



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART VIII

#### INTERFERENCE AND DAMAGE

##### *General obstruction*

#### **86 Removal of builders' skips causing danger or obstruction**

- (1) Notwithstanding that there is in force a permission granted under section 85 of this Act for the depositing of a builders' skip on a road, a constable in uniform may require the removal or repositioning of, or himself cause to be removed or repositioned, any builders' skip which, in his opinion, is causing, or is likely to cause, a danger or obstruction.
- (2) The roads authority may require the removal or repositioning of a builders' skip where there is a contravention of section 85 of this Act, and failing removal or repositioning within a reasonable period of time after so requiring, may remove or reposition it themselves.
- (3) Subsections (1) and (2) above are without prejudice to section 129(2) of this Act.
- (4) Any expenses reasonably incurred by the police authority under subsection (1), or the roads authority under subsection (2), above in the removal or repositioning of a builders' skip may be recovered from its owner.
- (5) The police authority or, as the case may be, the roads authority shall, where practicable, notify the owner of the skip of its removal under subsection (1) or (2) above ; but if the owner cannot be traced or if a reasonable period of time after his being so notified has elapsed and he has not recovered the skip, the police authority or roads authority may dispose of the skip and its contents.
- (6) Any proceeds of a disposal under subsection (5) above shall be used in the first place to meet the expenses reasonably incurred in the said removal and thereafter any surplus

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*Status: This is the original version (as it was originally enacted).*

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shall be given to the owner if he can be traced and if he cannot may be retained by the police authority, or roads authority, as the case may be.