Between points B18 and B19
11	Roads (A7 and B6392), Hardengreen Junction	Between points B21 and B22 and points B23 and B24
16	Povert Road	Between points C2a and C2b
17	Road (A7), near Gore Glen Country Park	Between points C11 and C12
25	Path between Birky Side and Borthwick Bank	Between points D1 and D2
28	Track between B6367 road and Halfaw Kiln	Between points D3, D4 and D5
In the local government area of Scottish Borders—		
37	Road (C11 Hangingshaw branch)	Between points E5 and E6
71	Wheatlands Road (DG108)	Between points K7 and K8
72	Plumtreehall Brae (DG84)	Between points K18 and K19
72	Track (above Black Path)	Between points K24 and K25
72, 73	Low Buckholmside Road (DG68)	Between points K22 and K23
73	Ladhope Vale (A7)	Between points K28 and K29
74	Road (DG115/2)	Between points K36 and K37
74	Glenfield Road West (DG39)	Between points K43 and K44
74, 75	Glenfield Road West (DG39) and Glenfield Road East (DG38)	Between points K44 and K45
75	Gala Water Footbridge	Between points K53 and K59
75	Path (Ovens Underpass off Glenfield Road East (DG38))	Between points K55a and K56

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

76	Track (above Black Path)	Between points K65, K64 and K66
77	Winston Road (DG110)	Between points K76 and K77

SCHEDULE 5

(introduced by section 12)

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 of section 12 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.
- 3 For the purpose of carrying out safeguarding works to a building under section 12 of this Act, the authorised undertaker may (subject to paragraphs 4 and 5 below)—
- (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—
- (a) a right under section 12 of this Act above to carry out safeguarding works to a building;
 - (b) a right under paragraph 2 above to enter a building;
 - (c) a right under paragraph 3(a) above to enter a building or land; or
 - (d) a right under paragraph 3(b) above 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) above, 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 referred to arbitration under section 34 of this Act.
- 6 The authorised undertaker shall compensate the owners and occupiers of any building or land in relation to which the powers of 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 12 of this Act; and

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

- (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 compensation payable under paragraph 7 above or under the Lands Clauses Acts shall be determined, in case of dispute, under the 1963 Act.

SCHEDULE 6

(introduced by sections 13 and 15)

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>
In the local government area of Midlothian—			
Harelaw Farm	3	41a, 41b, 41d, 41e	Station car park and access.
Harelaw	3	54, 54a, 59, 60	Relocation of apparatus (subsoil only).
Harelaw	3	63, 69	Installation of equipment and compound.
Sheriffhall	6	158	Provision of track.
Glenesk	6, 7	159	Provision of track.
Glenesk	7	162	Provision of track.
Hardengreen Lane	9	194, 196	Station access.
Hardengreen	9	202a, 203, 203a	Relocation of apparatus.
Hardengreen	9, 10	191	Station access.
Hardengreen	10	192, 193	Station access.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Lothian Cottage	12	255, 257	Relocation of apparatus (subsoil only).
Redwood Walk	12	261, 261a	Provision of track.
New Star Bank	13	266	Provision of track.
Murderdean Road	13	281, 282, 282a, 283, 284, 285, 286a	Station car park and access.
Jenks Loan	13	287	Installation of equipment and compound.
Brewer's Bush Bridge	14	300, 302, 302a	Access for construction and thereafter for maintenance.
Redheugh	16	325	Access for construction and thereafter for maintenance.
Shank Bridge	17, 19	346	Access for construction and thereafter for maintenance. Provision of track.
Gorebridge	19	355, 356, 357	Access for construction and thereafter for provision of track.
Gorebridge	19	359	Access for construction and thereafter for maintenance. Relocation of apparatus (subsoil only).
Station Road	19	389	Station car park and access.
Station Road	19	387, 392, 393	Road improvements and landscaping.
Robertson's Bank	20	401, 402	Installation of equipment and compound.
Catcune	22	431	Installation of apparatus (subsoil only).

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Borthwick Mains	23	430a, 432, 432a	Installation of apparatus (subsoil only).
Borthwick Mains	24	435	Installation of equipment and compound.
Maggie Bowies Glen	27	467, 468	Installation of apparatus (subsoil only).
Tynehead	28	477, 479	Access for construction and thereafter for provision of track.
Tynehead	31	497	Access for construction and thereafter for maintenance.
In the local government area of Scottish Borders—			
Tynehead	31	13	Installation of apparatus (subsoil only).
Tynehead and Cowbraehill	31, 32	13b	Installation of apparatus (subsoil only).
Falahill	33	43	Access for construction and thereafter for provision of track.
Falahill	33, 34	44, 44b	Access for construction and thereafter for provision of car park and access.
Falahill	34, 35	53, 54	Access for construction and thereafter for maintenance. Road improvements and landscaping.
Heriot	36	75, 77, 80, 120, 120a, 120b, 120c, 123a	Road improvements and landscaping.
Heriot	36, 37	107	Road improvements and landscaping.
Heriot	37	100, 101, 116	Road improvements and landscaping.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Hangingshaw	37	124	Access for construction. Riverbank protection.
Hangingshaw	37	121, 141, 142, 143	Road improvements and landscaping.
Stagebank	38	150	Access for construction and thereafter for maintenance.
Stagebank	38	156	Access for construction. Riverbank protection.
Haltree	40	171	Access for construction. Riverbank protection.
Crookston	42	180	Access for construction and thereafter for maintenance.
Fountainhall	44	212	Construction and maintenance compound and access for construction and thereafter for maintenance.
Fountainhall	45	239, 240, 241	Access for construction. Riverbank protection.
Pirn House	48	273, 274	Access for construction. Riverbank protection.
Pirn House	50	276	Access for construction. Riverbank protection.
Watherston	51	290, 291	Access for construction. Riverbank protection.
Galabank	52	309	Access for construction and thereafter for maintenance.
Galabank	53	324, 325, 326	Access for construction. Riverbank protection.
Galabank	53	328	Access for construction and

