CHAPTER xx

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Glasgow Corporation. [9th July 1959.]

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 Queen'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 Glasgow Corporation Order Confirmation Act 1959. Short title.

SCHEDULE

GLASGOW CORPORATION

Provisional Order to extend the time for the compulsory purchase of lands for the construction of the sewer authorised by the Glasgow Corporation Order 1953 *to empower the Corporation of the city of Glasgow to discontinue supplies of water under pressure for the purpose of hydraulic power to confer powers on the said Corporation as to the fixing of rates tolls charges and rents in respect of certain of their markets and for other purposes.*

Whereas it was provided by section 6 of the Glasgow Corporation Order 1953 that the powers granted by that Order for the compulsory purchase of lands by the Corporation of the city of Glasgow (hereinafter referred to as " the Corporation " and " the city " respectively) for the construction of the sewer (Cambuslang Sewer) authorised by that Order should cease on the thirty-first day of December nineteen hundred and fifty-five and by the Glasgow Corporation Order 1956 the said period was extended until the thirty-first day of December nineteen hundred and fifty-eight and it is expedient that the said period should be further extended as provided in this Order:

And whereas the Corporation by virtue of the powers conferred on them by the Glasgow Water Acts 1855 to 1955 furnish certain supplies of water under pressure for the purpose of providing hydraulic power:

And whereas in view of the alternative sources of power which are available the number of consumers taking supplies for the said purpose has for many years been declining and continues to decline and it is expedient that the Corporation should be authorised to cease to supply water for the said purpose and that all obligations incumbent on them with respect to such supplies should cease and determine and that the Corporation should be authorised to dispose of so much of their water undertaking as is held and used by them for the purposes of giving such supplies:

And whereas under the powers of the Glasgow Markets Acts 1865 to 1953 the Corporation own and carry on certain markets including a live cattle market a dead meat market and a horse market and it is expedient that the provisions contained in this Order with respect to the fixing of rates tolls charges and rents in respect of the said markets and in respect of the facilities or services provided by the Corporation in connection therewith and in connection with the slaughterhouses of the Corporation should be enacted:

And whereas it is expedient that the provisions contained in this Order with respect to defective sewers drains and other sanitary installations should be enacted:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the Private Legislation Procedure (Scotland) Act 1936:

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

Short title and citations.

1. This Order may be cited as the Glasgow Corporation Order 1959.

This Order and the Glasgow Markets Acts 1865 to 1953 may be cited together as the Glasgow Markets Acts 1865 to 1959.

This Order and the Glasgow Police Acts 1866 to 1957 may be cited together as the Glasgow Police Acts 1866 to 1959.

This Order and the Glasgow Sewage Acts 1935 to 1957 may be cited together as the Glasgow Sewage Acts 1935 to 1959.

This Order and the Glasgow Water Acts 1855 to 1955 may be cited together as the Glasgow Water Acts 1855 to 1959.

This Order and the Glasgow Corporation Acts 1855 to 1958 may be cited together as the Glasgow Corporation Acts 1855 to 1959.

Extension of time for compulsory purchase of lands for Cambuslang Sewer.

2. The time limited by section 6 (Period for compulsory purchase) of the Glasgow Corporation Order 1953 for the compulsory purchase of lands for the construction of the sewer (Cambuslang Sewer) authorised by the said Order as extended by section 4 (Extension of time for acquisition of lands for Cambuslang Sewer) of the Glasgow Corporation Order 1956 is hereby further extended until the thirty-first day of December nineteen hundred and sixty.

Power to Corporation to discontinue supply of water for hydraulic power purposes.

3.—(1) Subject to the provisions of this section the Corporation may cease to supply water under pressure for the purpose of hydraulic power and thereupon all obligations encumbent on the Corporation to furnish supplies of water under pressure for the said purpose shall cease and determine.

(2) Not less than five years before such supplies are discontinued by the Corporation they shall—

(*a*) give notice in writing specifying the date on which the Corporation will cease to supply water as aforesaid to every person taking a supply of water from the Corporation for the said purpose; and

(*b*) publish notice of their intention once in each of two successive weeks in some newspaper published and circulating in the city.

(3) After the date on which the Corporation cease to supply water as aforesaid they may sell or otherwise dispose of so much of their water undertaking as was held and used by them for the purposes of such supply before the said date.

