



Local Government and Planning (Scotland) Act 1982

CHAPTER 43

LOCAL GOVERNMENT AND PLANNING (SCOTLAND) ACT 1982

PART I

VALUATION AND RATING ETC.

- 1 In section 5 of the Local Government (Scotland) Act 1966...
- 2
- 3 Redetermination of estimated aggregate amount of rate support grants.
- 4 Rating of plant and machinery.
- 5 Valuation of and reduction and remission of rates payable in respect of communal accommodation for single people.

PART II

LOCAL AUTHORITY FUNCTIONS

- 6 Effect of specific power or duty to incur expenditure at one tier of local government on exercise of general such power at different tier.
- 7 Functions of local authority in relation to industrial promotion.
- 8 Power of local authority to enter into arrangements under Employment and Training Act 1973.
- 9 Part II of Schedule 1 to continue to have effect.
- 10 Re-allocation of responsibility for the establishment of nature reserves.
- 11 Islands or district council's functions in relation to tourism.
- 12 Regional or islands council's functions in affording assistance for rural bus services.
- 13 Local authorities' functions in relation to the provision of caravan sites.

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- 14 Islands or district council's duties in relation to the provision of recreational, sporting, cultural and social facilities and activities.
- 15 Islands or district council's powers in relation to the provision of recreational, sporting, cultural and social facilities and activities.
- 16 Provisions supplementary to section 15.
- 17 Power of local authority to contribute towards provision of cultural activities and facilities.
- 18 Byelaws in relation to recreational, sporting, cultural and social activities.
- 19 Interpretation of and savings in relation to sections 14 to 18.
- 20 In section 154 of the 1973 Act (which transfers rights,...
- 21 Transfer of responsibility for flood warning systems from regional councils to river purification boards.
- 22 Re-allocation of responsibility for the enforcement of certain provisions of the Food and Drugs (Scotland) Act 1956.
- 23 General powers of local authority to assist community council.
- 24 Islands or district council's functions in relation to the provision of gardening assistance for the disabled and the elderly.
- 25 Islands or district council's functions in relation to street cleansing.
- 26 Islands or district council's functions in relation to the provision of public conveniences.
- 27 Islands or district council's functions in relation to the provision of a market.
- 28 Islands or district council's functions in relation to the provision of clocks.
- 29 Power to repeal local statutory provisions which are superseded by provisions of this Act.
- 30 Power of islands and district councils to provide and maintain roadside seats.
- 31 Cessation of regional, council's functions as regards war memorials.
- 32 Delegation of functions by sub-committees of local authorities.
- 33 Consequential transfer of officers of local authorities.
- 34 Consequential transfer of property of local authorities.
- 35 Arbitration under section 33(4) or 34(5).

PART III

PLANNING

- 36 Secretary of State's discretion as regards public examination of structure plans.
- 37 Proposals for alterations to structure plans.
- 38 Inquiries with respect to local plans.
- 39 Modification of local plans.
- 40 Alteration of local plans.
- 41 Publication of notices of planning applications.
- 42 Publication of notices of planning applications.
- 43 Power of regional planning authority to take enforcement action.
- 44 Register of waste land, enforcement and stop notices.
- 45 Power of local authorities to recover cost of various orders.
- 46 Power of planning authorities to vary planning permission.
- 47 Restriction on further appeal following decision of Secretary of State on appeal under section 63A, 85 or 93 of the 1972 Act.
- 48 Further amendments of the 1972 Act.

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

- 49 Power of local authority to make an advance for the acquisition of land or erection of buildings.
- 50 Power of local authority incur expenditure for certain purposes not otherwise authorised.
- 51—55
- 56 Maintenance of sewage treatment works and waterworks.
- 57 Liability of water authorities etc. for damage caused by escapes of water onto agricultural or forestry land.
- 58 Power of water authority to require separate service pipes in cases of interference with water supply.
- 59 Exemption from charges for water for fire fighting.
- 60 Approved duties of councillors and allowances in respect thereof.
- 61 Abolition of Amenity Committee.
- 62 Abolition of Staff Commission for Scotland.
- 63 Abolition of Property Commission for Scotland.

