CHAPTER iv

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Clydebank Burgh. [9th March 1949.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is requisite that the said Order should be confirmed by Parliament: 26 Geo. 5. & 1 Edw. 8. c. 52.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Clydebank Burgh Order Confirmation Act 1949. Short title.

SCHEDULE

CLYDEBANK BURGH EXTENSION

Provisional Order to extend the boundaries of the burgh of Clydebank to make provision with respect to the local government and health of the said burgh and for other purposes.

WHEREAS the burgh of Clydebank (hereinafter called " the burgh ") in the county of Dunbarton is under the government for municipal purposes of the provost magistrates and councillors of the burgh of Clydebank (hereinafter called " the Town Council "):

And whereas it is necessary to provide for the erection of houses for the accommodation of persons employed in the burgh for the relief of overcrowding and for the clearance of slum and sub-standard property and to rehouse persons displaced by the planning proposals of the Town Council:

And whereas the lands available within the existing burgh for the erection of dwelling-houses are limited and additional lands will be required for such purposes:

And whereas the area described in the First Schedule to this Order is situated in the county of Dunbarton and immediately adjoins the existing burgh:

And whereas it is expedient and would be for public and local advantage that the boundaries of the existing burgh should be extended and should include the said area as provided by this Order and that all franchises rights privileges and immunities of and pertaining to the existing burgh and the powers and jurisdictions of the Town Council and all other powers and jurisdictions applicable within the existing burgh should as provided by this Order be extended to and be applicable within the burgh as extended by this Order and to the inhabitants thereof:

And whereas it is expedient that subject to the provisions of this Order the said area should be separated and disjoined for the purposes of this Order from the county of Dunbarton and that all matters of administration and management and all jurisdictions powers functions and authorities within the said area should devolve upon and be vested in the Town Council:

And whereas it is expedient that the said area should be added to one of the existing wards of the burgh as provided in this Order:

And whereas it is expedient that the compulsory limits of water supply of the Clydebank and District Water Trustees should be extended and that the Clydebank and District Water Orders 1906 to 1943 should be amended as hereinafter provided in this Order:

And whereas it is expedient that further provision should be made with reference to cleansing and sanitary matters and the local government and health of the burgh:

And whereas it is expedient that the Town Council should be authorised to borrow money for the purposes mentioned in this Order:

And whereas it is expedient that the further provisions contained in this Order should be enacted:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936: 26 Geo. 5. & 1 Edw. 8. c. 52.

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary of State orders as follows:—

PART I
PRELIMINARY

Short title.

1.—(1) This Order may be cited as the Clydebank Burgh Order 1949.

(2) This Order and the Clydebank and District Water Orders 1906 to 1943 may be cited together as the Clydebank and District Water Orders 1906 to 1949.

Commencement of Order.

2. This Order except where otherwise expressly provided shall commence and have effect on and from the date of the passing of the Act confirming this Order which date is in this Order referred to as "the commencement of this Order."

Order divided into Parts.

3. This Order is divided into Parts as follows:—

Part I.—Preliminary.
Part II.—Extension of boundaries.
Part III.—Public health sanitary cleansing &c.
Part IV.—Miscellaneous.

Interpretation.

4. In this Order (unless there be something in the subject or context inconsistent with or repugnant to such construction) the several words and expressions to which meanings are assigned by any public or local Act of Parliament or Order applicable within the burgh shall subject to the provisions of this Order have the same respective meanings And in this Order unless the context otherwise requires the following expressions shall have the meanings assigned to them in this section (that is to say):—

"Existing burgh" means the burgh of Clydebank within the limits and boundaries existing immediately before the sixteenth day of May one thousand nine hundred and forty-nine;

"Burgh" means the existing burgh as extended by this Order;

"Added area" means the portion of the county incorporated by this Order with the existing burgh and described in the First Schedule to this Order and shown on the map to be deposited as hereinafter provided;

"Back-court" means any recess yard area or enclosed space behind and contiguous or adjacent to any building and used in common by the tenants of separate parts of such building;

"Ward" or "wards" means ward or wards of the burgh;

"Town Council" means the provost magistrates and councillors of the existing burgh or of the burgh as the case may be;

PART I. —*cont.*

"Magistrates" means the magistrates of the existing burgh or of the burgh as the case may be;

"Town clerk" means the town clerk of the existing burgh or of the burgh as the case may be;

"County" means the county of Dunbarton;

"County council" means the county council of the county;

"District council" means any district council whose district or part of whose district is situated in the added area;

17 & 18 Vict. c. 91.

