

*These notes relate to the Glasgow Airport Rail Link Act 2007  
(asp 1) which received Royal Assent on 15 January 2007*

# GLASGOW AIRPORT RAIL LINK ACT 2007

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## EXPLANATORY NOTES

### RELATIONSHIP WITH PLANNING AND RAILWAYS REGULATION

8. The development authorised by the Act will be permitted development<sup>1</sup>, so that the Act will effectively grant planning permission. The Act restricts this planning permission so that it applies only to works authorised by the Act where construction has been started within 10 years of the Act receiving Royal Assent. The position is described further in the explanation of [section 38](#) (see [paragraphs 185 to 189](#) below).
9. The Act does not state that the authorised undertaker may operate the railway and related facilities. This is because statutory authority to operate the railway will be conferred in another way. Under section 6 of the [Railways Act 1993 \(c.43\)](#) the operation (including maintenance) of a railway asset (which includes track and other infrastructure and stations) requires a licence under section 8 of that Act, and section 122 of the Act confers the benefits of statutory authority on a licensed operator. Statutory authority to operate the railway will also result from the incorporation of the [Railways Clauses Consolidation \(Scotland\) Act of 1845 \(c.33\)](#). (The incorporation of this and other Acts is explained in [paragraphs 15 to 18](#) and [63](#) and [207](#) below.)

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<sup>1</sup> “Permitted development” means development which is permitted by article 3 of the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992 \(SI 1992/223\)](#) to be carried out without the need to apply for planning permission. The precise scope of the different classes of permitted development and the conditions subject to which it is permitted are set out in Schedule 1 to the 1992 Order. The relevant class in this case is Class 29 (development authorised by private Act, etc.).