



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART IV

IMPROVEMENTS AND MAINTENANCE

Miscellaneous improvements

50 Planting of trees, shrubs and grass or other plants by roads authority

- (1) The roads authority may plant trees, shrubs, grass or other plants within, or partly within, the boundaries of a public road or of a proposed public road which is in course of construction ; and may erect and maintain guards or fences, and otherwise do anything expedient, for the maintenance and protection of trees, shrubs, grass and other plants there planted (whether or not by them).
- (2) No such tree, shrub, grass, other plant, guard or fence shall be planted (or as the case may be erected) or allowed to remain in such a situation as to hinder the reasonable use of the road (or proposed road) by persons entitled to the use thereof, or so as to be a nuisance or injurious to the owner or occupier of any land fronting or abutting the road (or proposed road).
- (3) Paragraph 23 of the telecommunications code (which provides a procedure for certain cases where works involve the alteration of telecommunication apparatus) shall, subject to subsection (4) below, apply, for the purposes of any works which may be done in exercise of the powers conferred by this section, to the roads authority.
- (4) Where the roads authority is the Secretary of State, sub-paragraph (8) of paragraph 23 of the telecommunications code (offence) shall be omitted for the purposes of the application of that paragraph to him by subsection (3) above.