



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 5

#### PUBLIC HEALTH FUNCTIONS OF LOCAL AUTHORITIES

#### *Appeals*

#### **84 Appeal to sheriff principal**

- (1) A person who appealed under section 83(1) may, with the leave of the sheriff, appeal against a decision mentioned in subsection (2) to the sheriff principal.
- (2) A decision referred to in subsection (1) is a decision of the sheriff—
  - (a) to confirm the notice appealed against;
  - (b) not to remove or vary any requirement specified in the notice.
- (3) A local authority may, with the leave of the sheriff, appeal against a decision mentioned in subsection (4) to the sheriff principal.
- (4) A decision referred to in subsection (3) is a decision of the sheriff—
  - (a) to revoke the notice appealed against;
  - (b) to remove or vary any requirement specified in the notice.
- (5) On an appeal under this section, the sheriff principal may—
  - (a) confirm the decision appealed against;
  - (b) modify that decision;
  - (c) quash that decision;
  - (d) make such other order as the sheriff principal considers appropriate.