

GLASGOW AIRPORT RAIL LINK ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Land

Compensation

Section 31 – Protection of Access at St James' Park

150. The purpose of **section 31** is to protect pedestrian and vehicular access at St James' Park. By subsection (1) when the authorised undertaker acquires title to all or any part of the land under the viaduct, it must immediately grant and register rights for pedestrian and vehicular access over that land in favour of the proprietor or proprietors for the time being of plots 75 and 78. Subsection (2) provides that the rights conferred by this section are to operate for as long as there are football pitches available for use on either side of the viaduct.
151. These access rights are subject to reasonable restrictions for the protection of the authorised works or their operation (subsection (3)) which may include the right to obstruct access temporarily across plots 76 and 83 for the purpose of maintaining the authorised works and restrictions on the nature of vehicles permitted to pass under the authorised works. However, where restrictions occur, the authorised undertaker must provide suitable alternative means of access and egress (subsection (4)).
152. Subsection (5) requires the authorised undertaker not to exercise its powers over the private access road adjoining the playing fields in a manner that would prevent access to and from plots 75 and 78 at any time during which there is a football pitch available for use on either or both of those plots.