"Lands Valuation Acts" means the Lands Valuation (Scotland) Act 1854 and any Acts amending or extending the same;

"Daily penalty" means a penalty for every day on which any offence is continued after conviction therefor;

"Sheriff" means the sheriff of Stirling Dumbarton and Clackmannan and includes his substitutes.

PART II

EXTENSION OF BOUNDARIES

Commencement of Part II of Order.

5. This Part of this Order shall except as hereinafter provided come into operation on the sixteenth day of May one thousand nine hundred and forty-nine.

Extension of boundaries.

6. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend in addition to the area embraced in the existing burgh the added area as described in the First Schedule to this Order and the burgh shall be comprised within the boundaries set forth and described in the Second Schedule to this Order:

Provided that the rules prescribed by the Representation of the People Acts shall be observed and receive effect with reference to the description of boundaries contained in the said Second Schedule.

Map of burgh.

7. A map of the burgh of which eleven copies have been signed by Matthew George Fisher K.C. Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936 shall within one month after the passing of the Act confirming this Order be deposited as follows (that is to say) one copy with the town clerk one copy with the sheriff clerk of the county at his office in Dumbarton one copy in the office of the Clerk of the Parliaments House of Lords one copy in the Committee and Private Bill Office of the House of Commons one copy at the Scottish Office London one copy with the Registrar-General of Births Deaths and Marriages in Scotland one copy with the Minister of Agriculture and Fisheries one copy with the Commissioners of Inland Revenue one copy with the Commissioners of Customs and Excise one copy with the Minister of Transport and one copy with the Minister of Fuel and Power.

If there be any discrepancy between the said map and the description in the Second Schedule to this Order the said map shall be deemed to be correct and shall prevail.

Order not to affect election of members to serve in Parliament.

8. Nothing contained in this Order shall interfere with the election of members to serve in Parliament for the county and the county shall for parliamentary purposes remain in all respects as if the Act confirming this Order had not been passed.

Added area disjoined from county.

9. The added area shall be and the same is hereby for the purposes of this Order disjoined from the county.

Added area added to existing ward.

10. The added area shall be added to the Third Ward of the existing burgh and shall form part of the Third Ward of the burgh.

Register of voters.

11. For the purpose of the Acts in force for the time being relating to the registration of local government voters and the election of town councillors for the respective wards in the burgh the added area shall notwithstanding anything contained in this Order be deemed to be and to have always been a part of the burgh and to have been included in the ward specified in the section of this Order of which the marginal note is "Added area added to existing ward" for the making up of the register of voters.

Town Council to administer affairs of burgh.

12. The Town Council shall in all respects stand in relation to the administration of the affairs and property of the burgh and of property under the care and management of the Town Council in the same position in which the Town Council of the existing burgh stood before the commencement of this Part of this Order and the Town Council shall have the same rights and powers of administration of the property and affairs of the burgh and of making all usual and necessary appointments as lawfully belonged to and were exercisable or exercised by the Town Council of the existing burgh in regard thereto anything in the set usage or customs of the existing burgh to the contrary notwithstanding.

Power of Town Council and magistrates extended to burgh.

13. The Town Council and magistrates shall have possess and may exercise over the burgh and the inhabitants thereof all the jurisdictions powers rights and authorities which they respectively now have possess and exercise over the existing burgh and the inhabitants thereof whether at common law or by statute or otherwise including all powers of imposing levying and recovering rates and assessments dues and charges and all rights and privileges and immunities and obligations at present enjoyed and possessed by or incumbent on the inhabitants of the existing burgh shall subject to the provisions of this Order extend and apply to the inhabitants of the burgh.

Powers of other jurisdictions to cease.

14. Subject to the provisions of this Order all jurisdictions rights powers and duties which before the commencement of this Part of this Order were exercised or exercisable by the county council or any local or licensing or other authority within the added area or any part thereof under any public general or local or private Act of Parliament or Order shall cease and determine.

Property of existing burgh vested in Town Council.

15. Subject to the provisions of this Order all property belonging to the Town Council at the commencement of this Part of this Order or to which the Town Council is entitled or which is held or administered by any person for or on behalf of the community of the existing burgh or for the public ends and purposes thereof shall be vested in and be held by the Town Council for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the Town Council at the commencement of this Part of this Order shall be due by and exigible from the Town

PART II —*cont.*

Council and all debts due to the Town Council by any person before the commencement of this Part of this Order may be demanded and recovered from such person and received and applied by the Town Council for the behoof of the burgh.

Property and liabilities in added area vested in Town Council.

16.—(1) Subject to the provisions of this Order all property vested in held by or due or belonging to the county council in the added area shall by virtue of this Order be transferred to vested in held by and be due and belong to the Town Council and shall form part of the property and assets of the Town Council for all the estate and interests therein of the county council and shall be received held and enjoyed by the Town Council accordingly.

