



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART I

GENERAL PROVISIONS AS TO SEWERAGE

Duties and powers of local authorities

7 Agreements between highway and local authorities.

(1) Subject to the provisions of this section, [^{F1}a roads authority] and [^{F2}Scottish Water] may agree, on such terms and conditions as may be specified in the agreement, as to the provision, management, maintenance or use of their sewers or drains for the conveyance of water from the surface of [^{F3}a road] or surface water from premises.

(2) ^{F4}.....

(3) [^{F5}A roads authority or [^{F6}Scottish Water^{F6}]] shall not unreasonably refuse to enter into an agreement for the purposes of this section or insist unreasonably upon terms or conditions unacceptable to the other party, ^{F7}..., and any dispute arising under this section to which the Secretary of State is not a party as to whether or not [^{F8}a roads authority or Scottish Water] are acting unreasonably, shall be referred to the Secretary of State, who, after consultation with the [^{F9}authority concerned and Scottish Water], shall determine the dispute, and his decision shall be final.

[^{F10}(3A) In the foregoing provisions of this section, “roads authority” has the same meaning as in the ^{M1}Roads (Scotland) Act 1984.]

^{F11}(4).....

Textual Amendments

F1 Words in s. 7(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(a)(i)**; S.I. 1996/323, **art. 4(1)(b)(c)**

F2 Words in s. 7(1) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 2** (with s. 67); S.S.I. 2002/118, **art. 2**

Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.

Changes to legislation: Sewerage (Scotland) Act 1968, Section 7 is up to date with all changes known to be in force on or before 10 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F3** Words in s. 7(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(a)(iii)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F4** S. 7(2) repealed (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(a)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F5** Words in s. 7(3) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(c)(i)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F6** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 2** (with s. 67); S.S.I. 2002/118, **art. 2**
- F7** Words in s. 7(3) repealed (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(i)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F8** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(ii)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F9** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(iii)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F10** S. 7(3A) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(d)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F11** Ss. 5, 7(4), 18(4)-(6), 19 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

Marginal Citations

- M1** 1984 c. 54.

Status:

Point in time view as at 01/04/2002. This version of this provision has been superseded.

Changes to legislation:

Sewerage (Scotland) Act 1968, Section 7 is up to date with all changes known to be in force on or before 10 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.