55 & 56 Vict. c. cxi.

(4) As from the said date section 15 (Power to provide water for hydraulic purposes) of the Glasgow Corporation Waterworks Act 1892 shall be and is hereby repealed and sections 16 (Provisions as to charges for the supply of pumped water) and 17 (Powers and remedies for recovery &c. of rates and charges) of the said Act shall be read and have effect as if the references therein to the said section 15 were omitted therefrom.

Power to charge for market stands etc.

4.—(1) The Corporation may from time to time demand and take such rates tolls charges and rents as they may fix from any person—

(*a*) bringing any cattle into the live cattle market of the Corporation for each time that such cattle shall be exposed for sale;

(*b*) bringing any horse into the horse market of the Corporation for each time that such horse shall be exposed for sale;

(*c*) using the dead meat market of the Corporation in respect of (A) meat brought into the market and (B) the accommodation for the sale thereof;

(*d*) purchasing and removing tallow taken from animals slaughtered within the slaughterhouses of the Corporation in respect of the searching and weighing of such tallow; and

(*e*) making use of any facilities or services provided by the Corporation in connection with any of the said markets. .

(2) Before fixing any such rates tolls charges or rents the Corporation shall consult with such persons or organisations as appear to them to be representative of interests substantially affected by such rates tolls charges or rents.

(3) Words and expressions used in this section shall have the same respective meanings as in the Glasgow Markets Acts 1865 to 1953.

(4) The provisions of the Orders hereinafter specified (so far as not already repealed) are hereby repealed:—

Glasgow Corporation Order 1921—

Part VII Slaughterhouses and Markets.

Glasgow Corporation (Water &c.) Order 1953—

Section 10 (Rates for slaughterhouses and markets);

Second Schedule:

Provided that nothing in such repeal shall affect any rates tolls charges and rents levied by the Corporation under any of the said provisions or the liability of any person to the Corporation for the payment of any such rates tolls charges or rents and such rates tolls charges and rents may be recovered by the Corporation in like manner as if the Act confirming this Order had not been passed:

Provided further that notwithstanding the repeal of the said provisions the Corporation may continue to demand and take in respect of each of the several matters referred to in paragraphs (2) to (5) inclusive of section 21 (Rates for slaughterhouses and markets) of the Glasgow Corporation Order 1921 the rates tolls charges and rents in respect of such matters respectively authorised by the provisions of the Orders hereby repealed until they have fixed pursuant to subsection (1) of this section the rates tolls charges and rents to be demanded and taken in respect of the matters specified therein corresponding respectively with the matters referred to in the said paragraphs (2) to (5).

Power to remedy stopped-up sewers drains etc.

5.—(1) If it appears to the medical officer of health of the city or to a sanitary inspector of the city that on any premises in the city a common sewer private sewer drain water-closet or soil pipe is stopped up he may by notice require the owner or occupier of the premises to remedy the defect within forty-eight hours from the service of the notice.

(2) If the notice is not complied with the Corporation may themselves carry out the work necessary to remedy the defect and may subject to the next following subsection recover the expenses of so doing from the person on whom the notice was served.

(3) In proceedings under this section the court may inquire—

(*a*) whether any requirement contained in a notice served under this section or any work done by the Corporation was reasonable; and

(*b*) whether the expenses incurred by the Corporation in doing the work or any part thereof ought to be borne wholly or partly by the person on whom the notice was served;

and the court may make such order concerning the expenses or their apportionment as appears to the court to be just.

(4) In this section words and expressions to which meanings are assigned by the Glasgow Streets Sewers and Buildings Consolidation Order 1937 shall unless the subject or context otherwise requires have the same respective meanings.

Costs of Order.

6. The costs charges and expenses of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation and shall be allocated among the several undertakings and services of the Corporation in such proportions as the Corporation may deem expedient.

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ARRANGEMENT OF SECTIONS

Section

1. Confirmation of Order in schedule.
2. Short title.

SCHEDULE

GLASGOW CORPORATION

1. Short title and citations.
2. Extension of time for compulsory purchase of lands for Cambuslang Sewer.
3. Power to Corporation to discontinue supply of water for hydraulic power purposes.
4. Power to charge for market stands etc.
5. Power to remedy stopped-up sewers drains etc.
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