



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART XIII

GENERAL

Interpretation

152 Further provision as to interpretation and certain ancillary powers.

- (1) A power conferred on a roads authority by, under or by virtue of this Act to provide, erect, construct, lay or plant includes a power to alter, remove, re-lay, or, as the case may be, re-plant; and in relation to the power conferred by section 25 of this Act also includes the power temporarily to close:

Provided that the foregoing provisions of this subsection shall not apply where the context otherwise requires or where or in so far as such application would result in overlap with, or would admit avoidance of, express provisions of this Act.

- (2) The power conferred on a roads authority by section 1(1)
or 2(1)

of this Act to determine the means of exercise of a public right of passage includes the power to redetermine by order under this subsection such means of exercise.

- (3) Subsections (1) and (2) of section 71 of this Act shall apply in relation to an order under subsection (2) above as they apply to an order under section 68 or 69 of this Act.
- (4) A local roads authority shall have power to carry out any works necessary for giving effect to an order by them under subsection (2) above; and in so far as the carrying out of any such works, or any change in the use of land resulting from any such order, constitutes development within the meaning of [F¹the Town and Country Planning (Scotland) Act 1997], permission for that development shall be deemed granted under Part III of that Act.

Status: Point in time view as at 27/05/1997. This version of this provision has been superseded.

Changes to legislation: Roads (Scotland) Act 1984, Section 152 is up to date with all changes known to be in force on or before 30 July 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)

Textual Amendments

F1 Words in [S. 152\(4\)](#) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 38\(16\)](#)

Modifications etc. (not altering text)

C1 [S. 152\(4\)](#) restricted (30.10.1994) by [S.I. 1994/2716](#), [reg. 70](#)

Status:

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