



Land Reform (Scotland) Act 2003

2003 asp 2

PART 1

ACCESS RIGHTS

CHAPTER 5

LOCAL AUTHORITY FUNCTIONS: ACCESS AND OTHER RIGHTS

14 Prohibition signs, obstructions, dangerous impediments etc.

- (1) The owner of land in respect of which access rights are exercisable shall not, for the purpose or for the main purpose of preventing or deterring any person entitled to exercise these rights from doing so—
 - (a) put up any sign or notice;
 - (b) put up any fence or wall, or plant, grow or permit to grow any hedge, tree or other vegetation;
 - (c) position or leave at large any animal;
 - (d) carry out any agricultural or other operation on the land; or
 - (e) take, or fail to take, any other action.
- (2) Where the local authority consider that anything has been done in contravention of subsection (1) above they may, by written notice served on the owner of the land, require that such remedial action as is specified in the notice be taken by the owner of the land within such reasonable time as is so specified.
- (3) If the owner fails to comply with such a notice, the local authority may—
 - (a) remove the sign or notice; or, as the case may be,
 - (b) take the remedial action specified in the notice served under subsection (2) above,and, in either case, may recover from the owner such reasonable costs as they have incurred by acting under this subsection.
- (4) An owner on whom a notice has been so served may, by summary application made to the sheriff, appeal against it.

Status: This is the original version (as it was originally enacted).

(5) Rules of Court shall provide—

- (a) for public notice of the making of summary applications for the purposes of this section;
- (b) for enabling persons interested in the exercise of access rights over the land to which a summary application relates, and persons or bodies representative of such persons, to be parties to the proceedings;
- (c) for limiting the number of persons and bodies who may be such parties.