

LOCAL GOVERNMENT IN SCOTLAND ACT 2003

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 3 – Power to advance well-being

Section 20 – Power to advance well-being

55. This section sets out the power for local authorities to advance well-being.
56. *Subsection (1)* enables a local authority to do anything it considers likely to promote or improve the well-being of its area, persons in that area, or both of these. *Subsection (2)* sets out potential activities that may be undertaken using the power to advance well-being. This list is illustrative rather than limiting.
57. *Subsection (3)* allows flexibility in the way the power may be used. The power may be used in relation to the whole local authority area or any part of that area, for example, to a council-wide project covering the whole council area or to a project for a particular community; a particular town; or a particular island within the area. Similarly, the power may be used in relation to all or some of the persons within a local authority area – for example, to benefit all residents, a particular group such as tourists to the area or commuters into the area. *Subsection (4)* enables a local authority to use the power outwith its geographical area if it considers doing so is likely to promote or improve the well-being of its own area and/or persons within its area.
58. *Subsection (5)* enables the Scottish Ministers, by order, to extend the meaning of “well-being”. This power might be used if, for example, the common understanding of the phrase becomes narrower or changes significantly over time.