

SCHEDULES

SCHEDULE 13

MINOR AND CONSEQUENTIAL AMENDMENTS

The Local Government and Planning (Scotland) Act 1982 (c. 43)

- 128 (1) The Local Government and Planning (Scotland) Act 1982 shall be amended in accordance with this paragraph.
- (2) For section 9 (re-allocation of responsibility for certain local authority functions relating to the countryside) substitute—

“9 Part II of Schedule 1 to continue to have effect

Part II of Schedule 1 to this Act (amendment of certain enactments relating to the countryside) shall continue to have effect.”.

- (3) In section 14 (islands or district council’s duties in relation to the provision of recreational, sporting, cultural and social facilities and activities)—
- (a) in subsection (1), for “an islands or district council” substitute “a local authority”;
 - (b) in subsection (2), the words “regional or islands council as” shall cease to have effect; and
 - (c) after that subsection add—

“(3) In subsection (2) above, “water authority” shall be construed in accordance with section 62 of the Local Government etc. (Scotland) Act 1994.”.
- (4) In section 15(2) (local authority’s powers in relation to provision of recreational, sporting etc. facilities), for “An islands or district council” substitute “A local authority”.
- (5) In section 16 (provisions supplementary to section 15)—
- (a) in subsection (1)—
 - (i) for “an islands or district council” substitute “a local authority”;
 - (ii) for paragraph (b) substitute—

“(b) maintain a body for the promotion of a recreational, sporting, cultural or social activity;”;
 - (iii) in each of paragraphs (c), (g)(ii) and (k)(ii), for “council”, wherever it occurs, substitute “authority”; and
 - (b) in subsection (2)—
 - (i) for “an islands or district council” substitute “a local authority”; and
 - (ii) in paragraph (a), for “council” substitute “authority”.

Status: This is the original version (as it was originally enacted).

- (6) For section 17 (power of regional council to contribute towards provision of recreational etc. facilities) substitute—

“17 Power of local authority to contribute towards provision of cultural activities and facilities

- (1) A local authority may contribute by way of grant or loan towards the expenses of any organisation or body which, in the opinion of the authority, provides or promotes the provision of cultural activities or facilities whether inside or outside the area of the local authority concerned.
- (2) Without prejudice to the generality of subsection (1) above, the power conferred by that subsection includes power to make such contribution as will support or promote music, theatre, dance, opera, visual art or other art forms and museums and galleries.”.
- (7) In section 18 (byelaws in relation to recreational, sporting etc. activities)—
- (a) in subsection (1)—
- (i) for “an islands or district council” substitute “a local authority”; and
- (ii) for “council” substitute “authority”;
- (b) in subsection (2)(b), for “council” substitute “local authority”; and
- (c) in subsection (3), for “council”—
- (i) where it first occurs, substitute “local authority”; and
- (ii) where it secondly occurs, substitute “authority”.
- (8) In section 24(1) (provision of gardening assistance for certain persons), for “An islands or district council” substitute “A local authority”.
- (9) In section 25 (local authority’s functions in relation to cleansing of land)—
- (a) in subsection (2), for “An islands or district council” substitute “A local authority”; and
- (b) in subsection (3), for “islands or as the case may be district council” substitute “local authority”.
- (10) In section 26(1) (local authority’s functions in relation to the provision of public conveniences), for “An islands or district council” substitute “A local authority”.
- (11) In section 27 (local authority’s functions in relation to provision of a market)—
- (a) in subsection (1)—
- (i) for “An islands or district council” substitute “A local authority”; and
- (ii) in paragraph (b)(i), for “council” substitute “authority”;
- (b) in subsection (3), for “An islands or district council” substitute “A local authority”; and
- (c) in subsection (4), the words from “Without” to “Act” shall cease to have effect.
- (12) In section 28 (local authority’s functions in relation to the provision of clocks)—
- (a) for “An islands or district council” substitute “A local authority”; and
- (b) in paragraph (b), for “council” substitute “authority”.

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

- (13) In section 30(1), for the words from “an islands” to “may”, where it first occurs, substitute “a local authority may, with the consent of the roads authority”.
- (14) In section 67 (interpretation), immediately before the definition of “the 1972 Act” insert—
- ““local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;”.
- (15) Part I of Schedule 1 (which re-allocates certain functions relating to the countryside) shall cease to have effect.