
Status: This is the original version (as it was originally enacted).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

SCHEDULE

BRITISH RAILWAYS (NO. 3)

PART II

WORKS, ETC.

Works

Power to make railway

- 4 Subject to the provisions of this Order, the Board may, in the lines or situations and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections, make and maintain the following works in the Hamilton District, Strathclyde Region, with all necessary works and conveniences connected therewith:—

(Railway between Hamilton and Larkhall)

A reinstatement of part of the former railway between Hamilton and Stonehouse comprising—

Work No. 1 A railway (2,325 metres in length) commencing at Ferniegair by a junction with the Hamilton to Motherwell Railway at a point 160 metres north-east of the bridge carrying Carlisle Road (A74) over that railway and terminating at a point on the said former railway 130 metres west of the bridge carrying Lanark Road (A72) over that former railway; and

Work No. 2 A railway (2,328 metres in length) commencing by a junction with the termination of Work No. 1 and terminating at Larkhall at a point on the said former railway 68 metres north-west of the junction of Caledonian Road with Macneil Street.

Application of Act of 1845 to certain existing bridges

- 5 (1) In this section “the existing bridges” means the bridges in Hamilton District carrying Clyde Avenue and Hamilton Road over the route of the former railway between Hamilton and Stonehouse.
- (2) Nothing in the Act of 1845, as incorporated with this Order, shall be taken to—
- (a) require the Board in constructing Works Nos. 1 and 2 beneath the existing bridges to alter or reconstruct those bridges, or
 - (b) impose any responsibility on the Board for the repair and maintenance of those bridges.

Station works at Larkhall

- 6 In the construction of Works Nos. 1 and 2, the Board may—
- (a) on any part of the land numbered 34 in the Hamilton District which lies within the line marked “Limit of station works” on the deposited plans make, maintain and operate at Larkhall a railway station for the purpose of serving those works, with all necessary works and conveniences connected therewith; and
 - (b) form and lay out means of pedestrian access at points C, D and E from Caledonian Road to that station.

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Stopping up of paths

- 7 (1) Subject to the provisions of this Order, the Board may in connection with the construction of Works Nos. 1 and 2 stop up and discontinue—
- (a) so much of the path between Fairholm Street and High Avon Street, Larkhall, as lies between points X, Y and Z; and
 - (b) so much of any other path as lies within the limits of deviation other than the path between Fairholm Street and Glen View Park, Larkhall.
- (2) After any stopping up under subsection (1) above all rights of way over or along the path or portion thereof authorised to be stopped up shall be extinguished and the Board may, subject to the provisions of the Act of 1845 with respect to mines lying under or near the railway, appropriate without making any payment therefor and use for the purposes of their undertaking the site thereof.
- (3) The Board shall, at least seven days before exercising the powers of subsection (1) above, post notices at each end of every defined path or portion thereof which they intend to stop up stating that they intend to stop it up and setting out the effect of subsection (4) below.
- (4) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Board compensation to be determined in case of dispute by the tribunal.

Power to deviate

- 8 In the construction of the works the Board may—
- (a) deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation; and
 - (b) deviate vertically from the levels shown on the deposited sections to any extent not exceeding 3 metres upwards or downwards.