

[1 EDW. 8. & *Glasgow Corporation Order* [Ch. xxvi.]
1 GEO. 6.] *Confirmation Act, 1937.*



CHAPTER xxvi.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Glasgow Corporation. A.D. 1937.

[10th June 1937.]

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 Glasgow Corporation Order Confirmation Act 1937. Short title.

A.D. 1937.

SCHEDULE.

GLASGOW CORPORATION.

Provisional Order to authorise the corporation of the city of Glasgow to borrow further moneys for the purposes of their water undertaking and public parks to make provision with respect to the prevention of refuse in streets &c. and for other purposes.

WHEREAS it is expedient that the corporation of the city of Glasgow (hereinafter referred to as "the Corporation" and "the city" respectively) should be authorised to borrow further moneys for the purposes of the Glasgow Water Acts 1855 to 1935 and the Glasgow Parks Acts 1878 to 1932 :

And whereas it is expedient that the provisions in this Order contained for the prevention of refuse in streets and other places in the city should be enacted :

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

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

Short title
and
citations.

1. This Order may be cited as the Glasgow Corporation Order 1937.

This Order and the Glasgow Loans Acts 1883 to 1936 may be cited together as the Glasgow Loans Acts 1883 to 1937.

This Order and the Glasgow Parks Acts 1878 to 1932 may be cited together as the Glasgow Parks Acts 1878 to 1937.

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This Order and the Glasgow Police Acts 1866 to 1936 may be cited together as the Glasgow Police Acts 1866 to 1937. A.D. 1937.
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This Order and the Glasgow Water Acts 1855 to 1935 may be cited together as the Glasgow Water Acts 1855 to 1937.

This Order shall be included among the Acts and Orders which may be cited together as the Glasgow Corporation Acts 1855 to 1937.

2. In this Order the following words and expressions shall unless there be something in the subject or context repugnant to such construction have the meanings hereby assigned to them (that is to say):— Interpre-
tation.

“City” means the city and royal burgh of Glasgow;

“Corporation” means the corporation of the city of Glasgow;

“Daily penalty” in relation to any offence means a penalty in respect of every day on which the offence is continued after conviction therefor;

“Loans Acts” means the Glasgow Loans Acts 1883 to 1936;

“Magistrate” means a magistrate or judge having jurisdiction under the Police Acts;

“Parks Acts” means the Glasgow Parks Acts 1878 to 1932;

“Police Acts” means the Glasgow Police Acts 1866 to 1936;

“Police offence” means any offence consisting either of an act or the neglect or omission to do an act which a magistrate is authorised by this Order to try;

“Street” means and includes any street highway road bridge square lane footpath court or passage open and accessible to the public or any part of any such street highway road bridge square lane footpath court or passage and not being or forming part of (a) any railway station or depot of a railway company or a road belonging to and maintained by a railway company and used as an approach to such railway station or depot or (b) any

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harbour dock or wharf of a harbour authority or a road or any part of a road belonging to and maintained or used by a harbour authority in connection with such harbour dock or wharf;

“Water Acts” means the Glasgow Water Acts 1855 to 1935.

Borrowing
for water
purposes.

3. The Corporation may borrow for the purpose of carrying out the powers conferred upon them by the Water Acts any sums of money not exceeding in the whole the sum of five hundred thousand pounds in addition to the sum of five million four hundred and fifty thousand pounds authorised to be borrowed by the Water Acts and they may again borrow any sums which may have been repaid by them otherwise than by the application of money received for lands and properties sold by them and by sinking fund provided by the Water Acts and this Order and any moneys so borrowed by them shall be deemed to have been borrowed under the powers and for the purposes of the Water Acts and this Order and shall form part of the moneys authorised to be borrowed under the Water Acts and this Order and the maximum amount which may be borrowed under the Water Acts is hereby increased accordingly.

Sinking
fund for
water
purposes.

4. The Corporation shall annually set apart as a sinking fund and pay into the loans fund provided by the Loans Acts not less than one-sixtieth of the amount from time to time borrowed by them under the immediately preceding section of this Order and not paid off by other means than such sinking fund and they shall apply such sinking fund in paying off the principal sums so borrowed. Provided that the provisions of section 23 (Provision as to future sinking fund) of the Glasgow Water Act 1912 shall apply to the moneys so borrowed.