(2) Subject to the provisions of this Order all the powers duties liabilities debts obligations contracts and agreements of the county council in relation to the added area shall by virtue of this Order be transferred and attached to the Town Council and shall form part of the powers duties liabilities debts obligations contracts and agreements of the Town Council and be enjoyed performed paid and discharged by them.

Assessment of burgh.

17. Subject to the provisions of this Order every rate charge or assessment authorised to be requisitioned for levied and collected by the county council over the added area or any part or parts thereof which has not been actually imposed before the commencement of this Part of this Order shall thereupon cease and determine within the added area and thereafter all assessments and rates leviable within the existing burgh by the Town Council shall be leviable on and within the burgh in the same way and manner as the same are leviable on and within the existing burgh.

Assessments in added area.

18.—(1) Notwithstanding anything contained in this Order—

(*a*) during the period of ten years from the commencement of this Part of this Order the rates and assessments (excluding water rates) to be levied and recovered by the Town Council on and from the owners and occupiers respectively of all lands and heritages existing at the annexation in the added area shall not in respect of such lands and heritages in the added area in so far as such lands and heritages were situated in the parish of East Kilpatrick and the parish of West Kilpatrick or either of the said parishes before the commencement of this Part of this Order exceed an amount equal to the amount of rates and assessments (excluding water rates) levied by the county council for the year ending Whitsunday one thousand nine hundred and forty-nine; and

(*b*) notwithstanding anything contained in the Lands Valuation Acts the rates and assessments (excluding water rates) to be levied and recovered by the Town Council during the period of ten years from the commencement of this Part of this Order shall be levied by the Town Council on the amount of the rateable value of such lands and heritages (other than lands and heritages entered in the portion of the valuation roll made up by the Assessor of Public Undertakings (Scotland)) as entered in the valuation roll for

PART II. —*cont.*

the year ended Whitsunday one thousand nine hundred and forty-nine in which such lands and heritages were entered Provided that where the rateable value of any such lands and heritages so entered has been fixed with reference to a part only of the year the rateable value thereof shall for the purpose of the foregoing provision of this subsection be increased proportionately to a rateable value in respect of the whole year and any question as to whether such rateable value has been fixed with reference to a part only of the year or as to the amount of any such increase shall be referred to the sheriff whose decision shall be final.

(2) The provisions of paragraph (*b*) of subsection (1) of this section shall cease to apply to any land and heritage let to a tenant by the owner thereof in any year during the said period of ten years at an amount greater or less than the yearly rent or value set forth in the said valuation roll.

(3) If in any year during the said period of ten years any material alteration or addition shall be made on or to any of the lands and heritages referred to in subsection (1) of this section such alteration or addition shall for the purposes of the Lands Valuation Acts and any enactment relating to rating be deemed during that year and the remainder of such years to be a separate land and heritage and to have come into existence after the commencement of this Part of this Order.

(4) Any assessment required to be imposed by the Town Council in the burgh to meet expenditure requisitioned by the county council in terms of section 214 of the Local Government (Scotland) Act 1947 in excess of the expenditure so requisitioned by the said county council for the year ending the fifteenth day of May one thousand nine hundred and forty-nine may be added to the assessments to be imposed assessed levied and collected by the Town Council in the added area in pursuance of the provisions of this section. 10 & 11 Geo. 6. c. 43.

(5) Any assessments required to be imposed by the Town Council in the burgh to meet additional expenditure under any public general Act passed in the present or any future session of Parliament which is or will be applicable to the county as well as the burgh may be added to the assessments to be imposed assessed levied and collected by the Town Council in the added area in pursuance of the provisions of this section.

Recovery of assessments within added area.

19. Every rate charge or assessment which has been actually imposed by the county council within the added area or any part thereof before the commencement of this Part of this Order together with all arrears thereof shall continue to be due and payable to and may be collected and levied by the county council and by the same ways and means and under the same restrictions and regulations as if the Act confirming this Order had not been passed and shall be received and applied by the county council to and for the purposes for which the same were authorised to be levied.

Roads &c. in added area.

20. Subject to the provisions of this Order the roads streets highways lanes bridges foot-pavements and footpaths and the sewers and drains in the added area so far as the same are vested in and managed maintained and repaired by the county council shall by virtue of

PART III

PUBLIC HEALTH SANITARY CLEANSING &C.

Byelaws in respect of fried-fish shops. 60 & 61 Vict. c. 38.

