



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART XIII

#### GENERAL

##### *Interpretation*

#### **152 Further provision as to interpretation and certain ancillary powers**

- (1) A power conferred on a roads authority by, under or by virtue of this Act to provide, erect, construct, lay or plant includes a power to alter, remove, re-lay, or, as the case may be, re-plant; and in relation to the power conferred by section 25 of this Act also includes the power temporarily to close:

Provided that the foregoing provisions of this subsection shall not apply where the context otherwise requires or where or in so far as such application would result in overlap with, or would admit avoidance of, express provisions of this Act.

- (2) The power conferred on a roads authority by section 1(1) or 2(1) of this Act to determine the means of exercise of a public right of passage includes the power to redetermine by order under this subsection such means of exercise.
- (3) Subsections (1) and (2) of section 71 of this Act shall apply in relation to an order under subsection (2) above as they apply to an order under section 68 or 69 of this Act.
- (4) A local roads authority shall have power to carry out any works necessary for giving effect to an order by them under subsection (2) above; and in so far as the carrying out of any such works, or any change in the use of land resulting from, any such order, constitutes development within the meaning of the Town and Country Planning (Scotland) Act 1972, permission for that development shall be deemed granted under Part III of that Act.