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			thereafter for maintenance.
Stow	53, 54	329, 330, 331	Access for construction. Riverbank protection.
Stow	54	332	Access for construction. Riverbank protection.
Stow	54	339	Access for construction and thereafter for provision of track.
Stow	Stow plan	336a, 337b, 337c, 340a, 340b, 341, 341a, s8, s9, s10	Station car park and access.
Stow	56	351, 352	Access for construction. Riverbank protection.
Stow	57	367	Installation of apparatus (subsoil only).
Stow	57, 58	368	Installation of apparatus (subsoil only).
Stow	58	370, 371	Installation of apparatus (subsoil only).
Bowshank	61	525, 526	Access for construction. Riverbank protection.
Bowshank	62	534	Access for construction and thereafter for maintenance.
Bowland Bridge	62, 63	547	Access for construction. Riverbank protection.
Bowland Wood	63	554	Access for construction and thereafter for maintenance.
Whitelee House	64	556, 557, 558, 559	Access for construction. Riverbank protection.
Robin's Knowe	65	583, 584	Access for construction.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Torwoodlee	65, 66	585	Riverbank protection. Access for construction.
Torwoodlee	65, 66	586	Riverbank protection. Access for construction and thereafter for maintenance.
Torwoodlee Tunnel	70	611	Access for construction and thereafter for maintenance.
Mill Park	70	629	Access for construction and thereafter for provision of track.
Mill Park	70, 71	628, 630	Access for construction and thereafter for provision of track.
Wheatlands Road	71	645, 646, 648	Access for construction and thereafter for maintenance.
Plumtreehall Brae	72	665, 670, 671	Road improvements and landscaping.
Plumtreehall Brae	72	686	Access for construction and thereafter for provision of track.
Plumtreehall Brae	72	689	Access for construction. Riverbank protection.
Low Buckholmside	72	698	Access for construction and thereafter for accommodation access.
Low Buckholmside	72, 73	703	Access for construction. Riverbank protection.
Low Buckholmside	73	705	Provision of turning head for vehicles.
Currie Road	74	739, 739a, 741, 745, 746, 749, 751, 756	Access for construction and

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Glenfield Road	74	760a	thereafter for maintenance.
Glenfield Road	74, 75	763	Relocation of apparatus (subsoil only).
Galafoot	77	800, 806, 808	Relocation of apparatus (subsoil only).
Tweedbank	78	814	Installation of apparatus (subsoil only).
Tweedbank	78	814	Access for construction and thereafter for maintenance.
Tweedbank	78	817	Station car park and access.

PART 2

ACQUISITION OF RIGHTS ONLY

<i>Location</i>	<i>Sheet of Parliamentary plans</i>	<i>Number of land shown on plans</i>	<i>Purposes for which rights may be acquired</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
In the local government area of Midlothian—			
Whitehill Mains	1, 1A	8	Access for construction and thereafter for maintenance.
Shawfair	1	9	Access for construction and thereafter for maintenance.
Millerhill Marshalling Yard	1	10	Access for construction and thereafter for maintenance.
Shawfair	2	5a, 12, 12a, 12c, 13, 15, 17, 18, 19, 21, 23	Ground stabilisation.
Shawfair	2, 3	29, 31	Ground stabilisation.
Newton Church Road	3	32, 34	Ground stabilisation.
Harelaw Farm	3	48, 50	Ground stabilisation.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Harelaw	3	51, 53, 55, 57, 58, 60, 70, 72	Ground stabilisation.
Harelaw	3	61	Access for construction and thereafter for maintenance.
Longthorn	3	75	Ground stabilisation.
Longthorn	3, 4	78	Ground stabilisation.
Longthorn	4	79, 80, 83	Ground stabilisation.
Millerhill Road	4	94, 98, 98a, 98b, 99, 102, 126a	Ground stabilisation.
The Cockatoo public house	4	118	Access for construction and thereafter for maintenance.
Wester Millerhill	4	119, 122	Ground stabilisation.
Millerhill Road	4, 5	126, 127	Ground stabilisation.
Sheriffhall	5	140	Access for construction and thereafter for maintenance. Ground stabilisation.
Sheriffhall	5, 6	139, 144	Access for construction and thereafter for maintenance. Ground stabilisation.
Sheriffhall	6	145, 147	Ground stabilisation.
Sheriffhall	6	149, 150a	Access for construction and thereafter for maintenance. Ground stabilisation.
Glenesk	7	163, 165, 166, 167, 168, 169, 170, 175	Access for construction and thereafter for maintenance.
Station Road, Eskbank	8	186	Access for construction and thereafter for maintenance.
Hardengreen	9	210	Access for construction and thereafter for maintenance.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Hardengreen	9, 10	213	Access for construction and thereafter for maintenance.
Dalhousie Mains	11	231, 233	Access for construction and thereafter for maintenance.
Newbattle Viaduct	11	243	Access for construction and thereafter for maintenance.
Newbattle Viaduct	11, 12	244	Access for construction and thereafter for maintenance.
Newbattle Viaduct	12	247, 249	Access for construction and thereafter for maintenance.
Dalhousie Road	12	258	Access for construction and thereafter for maintenance.
Newtongrange	13	275, 275a	Access for construction and thereafter for maintenance.
Redheugh	15	309	Access for construction and thereafter for maintenance.
Gore Glen Country Park	16, 17	336	Access for construction and thereafter for maintenance.
Shank Bridge	17	338a	Access for construction and thereafter for maintenance.
Millbank House	17, 18	344	Access for construction and thereafter for maintenance.
Arniston Engine	18	343	Access for construction and