30.—(1) The provisions of section 32 of the Public Health (Scotland) Act 1897 so far as relating to byelaws as to offensive businesses shall within the burgh extend to the trade or business of a fish-fryer notwithstanding that such trade or business may not have been declared to be an offensive trade in pursuance of the provisions of the Public Health Acts.

(2) Nothing in subsection (1) of this section or in any byelaws made thereunder shall apply to any café or restaurant carried on in connection with a cinematograph theatre.

Registration &c. of dealers in ice-cream and their premises.

31.—(1) (*a*) A person shall not carry on the business of a manufacturer or vendor of or dealer in ice-cream within the burgh unless he is registered by the Town Council.

(*b*) Premises shall not be used for the manufacture for sale or sale of ice-cream or for the storage of ice-cream intended for sale unless such premises are registered by the Town Council.

(*c*) Any person who contravenes the provisions of this subsection shall be guilty of an offence and on summary conviction shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (*a*) The Town Council may refuse to register any such person or premises or (after giving one month's notice in writing to the person registered or in whose name any such premises are registered) may revoke the registration of any such person or premises—

(i) as regards any person on the ground that the public health is or is likely to be endangered by any act or default of the person who is registered or who seeks to be registered as aforesaid in relation to the quality storage or distribution of the ice-cream; and

(ii) as regards any premises on the ground that the premises are not suitable to be used for the purposes aforesaid:

Provided that before refusing or revoking such registration the Town Council shall serve upon the applicant for registration or the person registered or in whose name such premises are registered a notice to appear before them not less than seven days after the date of the notice to show cause why the Town Council should not for reasons to be specified in the notice refuse to register or revoke the registration of the person or premises.

(*b*) If the Town Council refuse to register or revoke the registration of any such person or premises they shall deliver to the person applying for such registration or the person registered or in whose name the premises are registered a statement in writing of the ground or grounds on which such refusal or revocation is based Notice of the right to appeal next hereinafter mentioned shall be endorsed on every such statement.

(*c*) Any person aggrieved by any such refusal or revocation may appeal to the sheriff provided that such appeal is made within fourteen days from the date of the delivery of the statement referred to in the immediately preceding paragraph of this subsection.

PART III. —*cont.*

(*d*) Any person so appealing shall give written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal.

(3) The Town Council may make a charge not exceeding five shillings in respect of the registration of any person or premises under this section.

(4) The provisions of this section shall not in any way affect the operation of the Factories Act 1937. 1 Edw. 8 & 1 Geo. 6. c. 67.

Registration of hawkers of meat fish fruit vegetables and other articles of food liable to contamination and premises.

32.—(1) (*a*) Any person other than a person keeping open shop within the burgh for the sale of meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions who by himself or by any person employed by him sells or offers or exposes for sale from any cart barrow or other vehicle or from any basket pail tray or other receptacle any meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions; and

(*b*) Any premises used or proposed to be used within the burgh as storage accommodation for any meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions intended for sale from any such vehicle or receptacle;

shall be registered with the Town Council in the case of any such person by himself and in the case of such premises by the owner or occupier or intending owner or occupier thereof.

(2) (*a*) A person other than a person keeping open shop within the burgh for the sale of meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions shall not by himself or by any person employed by him sell or offer or expose for sale any meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions from any cart barrow or other vehicle or from any basket pail tray or other receptacle unless he is so registered as aforesaid.

(*b*) Premises shall not be used within the burgh as storage accommodation for any meat or meat food products poultry game fish butter meal bread or fruit or vegetables or any other article of food which by its nature will be liable to contamination by contact with unclean conditions intended for sale from a cart barrow or other vehicle or from a basket pail tray or other receptacle unless such premises are so registered as aforesaid.

(3) Any person who offends against the provisions of this section shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

PART III. —*cont.*

As to defective drains &c.

36. In any case where it appears to the medical officer or the sanitary inspector that any drain water-closet or soil pipe is defective or stopped up the medical officer or the sanitary inspector shall give notice to the owner or occupier of the premises to remedy the defect and if such notice is not complied with within twenty-four hours from the service thereof the Town Council may carry out the work necessary to remedy the defect and may recover the expenses incurred in that behalf from such owner or occupier.

Registration of hairdressers and barbers and premises.

37.—(1) Every person who within the burgh carries on the trade or business of a hairdresser or barber shall register his name and place of abode and also the premises in which such trade or business is carried on in a book to be kept at the offices of the Town Council for the purpose.

(2) The Town Council may make byelaws for the purpose of securing—

(*a*) the cleanliness of any premises registered under this section and of the instruments towels materials and equipment used therein; and

(*b*) the cleanliness of persons employed in such premises in regard to both themselves and their clothing.

