



Education (Scotland) Act 1980

1980 CHAPTER 44

PART I

PROVISION OF EDUCATION BY EDUCATION AUTHORITIES

Provision, maintenance and equipment of schools and other buildings

18 Improvements as to premises of educational establishments for the safety of pupils

- (1) Subject to the provisions of this section, an education authority may for the purpose of reducing the risk of accident to pupils going to or returning from schools or other educational establishments in their area and under their management, or while actually present at such schools or establishments, do work to improve the safety of any private road which is used by these pupils or which is in the vicinity of such a school or establishment, and provide or arrange for the provision of safety barriers at or near the entrances to such schools and establishments.
- (2) Any work for the purpose of subsection (1) above may be undertaken by the education authority in co-operation with any other person.
- (3) For the purpose of subsection (1) above an education authority may enter on and carry out work on any land:

Provided that where an education authority propose to carry out any such work on land which is in possession of another person, the authority shall obtain the consent of the owner and of the occupier of such land, unless the owner or the occupier cannot be found.

- (4) Where an education authority propose to provide or arrange for the provision of safety barriers for the purpose of subsection (1) above on any road, the authority shall—
 - (a) if it is a public road, obtain the consent of the authority responsible for the maintenance of such road;
 - (b) if it is a private road, consult the authority responsible for the maintenance of public roads in the area in which that private road is situated.

Status: This is the original version (as it was originally enacted).

- (5) For the purposes of this section " public road " means a road or street managed and maintained by the Secretary of State or by a regional or islands council, and " private road " means any road, street or path other than a public road, and includes any ford or bridge over which a private road passes.