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			thereafter for maintenance.
Gorebridge	19	358	Access for construction and thereafter for maintenance.
Robertson's Bank	20	403	Access for construction and thereafter for maintenance.
Catcune	21	423	Access for construction and thereafter for maintenance.
Tynehead	28	471, 472	Access for construction and thereafter for maintenance.
Tynehead	29, 30	488, 490	Ground stabilisation.
Tynehead	31	496	Access for construction and thereafter for maintenance.
In the local government area of Scottish Borders—			
Tynehead	31	13	Access for construction and thereafter for maintenance.
Tynehead and Cowbraehill	31, 32	13b	Access for construction and thereafter for maintenance.
Falahill	34	45	Access for construction and thereafter for maintenance.
Falahill	35	59, 60	Access for construction and thereafter for maintenance.
Heriot	36	74	Access for construction and thereafter for maintenance.
Hangingshaw	37	126	Access for construction and

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			thereafter for maintenance.
Stagebank	38	146, 153	Access for construction and thereafter for maintenance.
Haltree	40	169	Access for construction and thereafter for maintenance.
Crookston	41	174	Access for construction and thereafter for maintenance.
Crookston Cottage	42	177	Access for construction and thereafter for maintenance.
Fountainhall	45	229	Access for construction and thereafter for maintenance.
Plenploth	46	246, 248	Access for construction and thereafter for maintenance.
Torquhan	48, 49	266	Access for construction and thereafter for maintenance.
Torquhan	49	267, 268	Access for construction and thereafter for maintenance.
Watherston	50	280, 286, 287, 288	Access for construction and thereafter for maintenance.
Galabank	52	308, 315, 316, 318a, 323	Access for construction and thereafter for maintenance.
Stow	55	348	Access for construction and thereafter for maintenance.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Stow	57	355	Access for construction and thereafter for maintenance.
Bowshank	60	409, 500, 502, 503, 504, 506	Ground stabilisation.
Bowland Wood	63	551	Access for construction and thereafter for maintenance.
Whitelee House	64	565	Access for construction and thereafter for maintenance.
Torwoodlee Golf Course	66, 69	588	Access for construction and thereafter for maintenance.
Torwoodlee	69	590, 591	Access for construction and thereafter for maintenance.
Kilnknowe Place	71	647	Access for construction and thereafter for maintenance.
Ladhope Vale	73	709, 710	Ground stabilisation.
Woodstock Avenue	76	784, 784a, 785	Ground stabilisation.
Winston Place	76, 77	786, 786a, 786b	Ground stabilisation.
Winston Place	77	787	Ground stabilisation.

SCHEDULE 7

(introduced by section 17)

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>
In the local government area of Midlothian—				

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Whitehill Mains	1	1	Construction compound, working space and access for construction.	Work No. 1
Whitehill Road	1	2, 4	Construction compound, working space and access for construction.	Work No. 1
Millerhill Marshalling Yard	1	7, 10	Construction compound, working space and access for construction.	Work No. 1
Shawfair	1	9	Construction compound, working space and access for construction.	Work No. 1
Millerhill	1, 2	5	Working space.	Work No. 1
Millerhill Marshalling Yard	1, 2	11	Construction compound, working space and access for construction.	Work No. 1
Shawfair	2	12, 12a, 12c, 13, 15, 17, 18, 19, 21, 23, 29a	Working space.	Works Nos. 1, 1A
Shawfair	2	27	Construction compound, working space and access for construction.	Work No. 1
Shawfair	2, 3	29, 31	Working space.	Work No. 1
Longthorne	3	32, 34, 40b	Construction compound, working space and access for construction.	Works Nos. 1, 1B, 1C
Newton Church Road	3	35, 35a, 36	Working space.	Work No. 1C
Harelaw Farm	3	38a, 38b, 41, 41c	Construction compound, working space and access for construction.	Works Nos. 1, 1C, 1D

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Harelaw Farm	3	38g, 38j, 38k, 39a, 39b, 39c, 43, 43a, 48, 50	Working space.	Works Nos. 1, 1C, 1D, 1E
Harelaw	3	51, 53, 55, 57, 58, 70, 72	Working space.	Works Nos. 1, 1F
Harelaw	3	54, 59, 60	Construction compound, working space and access for construction.	Works Nos. 1, 1F
Longthorn	3	75	Construction compound, working space and access for construction.	Work No. 1
Longthorn	3, 4	78	Construction compound, working space and access for construction.	Work No. 1
Longthorn	4	79, 80, 83, 114	Construction compound, working space and access for construction.	Works Nos. 1, 1G, 1H
Millerhill Road	4	91a, 94, 95b, 98, 98a, 98b, 99, 102, 126a	Construction compound, working space and access for construction.	Works Nos. 1, 1G, 1J
The Cockatoo public house	4	117, 118	Construction compound, working space and access for construction.	Works Nos. 1, 1G, 1J
Wester Millerhill	4	119, 122	Construction compound, working space and access for construction.	Works Nos. 1, 1J
Millerhill Road	4, 5	126, 127	Construction compound, working space and access for construction.	Works Nos. 1, 1J, 1K
Sheriffhall	5	140	Construction compound, working space	Works Nos. 1, 1J

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Sheriffhall	5, 6	139, 144	Construction compound, working space and access for construction.	Works Nos. 1, 1J
Sheriffhall	5, 6	141, 143	Construction of bridge under the City of Edinburgh Bypass.	Work No. 1
Sheriffhall	6	145, 147, 148, 149, 154, 155, 158	Construction compound, working space and access for construction.	Works Nos. 1, 2
Glenesk	6, 7	159	Construction compound, working space and access for construction.	Works Nos. 1, 2
Gilmerton Road	7	178	Construction compound, working space and access for construction.	Work No. 2
Glenesk	7	162, 163, 165, 166, 167, 168, 169, 170, 174, 175	Construction compound, working space and access for construction.	Work No. 2
Eskbank	7, 8	177	Construction compound, working space and access for construction.	Work No. 2
Eskbank	8	179a, 180	Construction compound, working space and access for construction.	Work No. 2
Station Road, Eskbank	8	186, 186a, 186c	Construction compound, working space and access for construction.	Work No. 2

