Waverley Railway (Scotland) Bill

Bill Number: SP Bill 8
Introduced on: 11 September 2003
Introduced by: Scottish Borders Council (Private Bill)
Passed: 14 June 2006
Royal Assent: 24 July 2006

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Passage of the Bill

The Waverley Railway (Scotland) Bill [SP Bill 8] was introduced in the Parliament on 11 September 2003. The initial 60 day period for objections ended on 10 November 2003, resulting in 118 admissible objections. The Waverley Railway (Scotland) Bill Committee was established and met for the first time on 10 February 2004. The Committee published its Preliminary Stage Report on 22 July 2005. The Parliament debated the Bill at Preliminary Stage on 28 September 2005 and agreed (104 for with 1 abstention) the general principles of the Bill and that the Bill should proceed as a Private Bill. The Parliament also passed the Financial Resolution on the Bill.

The Committee began phase one of Consideration stage on 5 October 2006 culminating in the publication of its Consideration Stage Report on 9 May 2006. The Committee also published its report on the Appropriate Assessment on the River Tweed Special Area of Conservation. The Committee completed phase two of Consideration Stage on 24 May 2006 when it considered and agreed 66 amendments to the Bill.

The Bill was passed following the Final Stage debate held on 14 June 2006 in which 114 members voted for the Bill, one abstained and one voted against. The Bill received Royal Assent on 24 July 2006.

Purpose and objectives of the Bill

The Bill authorises the construction and operation of a single track railway line, with dynamic passing loops, which will run from the end of the current Edinburgh Crossrail line at Newcraighall to Tweedbank in the Scottish Borders. The proposed line runs through Midlothian and the Scottish Borders closely following the route of the A7 road. Stations are to be built at:

- Shawfair (Midlothian)
- Eskbank (Midlothian)
- Newtongrange (Midlothian)
- Gorebridge (Midlothian)
- Stow (Scottish Borders)
- Galashiels (Scottish Borders)
- Tweedbank (Scottish Borders)
Provisions of the Bill

The Bill grants the promoter, and their successors, the powers to build the railway line as well as authorising the construction of other works associated with it. To this end the promoter is granted a power of compulsory purchase and the power to stop-up roads and footpaths where necessary.

Parliamentary consideration

During Preliminary Stage the promoter identified a number of land referencing errors whereby those identified by the promoter as adversely affected by the railway were not notified about the railway proposal and their ability to object to the Bill. As a result the Committee agreed to provide further objection periods during which 22 admissible objections were received resulting in a total of 133 admissible objections being lodged to the Bill. This delayed the Committee’s Preliminary Stage scrutiny. In addition to highlighting the impact of the land referencing errors, the Committee also highlighted other concerns in its Preliminary Stage Report. These concerns include the adequacy of the consultation undertaken by the promoter and the robustness of housing projections given their importance to the railway’s levels of patronage.

The Preliminary Stage Report was agreed by a majority with Christine May MSP publishing a minority report which questioned the economic assessment of the railway, the likely cost of construction and why a phased construction of the line to Gorebridge, with the possibility of extension to Tweedbank, had not been considered.

Although at Consideration Stage the Committee did not uphold any of the outstanding objections the Committee did recommend in its Consideration Stage Report that a station be built at Stow to address some objectors concerns. The Committee also recommended that the railway be built in its entirety to Tweedbank. The Committee then stated that, following receipt of further evidence, it was content that its outstanding Preliminary Stage concerns on consultation and housing projections had been addressed.

At Final Stage the Bill was amended to provide for a station at Stow. Two Scottish Executive amendments were also agreed by division which altered the time period during which the compulsory purchase powers are initially authorised by the Bill.