2 & 3 Geo. 5.
c. xvi.
Borrowing
for parks
purposes.

5. The Corporation may for the purpose of carrying out the powers conferred upon them by the Parks Acts borrow any sums of money not exceeding in the whole the sum of two hundred thousand pounds in addition to the sum of two million and fifty thousand nine hundred and seventy-eight pounds six shillings and three pence authorised to be borrowed by the Parks Acts and they may again borrow any part of the said sum of two hundred thousand pounds which may have been repaid by them otherwise than by the application

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of moneys received for lands and properties sold by them and by sinking fund provided by the Parks Acts and this Order and any money so borrowed by them shall be deemed to have been borrowed under the powers and for the purposes of the Parks Acts and this Order and shall form part of the moneys authorised to be borrowed under the Parks Acts and this Order and the maximum amount which may be borrowed under the Parks Acts is hereby increased accordingly.

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6. The Corporation shall annually set apart as a sinking fund and pay into the loans fund provided by the Loans Acts such sum as will secure that the amount from time to time borrowed by them under the immediately preceding section of this Order and not paid off by other means than by sinking fund shall be repaid within a period not exceeding fifty years from the date of such borrowing and they shall apply such sinking fund in paying off the principal sums so borrowed.

Sinking fund for parks purposes.

7. Every person who shall throw down leave or lay or cause or suffer or permit to be thrown down left or laid any litter paper ashes refuse offal rubbish or other matter on any street or in the channel or on the banks of any river or watercourse in the city (except for the purpose of immediate removal) shall be guilty of a police offence and shall be liable to a penalty not exceeding forty shillings.

Penalty for throwing refuse &c. on streets.

8. Every person who in connection with the loading or unloading of goods or articles of any description causes or permits straw paper shavings packing material or debris from any crate or package to be thrown down left or laid on any street in the city and does not immediately remove the same or in any way litters any street shall be guilty of a police offence and shall be liable to a penalty not exceeding forty shillings.

Loading and unloading goods on streets.

9.—(1) Where a tank or other fixed container which has been used for the storage of petroleum spirit and is no longer used for that purpose is situate on any premises in the city (other than premises forming part of any dock or harbour within the jurisdiction of a harbour authority as such expressions are defined in the Petroleum (Consolidation) Act 1928) the occupier or if

Derelict petrol tanks.

18 & 19
Geo. 5. c. 32.

A.D. 1937. — there is no occupier the proprietor of such premises shall give notice to the chief officer appointed by the Corporation for the administration of the Petroleum (Consolidation) Act 1928 and Acts amending that Act that such tank or container is no longer so used and on being required by the said chief officer shall in the manner directed and within the period specified by him take such steps as may be reasonably practicable to prevent danger from such tank or container.

(2) Any officer of the Corporation duly authorised by them may require the occupier or if there is no occupier the proprietor of such premises to afford such officer all necessary facilities for inspecting such tank or container and for ascertaining whether steps have been taken to prevent danger from such tank or container in accordance with the provisions of this section.

(3) Any person who fails to comply with the provisions of this section or who obstructs any such officer shall be guilty of a police offence and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) In this section the expression "petroleum spirit" has the meaning assigned to it by the Petroleum (Consolidation) Act 1928.

Temporary
continu-
ance of
Finnieston
ferries.

10. Section 15 (Abandonment of Finnieston ferries) of the Glasgow Corporation Order 1927 shall be deemed to apply to any ferries substituted for the ferries therein referred to or either of them and notwithstanding anything in the said section 15 the Corporation may require that the ferries therein referred to or either of them or any ferries substituted therefor be continued for a period not exceeding three years from the date upon which the Bridge Work No. 2 described in section 5 of the said Order of 1927 is first opened for traffic or eight years from the date of the passing of the Act confirming this Order whichever be the shorter period.

Trial of
police
offences.

11. All police offences under this Order may be prosecuted in a summary manner before the magistrate and any penalties in respect of such offences shall be recoverable and applied in the same manner as penalties imposed by the magistrate under the Police Acts.

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12. The costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation and may be allocated by them amongst such of the departments of the Corporation as they may deem expedient and if paid out of borrowed money (which the Corporation are hereby authorised to borrow for the purpose) shall be repaid out of revenue within five years from the date of the passing of the Act confirming this Order.

A.D. 1937.
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Costs of
Order.

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