



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART V

ROADS AND BUILDING CONTROL

Footpaths, footways and verges

63 New access over verges and footways

- (1) Where, in the opinion of the roads authority, vehicles when driven to or from premises adjacent to a public road are habitually being taken across that road's verge or footway other than by way of a satisfactory vehicular crossing they may serve a notice on the owner or occupier of the premises requiring that—
 - (a) by such date as is specified in the notice he shall have commenced; and
 - (b) within such period thereafter as is, and to such detailed specifications as are, so specified he shall have completed,the construction of such a crossing over the affected part of the verge or footway.
- (2) A vehicular crossing constructed under or by virtue of this section shall on completion be part of the public road.
- (3) A person upon whom a notice has been served under subsection (1) above may within 28 days of such service refer the matter by summary application to the sheriff; and the decision of the sheriff on the matter shall be final.

64 Use of appliances etc. on footways, footpaths and cycle tracks

- (1) No enactment prohibiting or restricting the use of footways, footpaths or cycle tracks shall affect the use of appliances or vehicles—
 - (a) for the construction, maintenance, improvement or cleansing of a road ;
 - (b) subject to subsection (2) below, by statutory undertakers for works on footways, footpaths or cycle tracks maintainable by a roads authority, in connection with apparatus belonging to the statutory undertakers.

Status: This is the original version (as it was originally enacted).

- (2) Statutory undertakers may exercise rights enjoyed by them by virtue of subsection (1) (b) above only if they have obtained the consent of the roads authority; and such consent may be subject to such reasonable conditions as the authority think fit.
- (3) In this section " statutory undertakers" includes an authority responsible for sewerage.