



# Local Government etc. (Scotland) Act 1994

## 1994 CHAPTER 39

### PART II

#### WATER AND SEWERAGE REORGANISATION

##### *Further amendment of Water (Scotland) Act 1980*

#### **109 Right of objection to proposed laying of mains.**

In section 23 of the 1980 Act (power to lay mains), after subsection (1) there shall be inserted—

“(1A) If within two months after the service of a notice under subsection (1)(b) above the owner or occupier objects to the water authority about the proposed works (and that objection is not withdrawn), the authority shall not proceed to lay the main but shall refer the matter by summary application to the sheriff, who may—

- (a) grant consent to the proposed works, either unconditionally or subject to such terms and conditions as he thinks just; or
- (b) withhold his consent;

and the decision of the sheriff on the matter shall be final.”.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Section 109.