



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART I

GENERAL PROVISIONS AS TO SEWERAGE

Duties and powers of local authorities

7 Agreements between highway and local authorities.

(1) Subject to the provisions of this section, [^{F1}a roads authority] and [^{F2}Scottish Water] may agree, on such terms and conditions as may be specified in the agreement, as to the provision, management, maintenance or use of their sewers [^{F3}, SUD systems] or drains for the conveyance of water from the surface of [^{F4}a road] or surface water from premises.

(2) ^{F5}.....

(3) [^{F6}A roads authority or [^{F7}Scottish Water]] shall not unreasonably refuse to enter into an agreement for the purposes of this section or insist unreasonably upon terms or conditions unacceptable to the other party, ^{F8}..., and any dispute arising under this section to which the Secretary of State is not a party as to whether or not [^{F9}a roads authority or Scottish Water] are acting unreasonably, shall be referred to the Secretary of State, who, after consultation with the [^{F10}authority concerned and Scottish Water], shall determine the dispute, and his decision shall be final.

[^{F11}(3A) In the foregoing provisions of this section, “ roads authority ” has the same meaning as in the ^{M1}Roads (Scotland) Act 1984.]

^{F12}(4)

Textual Amendments

F1 Words in s. 7(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(a)(i)**; S.I. 1996/323, **art. 4(1)(b)(c)**

Changes to legislation: Sewerage (Scotland) Act 1968, Section 7 is up to date with all changes known to be in force on or before 29 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F2** Words in s. 7(1) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 2** (with s. 67); S.S.I. 2002/118, **art. 2**
- F3** Words in s. 7(1) inserted (30.11.2007) by Water Environment and Water Services (Scotland) Act 2003 (asp 3), s. 38(1), **Sch. 3 para. 7**; S.S.I. 2007/512, art. 2(c)
- F4** Words in s. 7(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(a)(iii)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F5** S. 7(2) repealed (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(a)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F6** Words in s. 7(3) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(c)(i)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F7** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 2** (with s. 67); S.S.I. 2002/118, **art. 2**
- F8** Words in s. 7(3) repealed (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(i)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F9** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(ii)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F10** Words in s. 7(3) substituted (1.4.2002) by Water Industry (Scotland) Act 2002 (asp 3), s. 71, **Sch. 5 para. 11(b)(iii)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F11** S. 7(3A) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(7)(d)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F12** Ss. 5, 7(4), 18(4)-(6), 19 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

Marginal Citations

- M1** 1984 c. 54.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A(3) inserted by [2003 asp 3 s. 30\(1\)](#)
- s. 8(1A) inserted by [2003 asp 3 s. 30\(2\)\(a\)](#)
- s. 12(2A) inserted by [2003 asp 3 s. 30\(3\)](#)
- s. 14A-14C inserted by [2003 asp 3 s. 30\(4\)](#)
- s. 16A(3) inserted by [2003 asp 3 s. 30\(5\)](#)
- s. 29A(3)(b)(c) substituted for s. 29A(3)(b) by [2014 asp 3 sch. 3 para. 1\(2\)\(b\)](#)