Supplementary

- 64 Savings in respect of byelaws.
- 65 Consequential, transitional and supplementary provisions.
- 66 Amendments and repeals.
- 67 Interpretation.
- 68 Expenses.
- 69 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Re-allocation of Functions Relating to the Countryside
Part I

Part II — CONSEQUENTIAL AMENDMENT OF ENACTMENTS

The Local Government (Development and Finance) (Scotland) Act 1964 (c. 67)

- 1 At the end of section 3 (supplementary provisions in relation...

The Countryside (Scotland) Act 1967 (c. 86)

- 2 In section 12 (Countryside Commission to consult with local planning...
- 3 In section 13(1) (power to make access agreement), for the...
- 4 In section 14(1) (power to make access order) for the...
- 5 In section 16(5) (enforceability etc. of access agreement), for the...
- 6 In section 17(4) (works for giving effect to access agreement),...
- 7 In section 18(1) (enforcement of access), for the words from...
- 8 In section 20 (compensation for access orders), for the words...
- 9 In section 24(1) (acquisition of land for public access), for...
- 10 In each of sections 27(4) (taking of steps to protect...
- 11 In section 31(1) (compulsory powers for creation of public paths),...

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- 12 In section 32 (powers of planning authority in relation to...
- 13 In section 33(1) (making up and maintenance of public paths),...
- 14 In section 34(1) (closure of public paths), for the words...
- 15 In section 35 (diversion of public paths)—
- 16 In section 38(3) (supplementary provisions as regards public path creation,...
- 17 For subsection (5) of section 49 (interpretation of provisions relating...
- 18 For subsection (3) of section 50 (interpretation of provisions relating...
- 19 For subsection (2) of section 51 (power to provide parking...
- 20 For subsection (2) of section 52 (exercise of powers under...
- 21 In section 54 (byelaws as respects country parks and local...
- 22 In section 55(1) (default powers of Secretary of State as...
- 23 In section 56 (byelaws as to pleasure boats), in subsection...
- 24 In section 65(5) (authorities which may appoint wardens as respects...
- 25 In section 69(3) (powers of planning authority as regards acquisition,...

Schedule 2 — Amendments of Town and Country Planning (Scotland) Act 1972

- 1 In subsection (1) of section 16 (which makes supplementary provision...
- 2 In section 22 (which relates to the form and content...
- 3 In section 24 (which provides for notification of applications to...
- 4 In section 25 (which relates to publicity for planning applications...
- 5 In subsection (2) of section 26 (which relates to the...
- 6 In section 28 (which provides for the regulation of the...
- 7 In subsection (1) of section 29 (which relates to permission...
- 8 After section 30 there shall be inserted the following section—...
- 9 At the end of section 31 (which relates to registers...
- 10 In section 32 (which relates to the reference of applications...
- 11 In section 33 (which relates to appeals against planning decisions)—...
- 12 In section 34 (which relates to appeals in default of...
- 13 In section 39(2)(a) (which relates to outline planning permission), for...
- 14 At the end of section 50 (which provides for agreements...
- 15 In section 54 (which relates to the control of works...
- 16 After the said section 54 there shall be inserted the...
- 17 In section 63 (which relates to the proper maintenance of...
- 18 After section 63 there shall be inserted the following section—...
- 19 In section 84 (which relates to the power to serve...
- 20 In section 85 (which relates to appeals against enforcement notices)—...
- 21 In section 86 (which relates to the continuing contravention of...
- 22 In section 87(8)(b) (which relates to the continuing contravention of...
- 23 In section 88 (which relates to the execution and cost...
- 24 In section 89(4) (which relates to the reinstatement of buildings...
- 25 After section 89 (which provides for the continuation in force...
- 26 In section 92 (which relates to the power to serve...
- 27 In section 93 (which relates to appeals against listed building...
- 28 In section 94(2) (which relates to the continuing contravention of...
- 29 In section 98(3) (which relates to the continuing contravention of...
- 30 In section 100(1) (which relates to the continuing contravention of...
- 31 In section 101(2) (which relates to the continuing contravention of...
- 32 In the proviso to subsection (4) of section 136 (which...
- 33 At the end of section 169 (which relates to the...
- 34 After section 229 there shall be inserted the following section—...
- 35 In section 231(3) (which relates to the validity of certain...
- 36 In section 232 (which relates to the procedure for questioning...

