ELIZABETH II



1967 CHAPTER iii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Greenock Corporation. [22nd March 1967]

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: 1936 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 Greenock Corporation Order Confirmation Act 1967. Short title.

SCHEDULE

GREENOCK CORPORATION

Provisional Order to confer powers on the Corporation of Greenock with respect to lands held for parks and for other purposes.

Whereas the Corporation of Greenock (hereinafter referred to as " the Corporation ") are vested with the municipal government of the burgh of Greenock in the county of Renfrew (hereinafter referred to as " the burgh ") and are the local authority therein for police, public health, road, sanitary and other purposes:

And whereas certain lands at Broomhill Park in the burgh and other lands have been gifted to the Corporation by Sir Michael Hugh Shaw Stewart of Greenock and Blackhall, Baronet, and in terms of the deed of gift are held by the Corporation as public parks or open spaces for behoof of the inhabitants of the burgh:

And whereas it is urgently necessary that a site should be provided in the burgh for the erection by the county council of the county of Renfrew of a new school and the only land available for the purpose is part of the said Broomhill Park:

And whereas it is expedient that further provision should be made with regard to other parks in the burgh:

And whereas these purposes cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1936: 1936 c. 52.

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

Short title and citation.

1.—(1) This Order may be cited as the Greenock Corporation Order 1967.

(2) The Greenock Corporation Acts, 1909 to 1956, and this Order may be cited together as the Greenock Corporation Acts 1909 to 1967.

Interpretation.

2.—(1) In this Order—

" burgh " means the burgh of Greenock;

" Corporation " means the Corporation of Greenock;

" County Council " means the County Council of the County of Renfrew.

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment including this Order.

Application of provisions of Local Government (Scotland) Act, 1947, to certain lands.

1947 c. 43.

3.—(1) The powers of sections 163, 165, 166 and 167 of the Local Government (Scotland) Act, 1947, may be exercised by the Corporation in respect of the several lands specified in section 10 (Removal of restrictions on use of certain parks) of the Greenock Corporation Order, 1952, disponed to the Corporation by Sir Michael Hugh Shaw Stewart of Greenock and Blackhall, Baronet, by a deed of gift dated the 6th and 7th June, 1928, and recorded in the division of the General Register of Sasines applicable to the county of Renfrew on the 3rd October, 1928:

Provided that the Corporation shall not under the powers of this section appropriate, sell, feu, lease, excamb or otherwise dispose of any of the said lands without the consent of the successors of Sir Michael Hugh Shaw Stewart of Greenock and Blackhall, Baronet.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section the Corporation may, with the consent of Ardgowan Estates Limited or their successors but without other consent, sell, feu or otherwise dispone to the County Council an area of land not exceeding three acres or thereby forming part of Broomhill Park in the burgh so disponed to the Corporation.

Power to use parts of parks for road widenings.

4. Notwithstanding anything contained in any enactment the Corporation may, if they think fit, use for the purpose of widening or improving any road any ground forming part of any of the parks (as defined in the Greenock Corporation Order, 1952) adjoining such road and any ground so used shall cease to form part of a park.

Costs of Order.

5. The 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 in the first instance by the Corporation.

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CHAPTER iii

ARRANGEMENT OF SECTIONS

Section

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

SCHEDULE

GREENOCK CORPORATION

1. Short title and citation.
2. Interpretation.
3. Application of provisions of Local Government (Scotland) Act, 1947, to certain lands.
4. Power to use parts of parks for road widenings.
5. Costs of Order.