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Hardengreen	9	191a, 195, 197c, 200a, 200b, 209, 210, 211, 212	Construction compound, working space and access for construction.	Works Nos. 2, 2A, 2B, 2C, 2D
Hardengreen	9, 10	213	Construction compound, working space and access for construction.	Work No. 2
Hardengreen	9, 11	215, 216, 217	Construction compound, working space and access for construction.	Work No. 2
Hardengreen	10	214	Construction compound, working space and access for construction.	Work No. 2
Hardengreen Junction	11	218, 218a, 218b, 220, 221, 223, 225, 226, 229	Construction compound, working space and access for construction.	Work No. 2
Dalhousie Mains	11	230, 231, 233	Construction compound, working space and access for construction.	Work No. 2
Newbattle Viaduct	11	236, 238, 239, 241, 243	Construction compound, working space and access for construction.	Work No. 2
Newbattle Viaduct	11, 12	244, 245	Construction compound, working space and access for construction.	Work No. 2
Newbattle Viaduct	12	247, 249, 249a, 250, 251, 254	Construction compound, working space and access for construction.	Work No. 2
Dalhousie Road	12	258	Construction compound, working space	Work No. 2

Status: Point in time view as at 24/07/2006.

Changes to legislation: *There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)*

			and access for construction.	
Butlerfield Industrial Estate	13	288, 289	Construction compound, working space and access for construction.	Work No. 2
Newtongrange	13	275, 275a, 276, 277	Construction compound, working space and access for construction.	Works Nos. 2, 2F
Victoria Road	13	286, 286b	Construction compound, working space and access for construction.	Work No. 2
Lady Victoria Colliery	13	291a	Construction compound, working space and access for construction.	Work No. 2
Butlerfield Industrial Estate	13, 14	290	Construction compound, working space and access for construction.	Work No. 2
Lady Victoria Colliery	13, 14	291	Construction compound, working space and access for construction.	Work No. 2
Butlerfield Industrial Estate	14	290a, 290b, 299	Construction compound, working space and access for construction.	Works Nos. 2, 3
Lady Victoria Colliery	14	293, 293a, 294, 296, 298	Construction compound, working space and access for construction.	Works Nos. 2, 3
Brewer's Bush Bridge	14	301, 303, 307	Construction compound, working space and access for construction.	Works Nos. 2, 3

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Brewer's Bush Bridge	14, 15, 16	304	Construction compound, working space and access for construction.	Works Nos. 2, 3
Redheugh	15	308, 309, 310, 311, 312, 313	Construction compound, working space and access for construction.	Work No. 3
Redheugh	15, 16	316	Construction compound, working space and access for construction.	Work No. 3
Povert Road	16	317, 318, 319, 320, 321, 323, 326, 327, 328, 330, 331, 332, 333, 334	Construction compound, working space and access for construction.	Work No. 3
Gore Glen Country Park	16, 17	336, 337	Construction compound, working space and access for construction.	Works Nos. 3, 3A
Shank Bridge	16, 17	338	Construction compound, working space and access for construction.	Work No. 3
Shank Bridge	17	338a, 342, 345, 348	Construction compound, working space and access for construction.	Works Nos. 3, 3B, 3C
Millbank House	17, 18	344	Construction compound, working space and access for construction.	Work No. 3C
Shank Bridge	17, 19	348a	Construction compound, working space and access for construction.	Works Nos. 3, 3B, 3C
Arniston Engine	18	343	Construction compound, working space	Work No. 3

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Stobs Mills House	19	360, 360a, 361, 362, 366	Construction compound, working space and access for construction.	Works Nos. 3, 3C
Stobs Mills House	19	363, 364, 365	Construction compound, working space, access and relocation of apparatus.	Works Nos. 3, 3C
Station Road	19	387	Construction compound, working space and access for construction.	Work No. 3
St Margaret's Church	19	391	Construction compound, working space and access for construction.	Work No. 3
Robertson's Bank	20	400, 401, 402, 413	Construction compound, working space and access for construction.	Works Nos. 3, 3D
Robertson's Bank	20, 21	404	Construction compound, working space and access for construction.	Works Nos. 3, 3D
Fushiebridge	21	414, 415, 416, 420, 421, 421a	Construction compound, working space and access for construction.	Work No. 3
Catcune	21	423, 424, 425, 426	Construction compound, working space and access for construction.	Work No. 3
Catcune	21, 22	427	Construction compound, working space and access for construction.	Work No. 3

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Catcune	22	428, 431	Construction compound, working space and access for construction.	Work No. 3
Catcune	22, 23	429	Construction compound, working space and access for construction.	Work No. 3
Borthwick Mains	24	434, 436, 437, 439, 440, 445, 446	Construction compound, working space and access for construction.	Works Nos. 3, 4
Borthwick Mains	24, 25	444	Construction compound, working space and access for construction.	Works Nos. 3, 4
Birky Side	24, 25	450	Construction compound, working space and access for construction.	Work No. 4
Birky Side	25	451, 452	Construction compound, working space and access for construction.	Work No. 4
Birky Side	25, 26	454, 456	Construction compound, working space and access for construction.	Work No. 4
Maggie Bowies Glen	26	457, 458	Construction compound, working space and access for construction.	Work No. 4
Maggie Bowies Glen	26, 27	459, 460	Construction compound, working space and access for construction.	Work No. 4
Maggie Bowies Glen	27	461, 462, 463, 464, 465, 467, 468	Construction compound, working space	Work No. 4

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Maggie Bowies Glen	27, 28	466, 469, 470	Construction compound, working space and access for construction.	Work No. 4
Tynehead	28	475, 478, 480	Construction compound, working space and access for construction.	Work No. 4
Tynehead	28, 29	482	Construction compound, working space and access for construction.	Work No. 4
Tynehead	29	484, 485, 486, 487	Construction compound, working space and access for construction.	Work No. 4
Tynehead	29, 30	488, 490	Construction compound, working space and access for construction.	Work No. 4
Tynehead	30	491	Construction compound, working space and access for construction.	Work No. 4
Tynehead	30, 31	495	Construction compound, working space and access for construction.	Work No. 4
Tynehead	31	499, 502	Construction compound, working space and access for construction.	Works Nos. 4, 5
In the local government area of Scottish Borders—				
Tynehead	30	1, 5, 6	Construction compound, working space and access for construction.	Work No. 4

