



Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958

1958 CHAPTER 50

2 Consents to exercise of powers under s.1.

- (1) A local authority shall not have power by virtue of section one of this Act to provide a shelter or barriers or posts in any such situation or position as is described in the first column of the following Table, except with the consent of the person named in the second column of that Table:—

TABLE

In any highway for which there is a highway authority other than the local authority, or on land abutting on any such highway.	The highway authority.
In any highway belonging to and repairable by any railway, dock, harbour, canal, inland navigation or passenger road transport undertakers and forming the approach to any station, dock, wharf or depot of those undertakers.	The undertakers.
In any highway provided and maintained for the purposes of civil aviation under section 16 (1) of the Civil Aviation Act, 1949.	The Minister.
On any bridge not vested in the local authority or on the approaches to any such bridge.	The authority or other person in whom the bridge is vested.
On any bridge carrying a highway over any railway, canal or inland navigation, or on the approaches to any such bridge,	The railway, canal or inland navigation undertakers concerned.

Status: This is the original version (as it was originally enacted).

or under any bridge carrying a railway, canal or inland navigation over a highway.

In a position obstructing or interfering with any existing access to any land or premises abutting on a highway.

The owner (as defined by the Local Government (Scotland) Act, 1947) of the land or premises.

- (2) Any consent required by this section in respect of a shelter or barriers or posts shall not unreasonably be withheld but may be given subject to any reasonable conditions, including a condition that the local authority shall remove the shelter or barriers or posts either at any time or at or after the expiration of a period if reasonably required so to do by the person giving the consent.
- (3) Any dispute as to whether a consent required by this section is unreasonably withheld or is given subject to reasonable conditions, or as to whether the removal of any shelter or barriers or posts in accordance with any condition of the consent is reasonably required shall be determined by arbitration.