- 37 At the end of section 254 (which relates to agreements...
- 38 In subsection (8) of section 262A (the which section relates...
- 39 In section 262B(1) (which relates to proposals for the preservation...
- 40 In section 265— (a) in subsection (1)—
- 41 In section 266(2) (which relates to the wilful obstruction of...
- 42 At the end of section 272 (which relates to combined...
- 43 In sub-paragraph (2) of paragraph 5 of Schedule 10 (which...

Schedule 3 — Minor and Consequential Amendments

The Public Libraries Consolidation (Scotland) Act 1887 (c. 42)

- 1 In section 2 (which makes provision as regards the interpretation...

The Local Government Act 1948 (c. 26)

- 2 In section 133(3)(ii) (which provides for the interpretation of certain...

The Caravan Sites and Control of Development Act 1960 (c. 62)

- 3 In Schedule 1— (a) in paragraph 10(1) (which relates to...

The Trustee Investments Act 1961 (c. 62)

- 4 In section 7(3) (which interprets the expression “Consolidated Loans Fund”...

The Local Government (Scotland) Act 1966 (c. 51)

- 5 In section 2(2) (which relates to the determination of the...
- 6 In section 3 (which provides for the making of rate...
- 7 In section 4 (which relates to the variation of rate...

The Countryside (Scotland) Act 1967 (c. 86)

- 8 In section 31 (which makes provision as regards the compulsory...
- 9 In section 34 (which makes provision as regards the closure...
- 10 In section 35 (which makes provision as regards the diversion...
- 11 In Schedule 3 (which comprises provisions as to the making,...

The Roads (Scotland) Act 1970 (c. 20)

- 12 In section 21(2) (which makes provision as regards expenses incurred...

The Local Government (Scotland) Act 1973 (c. 65)

- 13 In section 31(1)(a) (which makes provision as regards disqualification from...
- 14 In section 38(4)(a) (which provides that allowances are not to...
- 15 In section 67 (which makes provision as regards the disqualification...
- 16
- 17 In section 94— (a) in subsection (1B) (which relates to...
- 18–20
- 21 In section 163(3) (which designates the local authority for the...
- 22 In section 172(3) (which makes provision as regards interpretation), after...
- 23 In section 176 (which makes provision as regards local plans)—...

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- 24 For section 179 (which makes provision as regards applications for...
- 25 In section 181(2) (which, among other things, empowers a regional...
- 26 In Schedule 7 (which relates to meetings and proceedings of...
- 27 In Column 2 of Part I of Schedule 22 (which...
- 28 In Column 2 of Part 11 of Schedule 22 (which...

The Housing (Scotland) Act 1974 (c. 45)

29–33

The Safety of Sports Grounds Act 1975 (c. 52)

- 34 In section 11 (which relates to powers of entry in...

The Electricity (Scotland) Act 1979 (c. 11)

35, 36

The Education (Scotland) Act 1980 (c. 44)

- 37 In section 1 (which imposes a duty on education authorities...
- 38 In section 6(1) (which among other things empowers for certain...

The Tenants' Rights, Etc. (Scotland) Act 1980 (c. 52)

39, 40

The Local Government, Planning and Land Act 1980 (c. 65)

- 41 In section 70 (which provides for grants in respect of...
- 42 In paragraph 33 of Schedule 32 (which makes provision as...

The Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23)

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Schedule 4 — Repeals
 Part I — GENERAL
 Part II — POWERS OF ENTRY

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