(3) The person registered shall keep a copy of the byelaws made by the Town Council under this section displayed in the registered premises.

(4) (*a*) Any officer of the Town Council or other person duly authorised in writing in that behalf by the Town Council and if so required exhibiting his authority shall at all reasonable times be afforded by the person registered full and free power of entry into the registered premises for the purpose of inspecting such registered premises and examining whether there is any contravention of the provisions of this section or any byelaw made thereunder and any such officer or person as aforesaid shall have the like power of entry into any premises in the burgh in which the Town Council may have reasonable cause to suppose that the said trade or business is being carried on:

Provided that the powers conferred by this subsection of entering premises for the purpose of examining whether there is any contravention of any byelaw made for the purposes mentioned in paragraph (*b*) of subsection (2) of this section shall not be exercised by any officer except the medical officer or the sanitary inspector.

(*b*) Every person who refuses to permit any officer or authorised representative of the Town Council after exhibition of his authority as required by paragraph (*a*) of this subsection to enter or inspect any premises which such officer or authorised representative is authorised under the provisions of this section to enter or inspect or obstructs any such officer or representative in the execution of his duty under such provisions or under the provisions of any byelaw made under this section shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

(5) Any person carrying on such trade or business as aforesaid whose name place of abode and premises in which such trade or

PART III. —*cont.*

business is carried on have not been registered in accordance with subsection (1) of this section or whose registration has been cancelled or suspended as hereinafter provided or who contravenes any of the provisions of this section or of any byelaw made thereunder shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding two pounds and to a daily penalty not exceeding one pound and a court of summary jurisdiction may (in lieu of or in addition to imposing a penalty) order the suspension or cancellation of the registration.

PART IV

MISCELLANEOUS

Borrowing powers.

38. The Town Council may from time to time borrow at interest for the purposes of—

(*a*) the payment of any capital sum in respect of any land buildings drainage works or others taken over by the Town Council; and

(*b*) the payment of the costs charges and expenses of this Order;

such sums of money as may be necessary Provided that money so borrowed for purpose (*a*) shall be repaid within thirty years from the date or dates of borrowing and that money so borrowed for purpose (*b*) shall be repaid within five years from the commencement of this Order.

Application of moneys borrowed.

39. All moneys borrowed by the corporation under the powers of this Order shall be applied only to the purposes for which such moneys are authorised to be borrowed and to which capital is properly applicable.

Saving for emergency restrictions on borrowing. 8 & 9 Geo. 6. c. 18. 9 & 10 Geo. 6. c. 58.

40. Nothing in this Order shall authorise the exercise of any power of borrowing money or the making of any issue of capital otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 or of any orders for the time being in force made by the Treasury under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Vesting of property transferred to Town Council &c.

41. All property transferred to or vested in the Town Council by virtue of this Order shall vest in them without the necessity of recording in the register of sasines any conveyance notarial instrument notice of title or other deed or writing but for the purpose of enabling the Town Council to complete a title if thought fit to any property transferred to and vested in them by virtue of this Order by expeding a notarial instrument notice of title or otherwise this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such property in favour of the Town Council.

For protection of corporation of Glasgow.

42. The following provisions shall unless otherwise agreed on in writing between the Town Council and the corporation of the city of Glasgow (hereinafter in this section referred to as "the

PART IV. —*cont.*

corporation") apply and have effect for the protection of the corporation (that is to say):—

(1) Notwithstanding anything contained in this Order on and from the sixteenth day of May one thousand nine hundred and forty-nine the burgh of Clydebank shall subject as hereinafter in this section provided be deemed to include the added area for the purposes of the provisions of the Glasgow Corporation Sewage Order 1935 relating to the delivery reception treatment purification and disposal of sewage and ordinary surface drainage and the apportionment allocation payment and recovery of expenditure incurred for the purposes of the sewage undertaking of the corporation:

(2) The Town Council shall as far as reasonably practicable limit to a minimum the quantity of surface and subsoil water from the added area entering the sewers of the corporation and shall for this purpose adopt and carry into effect such reasonable scheme as may be agreed between the engineers of the Town Council and of the corporation respectively:

(3) Nothing contained in this Order or in any other enactment as applied to the burgh by this Order shall be construed as imposing on the corporation any obligation to enlarge or extend any sewer of the corporation into which the sewage and ordinary surface drainage of the added area is discharged or as requiring the installation by the corporation of additional pumping plant or any extension of the sewage purification works of the corporation:

(4) If any difference arises between the Town Council and the corporation under subsection (2) of this section such difference shall be referred to and determined by an arbiter mutually chosen or failing agreement by an arbiter to be appointed by the President of the Institution of Civil Engineers on the application of either party and the decision of such arbiter shall be final.

