



# Countryside (Scotland) Act 1967

## 1967 CHAPTER 86

### PART II

#### ACCESS TO OPEN COUNTRY

#### 27 Provisions as to danger areas

- (1) The authority making an access agreement or order shall, after consulting with the owner and occupier of any land concerned, so delimit the land to which the agreement or order applies as to exclude all land which, by reason of anything done thereon or on other land contiguous or adjacent thereto, it appears to the authority expedient to exclude for the purpose of avoiding danger to the public or to persons employed on any of the said land.
- (2) Where, while an access agreement or order is in force, the authority by whom the agreement or order was made are satisfied, as respects any land to which the agreement or order applies, that by reason of anything done or proposed to be done on that land or on other land contiguous or adjacent thereto it is expedient for the purpose aforesaid that the first-mentioned land should be excluded from the operation of the agreement or order, the authority shall vary the agreement or order so as to exclude that land.
- (3) The fact that an access agreement is expressed to be irrevocable shall not prevent its variation in pursuance of the last foregoing subsection; and where the concurrence of any party to an access agreement other than the said authority, or of the successor in title to his interest, cannot be obtained to the variation of the agreement in pursuance of that subsection, the said authority may by order made with the approval of the Secretary of State vary the agreement.
- (4) A local planning authority shall have power, as respects any land which is subject to an access agreement or order, or as respects land held by the authority to which section 26(1)(b) above applies, to take such steps and carry out such work (including the erection and maintenance of fences or notices) as appear to them requisite for protecting the public from any source of danger on the land or on adjoining land.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The provisions of the last foregoing subsection shall apply to the Secretary of State as respects land for the time being held by him under section 25 above as they apply to a local planning authority as respects land held by them.
- (6) The application of section 11 above to any land shall not, in relation to any factory, magazine, store or premises already established, constitute the land an open place of resort for the public, or a public place, for the purposes of the Explosives Acts 1875 and 1923, or any order made or licence granted thereunder.
- (7) The application of the said section 11 to any land shall, in relation to any factory, magazine, store or premises subsequently established, constitute the land such a place as aforesaid for the purposes of the said Acts or any such order or licence.