

Status: Point in time view as at 31/10/1994.

Changes to legislation: Roads (Scotland) Act 1984, Cross Heading: The Control of Pollution Act 1974 (c. 40) is up to date with all changes known to be in force on or before 24 June 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)

SCHEDULES

SCHEDULE 9

MINOR AND CONSEQUENTIAL AMENDMENTS

The Control of Pollution Act 1974 (c. 40)

- 74 (1) The Control of Pollution Act 1974 shall be amended in accordance with this paragraph.
- (2) In section 13 (dustbins etc.)—
- (a) in subsection (7)(c), for the word “highways” there shall be substituted the word “roads”; and
 - (b) in subsection (7A)—
 - (i) for the word “highway”, where it first occurs, there shall be substituted the word “road”; and
 - (ii) in paragraph (a), for the words “relevant highway authority” there shall be substituted the words “roads authority”.
- (3) In section 27(1) (interference with refuse tips and dustbins etc.)—
- (a) in paragraph (a), for the words “parish or community council” there shall be substituted the words “roads authority”;
 - (b) in paragraph (b), for the word “highway” there shall be substituted the word “road”; and
 - (c) the words “or council” and from “In the application” to “1970” shall cease to have effect.
- (4) In section 32(1)(c) (control of discharge of matter other than trade or sewage effluent)—
- (a) for the words “works which a highway authority is obliged or entitled to keep open by virtue of section 10 of the Roads (Scotland) Act 1970” there shall be substituted the words “a drain which a roads authority is obliged or entitled to keep open by virtue of section 31 of the Roads (Scotland) Act 1984”; and
 - (b) for the word “highway”, where it occurs for the third time, there shall be substituted the word “roads”.
- (5) In section 62 (noise in streets)—
- (a) in subsection (1)—
 - (i) for the word “street”, where it first occurs, there shall be substituted the word “road”; and
 - (ii) the words from “In this subsection” to “public” shall cease to have effect; and
 - (b) in subsection (2)(e), for the word “highway” there shall be substituted the words “public road (within the meaning of the Roads (Scotland) Act 1984)”.

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- (6) In section 105(1) (interpretation), after the definition of “regulations” there shall be inserted the following definitions—
- ““road” (except where the context otherwise requires) has the same meaning as in the Public Utilities Street Works Act 1950;
- “roads authority” has the same meaning as in the Roads (Scotland) Act 1984;”.
- (7) In section 106 (general application to Scotland), subsection (4) shall cease to have effect.

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