For further protection of corporation of Glasgow.

43. Nothing contained in this Order shall prejudice or affect any rights powers or privileges of the corporation of the city of Glasgow under the Glasgow Tramways Acts 1905 to 1948 or the Glasgow Gas Acts 1910 to 1948.

Recovery of penalties.

44. Any penalty under this Order or under any byelaws or regulations made under this Order unless otherwise specially provided for may be recovered in manner provided by the Summary Jurisdiction (Scotland) Acts.

Costs of Order.

45. All costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Town Council out of any funds (not being in the nature of capital) rates or revenues belonging to them or under their control or out of moneys to be borrowed by them under this Order for that purpose.

The SCHEDULES referred to in the foregoing Order

FIRST SCHEDULE

(Referred to in the section of this Order of which the marginal note is " Interpretation ")

DESCRIPTION OF THE ADDED AREA

The area lands and heritages bounded by a line commencing at a point on the parish boundaries of Old Kilpatrick and New Kilpatrick where the boundary between parcels numbered 741 and 740 on the 25-inch Ordnance survey sheet XXIII 11 Dunbartonshire 1937 edition would if prolonged southwards meet the said boundary thence in a westerly direction in a straight line to and along the north fence of road of access to Braidfield Farm to a point 60 lineal yards or thereby distant from and east of the centre of Kilbowie Road thence in a northerly direction parallel to and 60 lineal yards distant from the centre line of Kilbowie Road through parcel numbered 724 for a distance of 110 lineal yards or thereby thence in a straight line in an easterly direction to a point on the boundary between parcels numbered 724 and 727 50 yards or thereby south of the south side of Cleddans Road thence in a northerly direction in a straight line to the north side of Cleddans Road to a point 80 lineal yards or thereby distant from the junction of the boundary between parcels numbered 699 and 697 with the northern boundary of Cleddans Road thence generally in a northerly direction in a line parallel to and 60 lineal yards or thereby distant from the centre line of Kilbowie Road to the northern boundary of parcel numbered 699 thence in an easterly direction along the said boundary to its junction with the boundary between parcels numbered 698 and 699 thence in a northerly direction to the south-west corner of parcel numbered 680a thence in an easterly direction for a distance of 354 lineal yards or thereby along the northern boundary of parcels numbered 698 and 695 thence in a straight line due south for a distance of 10 lineal yards or thereby through parcel numbered 695 thence in an easterly direction in a straight line through parcel numbered 695 to the south-west corner of parcel numbered 690 thence along the southern boundary of parcel numbered 690 to the south-east corner of the said parcel thence in a northerly direction along the eastern boundary of parcel numbered 690 and in prolongation thereof across the Duntocher-Bearsden Road and through parcel numbered 689 for a distance of 333 lineal yards or thereby to a point on the south-eastern boundary of parcel numbered 624 and on the 25-inch Ordnance survey sheet XXIII 7 Dunbartonshire 1937 edition thence generally in a westerly direction along the southern boundaries of parcels numbered 624 626 630 to its junction with the south-west boundary of parcel numbered 630 thence in a north-westerly direction along the south-west boundary of the said parcel to the west corner thereof thence generally in a north-easterly direction along the south-east boundary of Auchinleck Housing Scheme and continuing in a line parallel to and distant 87 lineal yards or thereby from the centre line of