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Tynehead	30, 31	9	Construction compound, working space and access for construction.	Work No. 4
Tynehead	31	10, 11, 12a, 12b, 15	Construction compound, working space and access for construction.	Work No. 5
Tynehead and Cowbraehill	31, 32	12	Construction compound, working space and access for construction.	Work No. 5
Cowbraehill	32	17, 18, 19, 21	Construction compound, working space and access for construction.	Work No. 5
Cowbraehill and Falahill	32, 33	22	Construction compound, working space and access for construction.	Works Nos. 5, 5A, 5B
Falahill	33	24, 28, 30, 30a, 31, 32, 40, 41	Construction compound, working space and access for construction.	Works Nos. 5, 5A, 5B
Falahill	33, 34	33	Construction compound, working space and access for construction.	Works Nos. 5, 5A, 5B
Falahill	34	46, 47	Construction compound, working space and access for construction.	Works Nos. 5, 5A
Falahill	34, 35	52	Construction compound, working space and access for construction.	Work No. 5
Falahill	35	55, 56, 57, 59, 60, 61	Construction compound, working space	Work No. 5

Status: Point in time view as at 24/07/2006.

Changes to legislation: *There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)*

			and access for construction.	
Heriot	35, 36	64, 65	Construction compound, working space and access for construction.	Works Nos. 5, 5C
Heriot	36	67, 74, 76, 77, 79, 88	Construction compound, working space and access for construction.	Works Nos. 5, 5C, 5D
Heriot	36, 37	85a, 91, 123	Construction compound, working space and access for construction.	Works Nos. 5, 5D, 5E
Heriot	37	101, 102, 113, 114, 115	Construction compound, working space and access for construction.	Works Nos. 5D, 5F
Hangingshaw	37	121a, 125, 126, 128, 132, 140, 144	Construction compound, working space and access for construction.	Works Nos. 5, 5D, 5G
Stagebank	38	146, 147, 153, 154, 155	Construction compound, working space and access for construction.	Works Nos. 5, 6
Stagebank	38, 39	158, 159	Construction compound, working space and access for construction.	Works Nos. 5, 6
Stagebank	39, 40	159a, 161	Construction compound, working space and access for construction.	Work No. 6
Haltree	40	167, 168, 169, 170	Construction compound, working space and access for construction.	Work No. 6

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Crookston	41	173, 174	Construction compound, working space and access for construction.	Work No. 6
Crookston	41, 42	175	Construction compound, working space and access for construction.	Work No. 6
Crookston	42	176	Construction compound, working space and access for construction.	Work No. 6
Crookston Cottage	42	177	Construction compound, working space and access for construction.	Work No. 6
Crookston	42, 43	179, 181	Construction compound, working space and access for construction.	Works Nos. 6, 7
Hazelbank	43	182, 184, 185, 187, 189	Construction compound, working space and access for construction.	Works Nos. 6, 7
Hazelbank	43, 44	191	Construction compound, working space and access for construction.	Works Nos. 6, 7, 7A
Fountainhall	43, 44	193	Construction compound, working space and access for construction.	Works Nos. 7, 7A
Fountainhall	44	191a, 192, 200, 209, 217, 218, 218a, 220, 221, 222, 222a, 222b, 222c, 224	Construction compound, working space and access for construction.	Works Nos. 7, 7A, 7B
Fountainhall	44, 45	223	Construction compound, working space	Works Nos. 7, 7B

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Fountainhall	45	224a, 225a, 233, 236, 237, 238, 242	and access for construction. Construction compound, working space and access for construction.	Works Nos. 7, 7B
Fountainhall	45	235	Access for construction of fence.	Works Nos.7, 7B
Fountainhall	45, 46	243	Construction compound, working space and access for construction.	Work No. 7
Plenploth	46	245, 246, 248	Construction compound, working space and access for construction.	Work No. 7
Plenploth	46, 47	250	Construction compound, working space and access for construction.	Work No. 7
Plenploth	47	251, 252, 253, 255, 255a, 257	Construction compound, working space and access for construction.	Work No. 7
Torquhan	47, 48	262, 264, 265	Construction compound, working space and access for construction.	Work No. 7
Torquhan	48	263	Construction compound, working space and access for construction.	Work No. 7
Torquhan	48, 49	266	Construction compound, working space and access for construction.	Work No. 7
Pirn House	48	270, 272	Construction compound, working space	Work No. 7

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Pirn House	48, 50	275	Construction compound, working space and access for construction.	Work No. 7
Torquhan	49	267, 268	Construction compound, working space and access for construction.	Work No. 7
Torquhan	50	271a	Construction compound, working space and access for construction.	Work No. 7
Pirn House	50	277	Construction compound, working space and access for construction.	Work No. 7
Watherston	50	280, 281, 282, 283, 284, 285, 286, 287, 288, 289	Construction compound, working space and access for construction.	Work No. 7
Watherston	51	293, 294, 295, 295a, 297, 298, 299, 300, 301, 303	Construction compound, working space and access for construction.	Work No. 7
Watherston	51, 52	305, 306	Construction compound, working space and access for construction.	Work No. 7
Watherston	52	306a	Construction compound, working space and access for construction.	Work No. 7
Galabank	52	308, 311, 312, 313, 314, 315, 316, 318a, 320, 323	Construction compound, working space and access for construction.	Work No. 7

