

# FORTH CROSSING ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 1 – Works

##### *Section 4 – Limits of deviation etc.*

27. **Section 4** allows for a degree of flexibility within defined limits. The Parliamentary plans show the centre line of the principal works (see **schedule 1**) and the limits of deviation around those centre lines. Subsection (1)(a) allows lateral deviation of the works from the centre line provided that the principal works remain within the limits of deviation as shown on the plans. The Act does not permit the construction of the principal works outwith the limits of deviation.
28. The Parliamentary sections show the vertical dimensions and situations of the proposed principal works. Subsection (1)(b) allows the Scottish Ministers to vary the vertical location of the principal works. The ability to deviate upwards is constrained by the provisions within **sections 2 and 3**. The ability to deviate to any extent downwards enables the Scottish Ministers to construct the principal works at whatever depth is required to achieve stability.
29. Subsection (2) enables the Scottish Ministers to carry out and maintain ancillary works (see **section 1(1)(b)**) only within Act limits which are defined at **section 78**.