1ST SCH. —*cont.*

Auchinleck Farm Road through parcel numbered 630 to a point in line with the south-western boundary of parcel numbered 629 if prolonged south-east thence in a north-westerly direction through parcel numbered 630 along and in prolongation of the south-western boundary of parcel numbered 629 across Auchinleck Road and through parcels numbered 631 and 610 for a distance of 195 lineal yards or thereby thence in a south-westerly direction along a line parallel to and distant 87 lineal yards or thereby from the centre line of Auchinleck Road to the east bank of Cochno Burn thence generally in a north-easterly direction along the said bank of Cochno Burn to a point where the prolongation of the eastern boundary of parcel numbered 632b meets the said bank of Cochno Burn thence in a northerly direction in a line in prolongation of the eastern boundary of parcel numbered 632b to the north-east corner thereof for a distance of 37 lineal yards or thereby thence in a westerly direction along the northern boundary of parcel numbered 632b to its junction with the western boundary of parcel numbered 606 thence in a northerly direction along the eastern boundary of parcel numbered 603 to the northern boundary thereof thence in a north-easterly direction along the southern boundary of parcel numbered 604 to where it meets the west bank of the stream flowing between parcels numbered 604 and 604a thence generally in a northerly direction along the west bank of the said stream to the southern boundary of Cochno Road thence in a straight line due north across the said road and through parcels numbered 564 and 562 for a distance of 84 lineal yards or thereby from the south side of the said road thence generally in a north-easterly south-easterly and easterly direction on the line parallel to and distant 84 lineal yards or thereby from the south side of Cochno Road through parcels numbered 562 564 564a 565 566a 566 568 566 568 and 566 and across the road forming parcel numbered 569 to the east side thereof where it meets the parish boundary between the parishes of Old Kilpatrick and East Kilpatrick thence generally in an easterly and southerly direction along the parish boundary to the north-east corner of parcel numbered 621 thence in a southerly direction along the eastern boundaries of parcels numbered 1284a and 621 to the south-east corner thereof thence in an easterly direction along the southern boundaries of parcels numbered 619 and 991 to the west side of the Duntocher-Bearsden Road thence in a south-easterly direction across the Duntocher-Bearsden Road to the north-west corner of parcel numbered 1281 thence in an easterly direction along the northern boundary of parcel numbered 1281 to the north-east corner thereof thence in a southerly direction along the eastern boundary of parcels numbered 1281 1280 996 and 997 to the south-east corner of the last-mentioned parcel on the 25-inch Ordnance survey sheet XXIII 11 Dunbartonshire 1937 edition thence in a westerly direction along the southern boundary of parcel numbered 997 for a distance of 44 lineal yards or thereby where its meets the parish boundary between the parishes of Old Kilpatrick and East Kilpatrick thence in a southerly and westerly direction along the said parish boundary to the point of commencement.

SECOND SCHEDULE

(Referred to in the section of this Order of which the marginal note is " Extension of boundaries ")

BOUNDARIES OF THE BURGH

Commencing at a point in the centre of the river Clyde at the junction of the said river and the centre line of Yoker Burn and continuing along the centre line of the said river in a north-westerly direction for a distance of 5,052 yards or thereby to a point 977 yards or thereby south-east of Erskine Ferry thence continuing in a straight line in a north-easterly direction to and along the south-east boundary fence of the Clyde oil fuel depot to the south bank of the Railway—Lanarkshire and Dunbartonshire Line—thence following the said bank of the said railway in a north-westerly direction for a distance of 132 yards or thereby thence in a north-easterly direction crossing the said railway and continuing along the line of the fence between the fields numbered 896 and 967 on the 25-inch Ordnance survey sheet N.XXIII 10 Dunbartonshire 1937 edition to the southern bank of the Forth and Clyde Canal thence along the said bank in a south-easterly direction for a distance of 140 yards or thereby thence crossing the said canal to the north bank to a point where the fence between the fields numbered 899 and 966 on the said Ordnance survey sheet meets the said north bank of the canal thence continuing along the said fence in a north-easterly direction to the north side of the road from Clydebank by Old Kilpatrick to Dumbarton thence south-eastwards along the north side of the said road for a distance of 107 yards or thereby to the line of the fence between the fields numbered 900 and 902 on the said Ordnance survey sheet thence in a straight line in a northerly direction to a point on the north side of the Anniesland-Duntocher-Bowling Road 240 yards or thereby west of the junction of the said road with Mountblow Road thence following the north side of the said road in an easterly and south-easterly direction to a point where the continuation of the line of the north fence of the road of access to Braidfield Farm meets the said road thence in a straight line in an easterly direction along the line of the north fence of road of access to Braidfield Farm to a point 60 lineal yards or thereby distant from and east of the centre of Kilbowie Road thence in a northerly direction parallel to and 60 lineal yards distant from the centre line of Kilbowie Road through parcel numbered 724 for a distance of 100 lineal yards or thereby thence in a straight line in an easterly direction to a point on the boundary between parcels numbered 724 and 727 50 yards or thereby south of the south side of Cleddans Road thence in a northerly direction in a straight line to the north side of Cleddans Road to a point 80 lineal yards or thereby distant from the junction of the boundary between parcels numbered 699 and 697 with the northern boundary of Cleddans Road thence generally in a northerly direction in a line parallel to and 60 lineal yards or thereby distant from the centre line of Kilbowie Road to the northern boundary of parcel numbered 699 thence in an easterly direction along the said boundary to its junction with the boundary between parcels

