



Local Government and Planning (Scotland) Act 1982

1982 CHAPTER 43

PART II

LOCAL AUTHORITY FUNCTIONS

24 Islands or district council's functions in relation to the provision of gardening assistance for the disabled and the elderly.

- (1) [^{F1}A local authority] may provide, or arrange for the provision of, gardening assistance for persons who require such assistance by reason of physical disability, chronic illness or old age.
- (2) Section [^{F2}211(1)(b) of the Housing (Scotland) Act 1987] (which requires a local authority to charge for services provided by them under the terms of the tenancy of a house) shall not apply in relation to assistance provided under subsection (1) above; but the local authority shall recover from any person availing himself of that assistance such charges as appear to them to be reasonable (unless the person's circumstances are such as to render any charge inappropriate).
- (3) Without prejudice to the validity of any [^{F3}determination that may be made or instruction that may be given, for the purposes of an unpaid work or other activity requirement imposed in a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995 (c.46), by the responsible officer in relation to the order,] a local authority shall not provide, or arrange for the provision of, such assistance as is mentioned in subsection (1) above except in accordance with, and in so far as empowered by, the foregoing provisions of this section.

Textual Amendments

- F1** Words in s. 24(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(8)**; S.I. 1996/323, **art. 4(1)(c)**
- F2** Words substituted by **Housing (Scotland) Act 1987** (c. 26, SIF 61), ss. 335, 339(2), **Sch. 23 para. 27**

Changes to legislation: *There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 24. (See end of Document for details)*

F3 Words in s. 24 substituted (1.2.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), s. 206(1), [Sch. 2 para. 34](#); S.S.I. 2010/413, art. 2, Sch. (with art. 3(1))

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 24.