
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 200

**The Transport and Works (Scotland) Act 2007
(Access to Land by the Scottish Ministers) Order 2008**

Appeal to sheriff

9.—(1) Any person who is aggrieved by—

- (a) a determination; or
- (b) the terms of any condition or limitation in relation to it, or the omission of a particular condition or limitation in relation to it,

may, by summary application, appeal to the sheriff within 28 days of the giving of the notice required by article 8(6).

(2) The sheriff in whose sheriffdom the authorised land or any part of it is situated has jurisdiction to hear an appeal under this article.

(3) The decision of the sheriff in an appeal under this article may—

- (a) dismiss the appeal;
- (b) declare the determination to be of no effect in respect of all or part of the authorised land; or
- (c) modify a determination or modify or remove a condition or limitation in relation to the determination or provide that the determination is subject to a condition or limitation.

(4) The sheriff's decision on such an appeal is final.