



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART VI

ACCESS AND STOPPING UP

68 Power of roads authorities to stop up roads by order.

- (1) Subject to section 71(1) and (2) of this Act, the roads authority may, either on their own initiative or at the request of any person, make an order stopping up any road which they consider—
 - (a) has become dangerous to the public other than by reason of its crossing or entering the route of another road which is a public road or of its being affected by the construction or improvement of such other road; or
 - (b) is or will become unnecessary.
- (2) Before making an order under—
 - (a) subsection (1)(a) above; or
 - (b) subsection (1)(b) above on the ground that the road is unnecessary,the roads authority shall satisfy themselves that a suitable alternative road exists or that no alternative road is necessary.
- (3) An order under subsection (1)(b) above made only on the ground that a road will become unnecessary shall not come into operation until—
 - (a) the road has become unnecessary; and
 - (b) a suitable alternative road exists.
- (4) An order under subsection (1) above—
 - (a) may provide for the stopping up of a road subject to the reservation of a means of passage along the road for pedestrians, cyclists or both; and
 - (b) shall, except in a case to which section 132 of this Act applies, include provisions for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across the road to which the order relates.

Changes to legislation:

Roads (Scotland) Act 1984, Section 68 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)