2ND SCH. —*cont.*

numbered 698 and 699 thence in a northerly direction to the south-west corner of parcel numbered 680a thence in an easterly direction for a distance of 354 lineal yards or thereby along the northern boundary of parcels numbered 698 and 695 thence in a straight line due south for a distance of 10 lineal yards or thereby through parcel numbered 695 thence in an easterly direction in a straight line through parcel numbered 695 to the south-west corner of parcel numbered 690 thence along the southern boundary of parcel numbered 690 to the south-east corner of the said parcel thence in a northerly direction along the eastern boundary of parcel numbered 690 and in prolongation thereof across the Duntocher-Bearsden Road and through parcel numbered 689 for a distance of 333 lineal yards or thereby to a point on the south-eastern boundary of parcel numbered 624 on the 25-inch Ordnance survey sheet XXIII 7 Dunbartonshire 1937 edition thence generally in a westerly direction along the southern boundaries of parcels numbered 624 626 630 to its junction with the south-west boundary of parcel numbered 630 thence in a north-westerly direction along the south-west boundary of the said parcel to the west corner thereof thence generally in a north-easterly direction along the south-east boundary of Auchinleck Housing Scheme and continuing in a line parallel to and distant 87 lineal yards or thereby from the centre line of Auchinleck Farm Road through parcel numbered 630 to a point in line with the south-western boundary of parcel numbered 629 if prolonged south-east thence in a north-westerly direction through parcel numbered 630 along and in prolongation of the south-western boundary of parcel numbered 629 across Auchinleck Road and through parcels numbered 631 and 610 for a distance of 195 lineal yards or thereby thence in a south-westerly direction along a line parallel to and distant 87 lineal yards or thereby from the centre line of Auchinleck Road to the east bank of Cochno Burn thence generally in a north-easterly direction along the said bank of Cochno Burn to a point where the prolongation of the eastern boundary of parcel numbered 632b meets the said bank of Cochno Burn thence in a northerly direction in a line in prolongation of the eastern boundary of parcel numbered 632b to the north-east corner thereof for a distance of 37 lineal yards or thereby thence in a westerly direction along the northern boundary of parcel numbered 632b to its junction with the western boundary of parcel numbered 606 thence in a northerly direction along the eastern boundary of parcel numbered 603 to the northern boundary thereof thence in a north-easterly direction along the southern boundary of parcel numbered 604 to where it meets the west bank of the stream flowing between parcels numbered 604 and 604a thence generally in a northerly direction along the west bank of the said stream to the southern boundary of Cochno Road thence in a straight line due north across the said road and through parcels numbered 564 and 562 for a distance of 84 lineal yards or thereby from the south side of the said road thence generally in a north-easterly south-easterly and easterly direction on the line parallel to and distant 84 lineal yards or thereby from the south side of Cochno Road through parcels numbered 562 564 564a 565 566a 566 568 566 568 and 566 and across the road forming parcel numbered 569 to the east side thereof where it meets the parish boundary between the parishes of

2ND SCH. —*cont.*

Old Kilpatrick and East Kilpatrick thence generally in an easterly and southerly direction along the parish boundary to the north-east corner of parcel numbered 621 thence in a southerly direction along the eastern boundaries of parcels numbered 1284a and 621 to the south-east corner thereof thence in an easterly direction along the southern boundaries of parcels numbered 619 and 991 to the west side of the Duntocher-Bearsden Road thence in a south-easterly direction across the Duntocher-Bearsden Road to the north-west corner of parcel numbered 1281 thence in an easterly direction along the northern boundary of parcel numbered 1281 to the north-east corner thereof thence in a southerly direction along the eastern boundary of parcels numbered 1281 1280 996 and 997 to the south-east corner of the last-mentioned parcel on the 25-inch Ordnance survey sheet XXIII 11 Dunbartonshire 1937 edition thence in a westerly direction along the southern boundary of parcel numbered 997 for a distance of 44 lineal yards or thereby where it meets the parish boundary between the parishes of Old Kilpatrick and East Kilpatrick thence in a southerly and westerly direction along the said parish boundary to the point where the fence between the fields numbered 741 and 740 on the 25-inch Ordnance survey sheet XXIII 11 Dunbartonshire 1937 edition would if prolonged southwards meet the said boundary thence continuing south-westerly and southerly along the boundary of the parish of Old Kilpatrick to a point where the said boundary meets the centre line of the Anniesland-Duntocher-Bowling Road thence in a south-easterly direction along the centre line of the said road to a point 430 feet or thereby in a north-westerly direction along the centre line of the said road from the eastern boundary of field numbered 1193 on the Ordnance survey sheet N.XXIII 15 Dunbartonshire 1919 edition thence in a south-south-westerly direction in a straight line to a point on the boundary of the parishes of Old Kilpatrick and New Kilpatrick 31 yards or thereby north of the north side of Mill Road thence continuing southerly south-westerly south-easterly westerly and south-westerly along the boundary of the parish of Old Kilpatrick to the point of commencement.

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