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Stow	54	338	Construction compound, working space and access for construction.	Works Nos. 7, 8
Stow	Stow plan	344, s3	Construction compound, working space and access for construction.	Work No. 8
Stow	55	347, 348	Construction compound, working space and access for construction.	Work No. 8
Stow	55, 56	349, 350	Construction compound, working space and access for construction.	Work No. 8
Stow	56, 57	353	Construction compound, working space and access for construction.	Work No. 8
Stow	57	354, 355, 356, 360, 362, 363, 365	Construction compound, working space and access for construction.	Work No. 8
Stow	57, 58	366	Construction compound, working space and access for construction.	Work No. 8
Stow	57, 58, 59	369	Construction compound, working space and access for construction.	Work No. 8
Stow	58	366a	Construction compound, working space and access for construction.	Work No. 8
Ferniehirst	58, 59	372	Construction compound, working space	Work No. 8

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Bow	59	394, 395, 396, 397	Construction compound, working space and access for construction.	Works Nos. 8, 8A
Ferniehirst	59	374, 376, 378, 378a, 379	Construction compound, working space and access for construction.	Works Nos. 8, 8A
Bow	59, 60	398, 402	Construction compound, working space and access for construction.	Works Nos. 8, 8A
Bow	60	403, 404, 405, 406a	Construction compound, working space and access for construction.	Work No. 8
Bowshank	60	407, 409, 500, 502, 503, 504, 506, 507, 508, 513, 514, 515, 515a, 520, 522	Construction compound, working space and access for construction.	Work No. 8
Bowshank	60, 61	515b, 523	Construction compound, working space and access for construction.	Work No. 8
Bowshank	61	515c, 527, 530, 531	Construction compound, working space and access for construction.	Work No. 8
Bowshank	62	533, 535, 536	Construction compound, working space and access for construction.	Works Nos. 8, 9
Bowland Bridge	62	537, 538, 543, 545, 546	Construction compound, working space and access for construction.	Works Nos. 8, 9

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Bowland Wood	63	549, 550, 551, 552	Construction compound, working space and access for construction.	Work No. 9
Whitelee House	64	560, 561, 562, 563, 564, 565, 566, 568	Construction compound, working space and access for construction.	Work No. 9
Whitelee House	64, 65	566a	Construction compound, working space and access for construction.	Work No. 9
Whitelee House	65	566b	Construction compound, working space and access for construction.	Work No. 9
Robin's Knowe	65	570, 571, 572, 574, 575, 576, 577, 577a, 577b, 581	Construction compound, working space and access for construction.	Work No. 9
Robin's Knowe	65, 66	582	Construction compound, working space and access for construction.	Work No. 9
Torwoodlee	66	582a, 587, 589	Construction compound, working space and access for construction.	Work No. 9
Torwoodlee Golf Course	66, 69	588	Construction compound, working space and access for construction.	Work No. 9
Torwoodlee	66, 70	602, 604	Construction compound, working space and access for construction.	Work No. 9
Torwoodlee	66, 67, 68	603	Construction compound, working space	Work No. 9

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Torwoodlee	69	588a, 590, 591, 591a, 592, 593, 594, 595, 596, 597, 598	Construction compound, working space and access for construction.	Work No. 9
Torwoodlee Tunnel	70	606, 607, 608, 609, 610, 614, 616, 617	Construction compound, working space and access for construction.	Works Nos. 9, 10
Wood Street	70	619, 619a, 620, 620a, 621, 623, 623a	Construction compound, working space and access for construction.	Works Nos. 9, 10
Mill Park	70	624a	Construction compound, working space and access for construction.	Works Nos. 9, 10
Mill Park	70, 71	624, 625	Construction compound, working space and access for construction.	Works Nos. 9, 10
Kilnknowe Place	71	632, 633, 635, 636, 637, 639, 640, 641, 644, 647, 654, 655	Construction compound, working space and access for construction.	Work No. 10
Kilnknowe Place	71, 72	656	Construction compound, working space and access for construction.	Work No. 10
Plumtreehall Brae	71, 72	658, 659, 660, 661, 662	Construction compound, working space and access for construction.	Works Nos. 10, 10A, 10B
High Buckholmside	72	691, 692	Construction compound, working space and access for construction.	Work No. 10

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

Low Buckholmside	72	693, 694, 695a, 696, 696a	Construction compound, working space and access for construction.	Work No. 10
Plumtreehall Brae	72	663, 666, 667, 668, 669, 672, 673, 676, 684, 687, 687a, 688, 690	Construction compound, working space and access for construction.	Works Nos. 10, 10A, 10B
Low Buckholmside	72, 73	695, 697, 699	Construction compound, working space and access for construction.	Works Nos. 10, 10C
Low Buckholmside	73	697a, 704, 708	Construction compound, working space and access for construction.	Works Nos. 10, 10C
Ladhope Vale	73	709, 710, 712	Construction compound, working space and access for construction.	Works Nos. 10, 10E
Currie Road	74	726, 728, 731, 731a, 732, 732a, 734, 736, 743, 743a, 748b, 750, 758, 762	Construction compound, working space and access for construction.	Works Nos. 10, 10D, 10E, 10F, 10G, 10H
Glenfield Road	75	763a, 765, 766, 770, 771	Construction compound, working space and access for construction.	Works Nos. 10, 10J
Glenfield Road	75, 76, 77	772	Construction compound, working space and access for construction.	Work No. 10
Glenfield Road	76	775, 776, 778	Construction compound, working space and access for construction.	Works Nos. 10, 10J
Woodstock Avenue	76	780, 781, 781a, 782, 784a, 785	Construction compound, working space	Work No. 10

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

			and access for construction.	
Winston Place	76, 77	786a, 786b	Construction compound, working space and access for construction.	Work No. 10
Winston Place	77	787	Construction compound, working space and access for construction.	Work No. 10
Winston Road	77	788, 790, 791, 792, 794, 795	Construction compound, working space and access for construction.	Work No. 10
Galafoot	77	797, 797a, 798, 798a, 799, 802, 803, 804, 805, 807, 809, 810, 811	Construction compound, working space and access for construction.	Work No. 10
Tweedbank	77,78	812, 813	Construction compound, working space and access for construction.	Work No. 10
Tweedbank	78	815, 816, 822, 823, 823b, 824	Construction compound, working space and access for construction.	Works Nos. 10, 10K, 10L

SCHEDULE 8

(introduced by section 33)

STATUTORY UNDERTAKERS, ETC.

