

Net Zero, Energy and Transport Committee
Tuesday 22 April 2025
14th Meeting, 2025 (Session 6)

Note by the Clerk on the Railway Closure (Exclusion) (Hairmyres) Order 2025 (SSI 2025/81)

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to the negative procedure. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [Railway Closure \(Exclusion\) \(Hairmyres\) Order 2025](#)
(SSI 2025/81)

Laid under: [The Railways Act 2005](#)

Laid on: 21 March 2025

Procedure: Negative

Deadline for committee consideration: 12 May 2025 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 15 May 2025 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: 18 May 2025

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a

meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on 1 April 2025 and reported on it in its [23rd Report, 2025](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

8. The purpose of this instrument is to exclude the planned relocation of Hairmyres railway station from the statutory closure procedures set out in sections 29 to 31 of the Railways Act 2005.
9. Under the Act, statutory closure procedures apply when there is a proposal to discontinue the use or operation of a railway station. However, the Scottish Ministers have the power, by order, to exempt certain proposals from these procedures.
10. This instrument provides for such an exemption in relation to the relocation of Hairmyres station, which is to be moved approximately 600 metres from its current location.
11. The relocation forms part of the broader East Kilbride Enhancement Project, which includes electrification of the line in support of the Scottish Government's commitment to decarbonise domestic passenger rail services.
12. The policy note states that the proposal does not involve discontinuing Hairmyres station but rather relocating it a short distance to better support the enhancement works. For this reason, the Scottish Government considers that statutory closure procedures should not apply, so it has made the order to exempt the proposal.
13. The Policy Note accompanying the instrument is included in Annexe A. It includes a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

14. So far, no motion recommending annulment has been lodged.
15. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:

- seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
- inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.

16. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).

17. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
April 2025

Annexe A: Scottish Government Policy Note

THE RAILWAY CLOSURE (EXCLUSION) (HAIRMYRES) ORDER 2025 SSI
2025/81

The above instrument was made in exercise of the powers conferred by section 38(1)(c) of the Railways Act 2005. The instrument is subject to negative procedure

Summary Box

The purpose of the instrument is to exclude the relocation of Hairmyres train station from the statutory closure process as set out in The Railways Act 2005.

Policy Objectives

A statutory closure procedure applies where it is proposed to discontinue the use or operation of a railway station, see section 29 to 31 of the Railways Act 2005. The Scottish Ministers may, among other things, exclude a station from that statutory closure procedure by way of an order.

The purpose of this proposed SSI is to provide for such an exclusion from the statutory closure procedure in respect of the relocation of the railway station at Hairmyres by 600 metres. This relocation is part of the wider East Kilbride Enhancement Project which is electrifying the route as part of the Scottish Government commitment to decarbonise domestic passenger services.

It is *not* proposed that the railway station at Hairmyres will discontinue rather it is merely being relocated a distance of 600 metres.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the “The Railway Closure (Exclusion) (Hairmyres) Order 2025” is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government’s policy to maintain alignment with the EU.

Consultation

Consultation is not required under the Railways Act 2005 in relation to this SSI.

In relation to the policy decision to relocate train station at Hairmyres, local stakeholders including Hairmyres Hospital, Strathclyde Partnership for Transport and South Lanarkshire Council were involved in discussions and planning with all parties welcoming the proposal and understanding the rationale. Public consultations were also undertaken by South Lanarkshire Council, in relation to the planning process for

Hairmyres, and Network Rail, in relation to the wider East Kilbride Enhancement Project.

Impact Assessments

[A Child Rights and Wellbeing Impact Assessment has been completed](#) on the draft SSI and is attached.

No Equality Impact Assessment was carried out on the draft SSI as a Diversity Impact Assessment had previously been undertaken to inform the policy decision to relocate Hairmyres Station.

Financial Effects

The Cabinet Secretary for Transport confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Transport Scotland, Scottish Government
March 2025