



# Countryside (Scotland) Act 1967

## 1967 CHAPTER 86

### PART III

#### PUBLIC PATHS AND LONG-DISTANCE ROUTES

##### *Miscellaneous Provisions relating to Rights of Way*

#### **46 Protection and maintenance of rights of way**

- (1) It shall be the duty of a local planning authority to assert, protect and keep open and free from obstruction or encroachment any public right of way which is wholly or partly within their area, and they may for these purposes institute and defend legal proceedings and generally take such steps as they may deem expedient.
- (2) Any local authority or local planning authority may repair and maintain any public right of way (not being a road or a footpath at the side of a road) within their area, but this power shall not relieve any other authority or person from any liability with respect to such repair or maintenance.
- (3) Any person may with the consent of the local planning authority erect and maintain guide posts and direction notices on any public right of way other than a road.
- (4) Section 42 of the Local Government (Scotland) Act 1894 is hereby repealed.