Forth Crossing Act 2011

2011 asp 2

PART 10

MISCELLANEOUS

79 Interpretation

(1) In this Act, except where the contrary intention appears—

"the 1845 Lands Act" means the Lands Clauses Consolidation (Scotland) Act 1845 (c.19),

"the 1963 Act" means the Land Compensation (Scotland) Act 1963 (c.51),

"the 1984 Act" means the Roads (Scotland) Act 1984 (c.54),

"the 1991 Act" means the New Roads and Street Works Act 1991 (c.22),

"the 1997 Act" means the Town and Country Planning (Scotland) Act 1997 (c.8),

"Act limits" means—

(a) the land within the limits of deviation, and

(b) the land to be acquired or used,

"airport operator" has the same meaning as in section 82(1) of the Airports Act 1986 (c.31),

"ancillary works" has the meaning given by section 1(1)(b),

"book of reference" means the book of reference submitted to the Scottish Parliament as an accompanying document with the Bill for this Act, as may be corrected or modified by any revised book of reference submitted to the Parliament before the day on which the Bill for this Act is passed or in accordance with section 74,

"building" includes any structure or erection,

"carriageway" has the same meaning as in the 1984 Act,

"code of construction practice" means the document of that name which forms part of the environmental statement (as from time to time amended or replaced by any revised code submitted to the Parliament before the day on which the Bill for this Act is passed or under section 68),

"conveyance" includes—

(a) a disposition,

(b) a notice of title,

(c) a notarial instrument,

(d) a conveyance in the form set out in Schedule A to the 1845 Lands Act, and

(e) a general vesting declaration,

"development management scheme" has the same meaning as in section 71(3) of Title Conditions (Scotland) Act 2003 (asp 9),

"environmental statement" means the environmental statement submitted to the Scottish Parliament as an accompanying document with the Bill for this Act, as amended in accordance with this Act,

"the Forth Crossing" has the meaning given by section 1,

"Forth Crossing works" has the meaning given by section 1(2),

"Forth Estuary Transport Authority" means the authority of that name constituted by order made under section 69 of the Transport (Scotland) Act 2001 (asp 2) (see article 6 of the Forth Estuary Transport Authority Order 2002),

"general vesting declaration" has the same meaning as in paragraph 1 of Schedule 15 to the 1997 Act,

"holder", in relation to a real burden, has the same meaning as in the Title Conditions (Scotland) Act 2003 (asp 9),

"improvement", in relation to a road or means of access, has the same meaning as it has in the 1984 Act in relation to roads,

"interest in land" includes any servitude or other right in or over land,

"land" includes buildings, land covered with water, and any interest in land,

"land to be acquired or used" means the land shown by that description on the Parliamentary plans,

"Lands Tribunal" means the Lands Tribunal for Scotland,

"limits of deviation" means the limits of deviation shown on the Parliamentary plans,

"local authority" means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39),

"Ministers" means the Scottish Ministers,

"navigation authority" has the same meaning as in the 1984 Act,

"noise" includes vibration,

"noise and vibration policy" means the document of that name which forms part of the environmental statement (as from time to time amended or replaced under section 68),

"notice to treat" has the meaning given in section 30(1),

"occupier" includes any person entitled to occupy the land,

"Parliamentary plans" means the plans submitted to the Scottish Parliament as accompanying documents with the Bill for this Act, as may be corrected or modified by any revised plans submitted to the Parliament before the day on which the Bill for this Act is passed or in accordance with section 74,

"Parliamentary sections" means the sections and cross-sections submitted to the Scottish Parliament as accompanying documents with the Bill for this Act, as may be corrected or modified by any revised sections or cross-sections submitted to the Parliament before the day on which the Bill for this Act is passed,

"partial acquisition" means an acquisition of part only of—

(a) any house, building or factory, or

(b) any land consisting of a house with a park or garden,

where a person is able to sell the whole of the house, building, factory or land,

"personal real burden" has the same meaning as in the Title Conditions (Scotland) Act 2003 (asp 9),

"principal works" has the meaning given by section 1(1)(a),

"proposed road" has the same meaning as in the 1984 Act,

"public road" has the same meaning as in the 1984 Act,

"railway" has the same meaning as in section 23(1) of the Transport and Works (Scotland) Act 2007 (asp 8),

"real burden" has the same meaning as in the Title Conditions (Scotland) Act 2003 (asp 9),

"registration", in relation to a conveyance or other document, has the same meaning as in Title Conditions (Scotland) Act 2003 (asp 9),

"relevant railway undertaker" means—

(a) Network Rail Infrastructure Limited (company number 2904587) and any successor to that company, or as the case may be

(b) any other person who holds a network licence (within the meaning of section 83(1) of the Railways Act 1993 (c.43)) in relation to the affected railway,

"road" has the same meaning as in the 1984 Act.

(2) References to operation of the Forth Crossing works are references to the operation of the bridge, roads and structures constructed or improved by the Forth Crossing works (analogous expressions being construed accordingly).

Changes to legislation:
There are currently no known outstanding effects for the Forth Crossing Act 2011, Section 79.