



Local Government and Planning (Scotland) Act 1982

1982 CHAPTER 43

PART II

LOCAL AUTHORITY FUNCTIONS

25 Islands or district council's functions in relation to street cleansing

- (1) It shall be the duty of each islands and district council to undertake the cleansing of the streets in their area; and no regional council shall undertake such cleansing (other than as an agent of a district council).
- (2) An islands or district council may, with the consent of each person who has an interest in or is the occupier of any relevant land in their area, arrange for the cleansing of the land and may enter into an agreement with any such person for the payment by him of charges in respect of the cleansing.
- (3) In subsections (1) and (2) above "cleansing" means such cleansing as appears to the islands, or as the case may be district, council to be necessary in the interests of public health or safety or of the amenities of their area but does not include operations for the removal of snow or ice; in subsection (2) above "relevant land" means any land, in the open air, to which members of the public have access and which is not comprehended in a street; and in subsection (1) above and in the foregoing provisions of this subsection "street" means—
 - (a) any road maintained by a highway authority and over which there is a public right of passage for vehicles ; or,
 - (b) any paved, macadamised, asphalted, flagged, cobbled or similarly surfaced way over which there is a public right of passage on foot only and which is maintained by the islands or district council or by a regional council;

but the expression does not include a trunk road within the meaning of section 50(1) of the Roads (Scotland) Act 1970 or a special road within the meaning of the Special Roads Act 1949.