



# Waverley Railway (Scotland) Act 2006

## 2006 asp 13

### PART 3

#### MISCELLANEOUS AND GENERAL

#### 45 Mitigation of environmental impacts

- (1) The authorised undertaker shall employ all reasonably practicable means to ensure—
- (a) that the environmental impacts of the construction and operation of the authorised works are not worse than the residual impacts identified in the environmental statement; and
  - (b) that—
    - (i) the additional environmental mitigation measures identified in the promoter's undertakings are carried out; or
    - (ii) the environmental impacts of the construction or operation of the authorised works are not worse than they would have been had the mitigation measures referred to in sub-paragraph (i) been carried out.

- (2) In this section—

“environmental statement” means the environmental statement submitted to the Parliament as an accompanying document with the Bill for this Act, as amended by “Waverley Railway Act: Further Environmental Information (February 2005)” and the “Addendum Environmental Statement: Stow Station (January 2006)”;

“the promoter's undertakings” means all undertakings given by Scottish Borders Council as Promoter of the Bill for this Act—

- (a) to the Committee during the Consideration Stage of the Bill for this Act; or
- (b) to any person in connection with that Bill;

“residual impacts” means the environmental impacts of the construction or operation of the authorised works after the mitigation measures proposed in the environmental statement have been carried out.

**Changes to legislation:**

There are currently no known outstanding effects for the Waverley Railway (Scotland) Act 2006, Section 45.