



# Local Government and Planning (Scotland) Act 1982

## 1982 CHAPTER 43

### PART II

#### LOCAL AUTHORITY FUNCTIONS

#### 16 Provisions supplementary to section 15.

- (1) Without prejudice to the generality of their powers under section 15 of this Act, [<sup>F1</sup>a local authority] may, for the purposes of their functions under subsection (2) of that section—
- (a) provide entertainment of any kind;
  - [<sup>F2</sup>(b) maintain a body for the promotion of a recreational, sporting, cultural or social activity;]
  - (c) permit any facility provided by the [<sup>F3</sup>authority] under the said section 15 to be run by another person on such conditions (including conditions as to the charges if any)—
    - (i) to be imposed on the person in respect of the rights thereby enjoyed by him; or
    - (ii) which may be imposed by the person on members of the public for admission to, or use or enjoyment of, that facility, as the authority think fit;
  - (d) use for the purposes of an entertainment provided, or a recreational, sporting, cultural or social activity provided or promoted, by them any facility (or any part thereof) provided by them under the said section 15;
  - (e) charge for admission to any facility provided by them under the said section 15 or for admission to or participation in, and for any programme supplied at or in connection with, any such entertainment or activity as is mentioned in paragraph (d) above;

---

*Changes to legislation: There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 16. (See end of Document for details)*

---

- (f) accept the right to manage and control a park devoted or partly devoted to public use from the owner of that park or from any other person entitled to transmit that right;
  - (g) enter into an agreement with the owner of any park or with any other person whereby—
    - (i) access to the park for the public is obtained or enhanced; or
    - (ii) provision is made for management and control of the park by the <sup>F3</sup>authority];
  - (h) let as a shop, stall or restaurant a building in a park under their management and control;
  - (i) set apart some of any such park for any purpose which they consider appropriate having regard to their functions under the foregoing provisions of this section and under the said section 15;
  - (j) do anything necessary to defend a public right in any park; or
  - (k) conduct, either by themselves or in collaboration with a voluntary organisation or other person, a competition in connection with a sporting or recreational activity; and with regard to that competition—
    - (i) paragraph (e) above shall apply as it applies to any such entertainment or activity as is mentioned in paragraph (d) above; and
    - (ii) the <sup>F3</sup>authority] may provide trophies and prizes.
- (2) Without prejudice to the generality of their powers under section 15 of this Act, <sup>F4</sup>a local authority] may contribute—
- (a) by way of grant or loan towards expenses incurred, or to be incurred, as regards recreational, sporting, cultural or social facilities or activities by a voluntary organisation or other person, not being a local authority, in providing or maintaining such facilities (or, as the case may be, in providing or promoting such activities) if the <sup>F5</sup>authority] have powers themselves, under the said section 15 or under the foregoing provisions of this section, to provide such facilities or activities;
  - (b) by way of grant towards expenses incurred, or to be incurred, by another local authority in providing or maintaining any such facility or in providing or promoting any such activity;
  - (c) by way of grant towards expenses incurred, or to be incurred, by a harbour authority (within the meaning of the <sup>M1</sup>Harbours Act 1964) in providing, maintaining, managing or improving a harbour which is used (or is to be used) wholly or partly for sporting or recreational purposes; or
  - (d) towards the cost of maintaining a park owned by another person and to which the public are afforded access for recreation.

#### Textual Amendments

- F1** Words in s. 16(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(5)(a)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F2** S. 16(1)(b) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(5)(a)(ii)**; S.I. 1996/323, **art. 4(1)(c)**
- F3** Words in s. 16(1)(c)(g)(ii)(k)(ii) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(5)(a)(iii)**; S.I. 1996/323, **art. 4(1)(c)**
- F4** Words in s. 16(2) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(5)(b)(i)**; S.I. 1996/323, **art. 4(1)(c)**

---

**Changes to legislation:** There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 16. (See end of Document for details)

---

**F5** Word in s. 16(2) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(5)(b)(ii)**; S.I. 1996/323, **art. 4(1)(c)**

---

**Modifications etc. (not altering text)**

**C1** S. 16 extended (8.9.2000) by 2000 asp 10, s. 9(2)(b), **Sch. 3 para. 6(1)** (with s. 32); S.S.I. 2000/312, **art. 2**

---

**Marginal Citations**

**M1** 1964 c. 40.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 16.