



Local Government and Planning (Scotland) Act 1982

1982 CHAPTER 43

PART II

LOCAL AUTHORITY FUNCTIONS

27 Islands or district council's functions in relation to the provision of a market.

- (1) [^{F1}A local authority] may establish and hold a market, may provide market buildings and may—
- (a) provide in any such market or market buildings—
 - (i) stalls or stands;
 - (ii) warehouses, offices, shops or stores; and
 - (iii) premises for supplying food and refreshments (including [^{F2}alcohol, within the meaning given by section 2 of the Licensing (Scotland) Act 2005]);
 - (b) impose—
 - (i) such conditions for the use of the market or market buildings by stallholders or other persons as the [^{F3}authority] consider appropriate; and
 - (ii) such charges in relation to such use or for entrance to the market or market buildings as will be sufficient to meet the expenses of the authority in carrying out their functions under this section;
 - (c) make byelaws regulating the market, the activities of persons selling goods therein and the behaviour of the public while therein; and
 - (d) do such other things as they consider expedient for the purposes of the market.
- (2) Byelaws made under subsection (1)(c) above may provide that a person contravening certain provisions of the byelaws commits an offence and is liable, on summary conviction, to a fine not exceeding [^{F4}level 2 on the standard scale].
- (3) [^{F5}A local authority] may—

Changes to legislation: There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 27. (See end of Document for details)

- (a) discontinue the whole, or any part, of a market established under subsection (1) above by them; and
 - (b) grant exemption from a condition imposed under subsection (1)(b)(i) above, charge imposed under subsection (1)(b)(ii) above or byelaw made under subsection (1)(c) above.
- (4) ^{F6} . . ., nothing in the foregoing provisions of this section affects any existing right of a local authority to establish or regulate a market or to fix a market place.
- (5) In the foregoing provisions of this section the expression “market” shall be construed generally and not as limited to a place where a market is held by virtue of a grant from the Crown or of prescription or under statutory authority.

Textual Amendments

- F1** Words in s. 27(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(11)(a)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F2** Words in s. 27(1)(a)(iii) substituted (1.9.2009 at 5.00 a.m.) by The Licensing (Scotland) Act 2005 (Consequential Provisions) Order 2009 (S.S.I. 2009/248), art. 1(1), **Sch. 1 para. 3** (with art. 3)
- F3** Words in s. 27(1)(b)(i) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(11)(a)(ii)**; S.I. 1996/323, **art. 4(1)(c)**
- F4** Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **s. 289G**
- F5** Words in s. 27(3) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 128(11)(b)**; S.I. 1996/323, **art. 4(1)(c)**
- F6** Words in s. 27(4) repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 128(11)(c), **Sch. 14**; S.I. 1996/323, **art. 4(1)(c)(d)**, SCh. 2

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Section 27.