CHAPTER 40

An Act to authorise local authorities in Scotland to contribute to the expenses incurred by frontagers and others in connection with the construction, maintenance or making up of private streets, new streets and footways. [17th May, 1956]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power of local authority to contribute to street works.

1.—(1) A local authority may, if they think fit, at any time contribute the whole or a portion of the expenses incurred in connection with the execution after the passing of this Act of any such street works as are referred to in any of the following enactments, that is to say—

(*a*) sections one hundred and thirty-three to one hundred and thirty-seven of the Burgh Police (Scotland) Act, 1892 (which relate to the making up of private streets and the footways thereof); 55 & 56 Vict. c. 55.

(*b*) sections one hundred and forty-one and one hundred and forty-two of the said Act of 1892 (which relate to the construction and making up of footways of streets);

(*c*) sections one hundred and fifty and one hundred and fifty-one of the said Act of 1892 (which relate to the construction of new streets);

(*d*) section thirty-nine of the Public Health (Scotland) Act, 1897 (which relates to the making up of private streets and footways in special scavenging districts); 60 & 61 Vict. c. 38.

(*e*) section sixteen of the Burgh Police (Scotland) Act, 1903 (which relates to the construction of footways of private streets): 3 Edw. 7. c. 33.

Provided that a local authority shall not make a contribution under this subsection to any person unless, having regard to all the circumstances of the case, including the financial circumstances of that person, they are satisfied that it is inequitable that he should bear the whole of the expenses incurred by him as aforesaid.

(2) A reference in the foregoing subsection to any enactment shall be construed as a reference to that enactment as amended by any other enactment and shall include a reference to that enactment as extended or applied by or under any other enactment.

(3) A local authority shall not make a contribution under this section towards any expenses incurred in connection with the execution of works in any street unless they are satisfied that the execution of those works is in the interest of public safety or that the street will be used as a public thoroughfare.

(4) In this section the expression " local authority " means a county council or a town council other than the town council of a county of a city.

Short title.

2. This Act may be cited as the Local Government (Street Works) (Scotland) Act, 1956.

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