



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART VIII

INTERFERENCE AND DAMAGE

Obstruction of view

84 Determination of questions arising out of section 83

- (1) A question as to whether—
- (a) a notice served under subsection (1) of section 83 of this Act shall be withdrawn as respects any requirement or restriction objected to under subsection (4) of that section; or
 - (b) any expenses were reasonably incurred by any person in carrying out directions contained in a notice served under that section,
- shall be decided—
- (i) if the parties so agree, by a single arbiter appointed by them; or
 - (ii) in default of such agreement, by the sheriff.
- (2) In determining any such question as is mentioned in paragraph (a) of subsection (1) above, the arbiter or sheriff shall have power to order that the requirement or restriction shall have effect subject to such modifications, if any, as he may direct.