
STATUTORY INSTRUMENTS

1976 No. 2191 (S. 176)

LOCAL GOVERNMENT, SCOTLAND

The City of Glasgow District Council (Modification of Local Act Provisions) Order 1976

Made - - - - - 16th December 1976

Laid before Parliament 12th January 1977

Coming into Operation 7th February 1977

In exercise of the powers conferred on me by section 215 of the Local Government (Scotland) Act 1973(a) and of all other powers enabling me in that behalf, I hereby make the following Order—

Citation

1. This order may be cited as the City of Glasgow District Council (Modification of Local Act Provisions) Order 1976 and shall come into operation on 7th February 1977.

Interpretation

2.—(1) In this order—

“Council” means the City of Glasgow District Council;

“the 1937 Order” means the Glasgow Streets Sewers and Buildings Consolidation Order 1937(b).

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Modification of Local Act Provisions

3. The 1937 Order shall have effect subject to the following modifications—

(a) section 17 shall be deleted;

(b) in section 18—

(i) for the words “Corporation the master of works or the procurator fiscal” there shall be substituted the word “Council”;

(ii) for the words “or are incidental to any application or petition to the dean of guild” there shall be substituted the words “any matter considered by the Council in terms of sections 53, 54, 55, 62, 65, 99, 100, 103, 137, 171 and 173 of this Order”;

(a) 1973 c. 65.

(b) Confirmed by 1937 c.xliii.

(c) 1889 c. 63.

- (iii) the words from "by motion" to the end of the section shall be deleted;
- (c) in section 34 for the word "Corporation" in each place where it occurs and the words "master of works" there shall be substituted the word "Council";
- (d) in section 35—
 - (i) for the word "Corporation" in each place where it occurs there shall be substituted the word "Council";
 - (ii) the words "the master of works" shall be deleted;
 - (iii) for the word "he" there shall be substituted the word "they";
- (e) in sections 53, 54, 62, 65, 103, 137, 171, 173, 212, 213 and 217 for the words "master of works" wherever they occur there shall be substituted the word "Council";
- (f) in section 214—
 - (i) for the words "master of works" there shall be substituted the word "Council";
 - (ii) the words "or in the event of dispute to the satisfaction of the dean of guild" shall be deleted;
- (g) in section 215—
 - (i) for the words "the master of works" where they first occur there shall be substituted the words "the Council";
 - (ii) for the words "the master of works" where they second occur there shall be substituted the words "a duly authorised officer of the Council";
- (h) in section 216—
 - (i) for the words "master of works" there shall be substituted the word "Council";
 - (ii) for the word "him" there shall be substituted the word "them";
- (i) in section 218—
 - (i) for the words "master of works" there shall be substituted the word "Council";
 - (ii) for the word "him" there shall be substituted the word "them";
- (j) in section 219—
 - (i) in subsection (1)—
 - (a) for the words "master of works" where they first occur and the words "town clerk" there shall be substituted the word "Council";

- (b) for the words from “between such person” to “not withdrawn” there shall be substituted the words “or withdrawn”;
- (c) the words “on the application of the procurator fiscal inquire into try and” shall be deleted;
- (d) for the words “grant a warrant to the master of works” there shall be substituted the words “themselves arrange”;

(ii) in subsection (2)—

- (a) for the words “master of works” where they first occur there shall be substituted the word “Council”;
- (b) for the words “may on the application of the procurator fiscal grant a warrant to the master of works” there shall be substituted the words “may themselves arrange”;

(iii) in subsection (3)—

- (a) for the words “master of works” there shall be substituted the word “Council”;
- (b) for the word “he” where it first occurs there shall be substituted the word “they”;
- (c) for the words “make up for the approval” to the end of the subsection there shall be substituted the words “allocate the costs thereof among the persons liable therefor”;

(k) in section 220—

- (i) for the words “master of works” there shall be substituted the word “Council”;
- (ii) the words “and decern against them for payment thereof” shall be deleted;

(l) in section 221—

- (i) for the words “master of works” there shall be substituted the word “Council”;
- (ii) for the words “a guild” there shall be substituted the word “an”;

(m) in section 231—

- (i) for the words “master of works” in each place where they occur there shall be substituted the word “Council”;
- (ii) in sub-paragraph (a) there shall be added at the end the word “or”;
- (iii) in sub-paragraph (b) the word “or” at the end of the sub-paragraph shall be deleted;
- (iv) sub-paragraph (c) shall be deleted;
- (v) for the words “a guild” where they first occur there shall be substituted the word “an”;

(vi) for the words "a guild" where they second occur there shall be substituted the words "such an".

Bruce Millan,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.

16th December 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies certain provisions of the Glasgow Streets Sewers and Buildings Consolidation Order 1937 to the extent necessary to enable them to be operated by the City of Glasgow District Council.