- 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

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

- 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 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 paragraph 1 above.
- 4 Where any apparatus of a utility undertaker or of a public telecommunications operator 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 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 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 paragraphs 1 and 2 above, as applied by those paragraphs, shall not have effect in relation to apparatus as respects which Part IV of the 1991 Act applies.
- 7 In this schedule—
- “gas transporter” has the meaning given by section 7(1) of the Gas Act 1986 (c. 44);
 - “public telecommunications operator” means—
 - (a) a person authorised, by a licence to which section 9 of the Telecommunications Act 1984 (c. 12) applies, to run a public telecommunications system; or
 - (b) a person to whom the telecommunications code has been applied pursuant to section 10 of that Act; 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.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

SCHEDULE 9

(introduced by section 36)

LISTED BUILDINGS AND CONSERVATION AREAS

- 1 (1) Subject to sub-paragraph (2) below, if a listed building was such a building immediately before 21 March 2003 and is specified in columns (1), (2) and (3) of the following table—
- (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 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 paragraph (b) above.
- (2) In the case of any building specified in columns (1), (2) and (3) of the following table in relation to which any description of works is specified in column (4) of that table, sub-paragraph (1) above shall have effect as if the references to works carried out in exercise of the powers conferred by Part 1 of this Act were, so far as concerns works of demolition or alteration (as opposed to extension), to works so carried out which are of a description specified in relation to it in that column.
- (3) Paragraphs (a) to (d) of sub-paragraph (1) above shall also apply in relation to a listed building which was not such a building immediately before 21 March 2003.
- (4) If a building included in a conservation area and not a listed building—
- (a) was not included in a conservation area immediately before 21 March 2003; or
 - (b) was included in such an area immediately before that date and is specified in columns (1), (2) and (3) of the following table,
- 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.
- (5) 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.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

TABLE

BUILDINGS AUTHORISED TO BE DEMOLISHED OR ALTERED

<i>Local government area</i>	<i>Sheet of Parliamentary plans</i>	<i>Buildings authorised to be demolished or altered</i>	<i>Limit of authorised demolition or alteration</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
Midlothian	7	Glenesk Viaduct, Dalkeith	Structural repairs to the spandrels and wingwalls. Provision of cantilevered walkway.
Midlothian	8	Former Eskbank and Dalkeith Station platforms	Re-pointing and masonry repairs.
Midlothian	8	Melville Road Bridge, Eskbank (Overbridge 13)	Repairs and re-pointing to masonry and brickwork. Waterproofing works to bridge arch.
Midlothian	8	Lasswade Road Bridge, Eskbank (Overbridge 14)	Re-pointing of bridge arch ring.
Midlothian	8	Bonnyrigg Road, Eskbank (Overbridge 15)	Re-pointing. Replacement of damaged stonework.
Midlothian	11	Dalhousie Mains Bridge, Lothian Bridge (Underbridge 17)	Re-pointing and repairs to abutments and wingwalls. Reconstruction of spandrel wall on east side of bridge. Replacement of handrails. Cleaning and repainting of cantilever supports.
Midlothian	11, 12	Newbattle Viaduct, Lothian Bridge	Re-pointing, repairs and

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			replacement of bricks.
Midlothian	13	Murderdean Road Bridge, Newtongrange (Overbridge 19)	Repairs and re-pointing to masonry. Removal of infill material.
Midlothian	15	Redhaugh Farm Bridge, Redhaugh (Overbridge 21)	Repairs and re-pointing to abutments and wingwalls. Shot blast cleaning and painting bridge girders. Construction of parapets to replace existing handrails.
Midlothian	16	Povert Road Bridge, Redhaugh (Overbridge 22)	Repairs and re-pointing. Waterproofing works to bridge arch.
Midlothian	21	Existing Footbridge, Fushiebridge (Footbridge 28)	Removal of bridge superstructure.
Midlothian	21	Former Fushiebridge Station Bridge, Fushiebridge (Overbridge 29)	Repairs and re-pointing. Waterproofing works to bridge arch.
Midlothian	22	Catcune Farm Bridge, Catcune (Overbridge 30)	Demolition and replacement of bridge.
Midlothian	22	Catcune Farm Accommodation Bridge, Catcune (Underbridge 31)	Re-pointing and repairs. Waterproofing works to bridge arch. Removal and replacement of wrought iron handrail.
Midlothian	24	Castle Road Bridge, Borthwick Mains (Overbridge 32)	Repairs and re-pointing.

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Midlothian	24	Borthwick Mains Bridge, Borthwick (Underbridge 33)	Repairs to masonry. Removal and replacement of wrought iron handrail.
Midlothian	25	Halflaw Kiln Bridge, Birky Side (Overbridge 34)	Demolition and replacement of bridge superstructure. Repairs and re-pointing to bridge.
Midlothian	26	Halflaw Bow's, Maggie Bowies Glen (Overbridge 35)	Demolition and replacement of bridge deck and parapets. Repairs to masonry.

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 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 10

(introduced by section 46)

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 there is submitted to that local planning authority for its written approval—

- (a) the code of construction practice; and
- (b) one or more draft local construction codes relating to so much of the authorised works as is situated in the area of the local planning authority concerned.

2 The local planning authority shall send a copy of every code 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 (and shall if so required by the local planning authority) amend or replace the code of construction practice or any local construction code.

4 The provisions of the code of construction practice and any local construction code, as from time to time amended or replaced shall have effect as conditions to which section 48 applies.

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

SCHEDULE 11

(introduced by section 47)

WORKS AFFECTING THE RIVER TWEED SPECIAL AREA OF CONSERVATION

PART 1

WORKS REQUIRING SPECIAL MEASURES

1 This Part of this schedule applies to the sites specified in the table.

<i>Location ID No.</i>	<i>Description</i>	<i>Co-ordinates</i>	
<i>(1)</i>	<i>(2)</i>	<i>X</i>	<i>Y</i>
			<i>(3)</i>
4	Confluence of Gala Water and Shoestanes Barn	340406	654396
5	Underbridge 49, near Heriot	340406	654396
6	Proposed river diversion (part of Work No. 5D)	340512	654217
7	Replacement culvert near Shoestanes (part of Work No. 5)	340509	654093
8	River bank, near Heriot Station	340570	653982
9	River bank protection, near Stagebank	341113	653144
10	Underbridge 52, near Little Gala	341542	652594
11	River bank protection, near Haltree	341845	652269
13	Underbridge 53, near Crookstone Mill	342456	651192
14	Underbridge 54, Hollowsbank	342373	650850
15	Underbridge 55, Hollowsbank	342346	650768
16	Underbridge 56, near Bower	342352	650341

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Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

17	Underbridge 58, Fountainhall	342992	649536
18	Riverbank protection, near Burnhouse	343487	649126
19	Underbridge 60, Plenploth North	344152	648785
20	Underbridge 61, Torquhan South	344300	647927
22	Riverbank protection, Pirnhouse	344469	647167
23	Underbridge 64, Watherston Culvert	344325	646697
24	Riverbank protection, Craigsbank	344303	646495
25	Underbridge 65, Watherston Bridge	344166	646031
26	Underbridge 67, Gala Bank	344308	645582
27	Riverbank protection, Millbank, Section 1	344699	645369
28	Riverbank protection, Millbank, Section 2	345158	645175
29	Riverbank protection, Lady's Park, near Stow	345420	643931
30	Underbridge 70, Luggate Bridge	345265	643137
31	Underbridge 72, Ferniehurst Water	344790	641965
32	Underbridge 73B, between Bowshank Farm and Gala Water	345187	641416
33	Underbridge 74, Bowshank North	345230	641382
34	Underbridge 77, Bowshank South	345419	641059

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

35	Riverbank protection, Bowshank South	345384	640816
36	Underbridge 78, Bowshank South	345417	640794
37	Riverbank protection, Bowland	345599	640064
38	Riverbank protection, Whitelee House	346533	639191
39	Underbridge 83, Whitelee Culvert	346668	639144
40	Underbridge 84, Whinwater	347089	638912
41	Riverbank protection, Gala Water at Torwoodlee	347292	638846
42	Underbridge 87, Torwoodlee Water	347505	637885
43	Underbridge 88, Torwoodlee Culvert	347501	637865
45	Underbridge 92, Ryehaugh Water	347568	637496
46	Underbridge 95, Kilnknowe	348260	637030
49	Underbridge 104, Red Bridge	351570	635256
50	Underbridge 45, near Heriot	339946	655241
51	Underbridge 47, near Heriot	340284	654752
52	Underbridge 48, near Heriot	340366	554513

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- 2 The authorised undertaker shall not undertake any works for the protection of river banks at sites ID8, ID9, ID11, ID22, ID24, ID27, ID28, ID29, or ID37.
- 3 The location of any work for the protection of river banks to be undertaken by the authorised undertaker at sites ID4, ID18, ID35, ID36, ID38, ID41, ID42 and ID43 shall be approved by SNH.
- 4 Before commencing the construction of any works, or carrying out any operations, at any of the sites to which this schedule applies, the authorised undertaker shall consult SNH regarding—

Status: Point in time view as at 24/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006. (See end of Document for details)

- (a) detailed engineering design;
(b) construction methods;
(c) pollution control;
(d) timing of works and operations;
(e) conservation of specific habitats or of habitats of specific species,
and shall implement such detailed mitigation measures regarding such matters as SNH may require.
- 5 The authorised undertaker shall secure that the code of construction practice is amended from time to time as appropriate so as to procure the carrying out of measures required pursuant to paragraph 4.
- 6 Where and to the extent that any measure required by paragraph 4 cannot be dealt with in the code of construction practice (as from time to time amended or replaced), it shall be specified in an agreement to which the local planning authority and the authorised undertaker are party.
- 7 Any provision amending the code of construction practice pursuant to paragraph 5, and the provisions of any agreement entered into pursuant to paragraph 6, shall have effect as a condition to which section 48 applies.

PART 2

WORKS NOT REQUIRING SPECIAL MEASURES

<i>Location ID No.</i>	<i>Description</i>	<i>Co-ordinates</i>	
<i>(1)</i>	<i>(2)</i>	<i>X</i>	<i>Y</i>
			<i>(3)</i>
12	Underbridge 5, Crookstone	341930	652185
21	Underbridge 62, Pirnhouse	344445	647576

SCHEDULE 12

(introduced by section 50)

PROVISIONS OF ORIGINAL ENACTMENTS APPLIED TO AUTHORISED WORKS

<i>Enactment</i>	<i>Provisions applied</i>
<i>(1)</i>	<i>(2)</i>
Musselburgh and Dalkeith Water Act 1871 (c.cxxxiii)	Sections 14, 15 and 16
Melrose District Water Order Confirmation Act 1904 (c.cxlvii)	In the Melrose District Water Order 1904, section 9
Edinburgh and District Water Order Confirmation Act 1904 (c.xlxxxviii)	In the Edinburgh and District Water Order 1904, section 7

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Galashiels Drainage and Burgh Extension Order Confirmation Act 1908 (c.cxxviii)	In the Galashiels Drainage and Burgh Extension Order 1908, section 16
Edinburgh Corporation Order Confirmation Act 1970 (c.lx)	In the Edinburgh Corporation Order 1970, section 25
Edinburgh Corporation Order Confirmation Act 1971 (c.xxxvii)	In the Edinburgh Corporation Order 1971, section 36

Status:

Point in time view as at 24/07/2006.

Changes to legislation:

There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006.