

**ELIZABETH II**



**1967 CHAPTER ii**

**An Act to confirm a Provisional Order under the Private  
Legislation Procedure (Scotland) Act 1936, relating to  
Glasgow 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 Glasgow Corporation Order  
Confirmation Act 1967.

Short title.

## SCHEDULE

## GLASGOW CORPORATION

*Provisional Order to confer powers on the Corporation of the city of Glasgow with respect to the feuing of their Ardgoil Estate; to make further provision for facilitating the protection and maintenance of their tunnels under the river Clyde between Linthouse and Whiteinch; to authorise the Corporation to make byelaws for regulating the use of the Glasgow Airport at Abbotsinch in the county of Renfrew; and for other purposes.*

Whereas the Corporation of the city of Glasgow (hereinafter referred to as "the Corporation" and "the city" respectively) are the owners of the Ardgoil Estate in the county of Argyll and it is expedient to authorise them to feu the said estate (so far as not already feued) to the Secretary of State for Scotland for the purpose of the exercise by the Forestry Commissioners of their functions under the Forestry Acts, 1919 to 1963:

And whereas the Corporation were authorised to construct and have constructed tunnels for vehicular traffic under the river Clyde between Linthouse and Whiteinch in the city and it is expedient in connection therewith to authorise the Corporation to acquire such rights over certain adjoining lands as they may require to facilitate the protection and maintenance of the said tunnels and to provide for controlling the use of such lands and of certain other adjoining lands:

And whereas it is expedient to authorise the Corporation to make byelaws to regulate the use and operation of the Glasgow Airport at Abbotsinch in the county of Renfrew and for the maintenance of order and the protection of the public frequenting the said airport:

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

1936 c. 52.

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

(2) This Order and the Glasgow Corporation Acts, 1855 to 1965, may be cited together as the Glasgow Corporation Acts, 1855 to 1967.

2. The following words and expressions in this Order have, unless Interpretation.  
there is something in the subject or context repugnant to such  
construction, the meanings hereby assigned to them, that is to say:—

“ airport ” means the Glasgow Airport at Abbotsinch in the  
county of Renfrew;

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

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

“ Order of 1948 ” means the Glasgow Corporation Order, 1948;

“ Order of 1960 ” means the Glasgow Corporation Consolidation  
(General Powers) Order 1960;

“ tunnel ” has the same meaning as in the Order of 1948.

3. Notwithstanding anything in the deed of gift set forth in the First Schedule to the Glasgow Corporation Order, 1912, the Corporation may feu for a grassum and a feu duty of one penny per annum (if asked for) to the Secretary of State for Scotland, for the purpose of the exercise by the Forestry Commissioners of their functions under the Forestry Acts, 1919 to 1963, the Ardgoil Estate conveyed to them by the said deed of gift so far as the said estate has not already been feued by them. Power to feu  
Ardgoil Estate.

4.—(1) (a) The Corporation may purchase and acquire from Alexander Stephen & Sons Limited, or their successors or assignees as owners of the Linthouse shipbuilding and engineering works (all of whom are in this section included in the expression “ the company ”) and the company if so required by the Corporation shall sell and grant to the Corporation a servitude or right of protecting and maintaining the tunnel under the lands of the company shown coloured green on the plan signed in duplicate by John Armour on behalf of the Corporation and by Thomas Neilson Risk on behalf of the company and described generally in the Schedule to this Order (in this section called “ the servitude lands ”). Acquisition  
of rights in  
and control  
over certain  
lands for  
purposes of  
Linthouse-  
Whiteinch  
Tunnel.

(b) Any servitude or right to be sold and granted by the company to the Corporation under the provisions of this subsection shall be sold and granted on such terms as (failing agreement) shall be determined in manner provided by the Land Compensation (Scotland) Act 1963.

1963 c. 51.

(2) In the event of the Corporation acquiring any such servitude or right under the servitude lands the following provisions shall, unless otherwise agreed in writing between the Corporation and the company, apply and have effect, that is to say:—

(a) The company shall have the same rights of using the servitude lands subject to such servitude or right at all times as if the Act confirming this Order had not been passed: Provided that the company shall not carry out any works or operations or so use the servitude lands as to affect the tunnel injuriously:

(b) Before commencing any works or operations on the servitude lands the company shall submit to the Corporation plans, drawings, calculations and specifications relating to such works or operations, and details of the proposed method of work and no works or operations shall be commenced by or



on behalf of the company until the said plans, drawings, calculations and specifications and details of the proposed method of work have been approved in writing by the Corporation: Provided that such approval shall not be unreasonably withheld and that if the Corporation fail to signify their approval or disapproval within six weeks after the receipt thereof they shall be deemed to have approved of such plans, drawings, calculations and specifications and of the proposed method of work:

- (c) In the event of the Corporation not approving the said plans, drawings, calculations and specifications and details of the proposed method of work submitted by the company as aforesaid the Corporation shall agree with the company any necessary alteration or modification thereof to enable the works or operations to proceed without delay and the Corporation shall pay to the company the whole additional expense occasioned to the company in the carrying out of any additional works or operations attributable to any such alteration or modification thereof:
- (d) The company shall permit the Corporation's authorised representative or representatives at all reasonable times subject to such reasonable conditions as the company may impose to inspect and survey all or any works or operations being executed by or on behalf of the company on the servitude lands:
- (e) Notwithstanding that the Corporation have or have been deemed to have approved of plans, drawings, calculations and specifications or details of the proposed method of work for works or operations proposed to be carried out by the company on the servitude lands, the Corporation shall have the right at any time to require the company to stop such works or operations or any part thereof forthwith and to order such emergency works to be carried out by the company as the Corporation may consider necessary to prevent damage to the tunnel: Provided that these powers shall be exercised by the Corporation in a reasonable manner and so as to cause the minimum inconvenience to the company. The Corporation shall make good to the company any loss and shall pay all additional costs and expenses occasioned to the company as a result of any such stoppage of the company's works or operations and in respect of any emergency works which the Corporation may require the company to carry out as aforesaid, except in any case in which any such stoppage or the carrying out of any such emergency works was necessitated by any negligent act or default on the part of the company or of those for whom the company is responsible:
- (f) (i) The company shall make good or pay to the Corporation the cost of making good any damage caused to the tunnel and shall indemnify, free and relieve the Corporation against all claims (including costs) of whatever nature against the

Corporation in respect of any damage, injury or loss caused to any vehicle, cycle, person, goods or thing in or using, being conveyed along, or employed on or in connection with the tunnel—

(a) by any works or operations carried out or being carried out by the company or by those for whom the company is responsible on the servitude lands without the prior approval of the Corporation as provided for in this subsection; and

(b) by the negligent failure of the company or of those for whom the company is responsible to carry out, notwithstanding such prior approval, any works or operations on the servitude lands in accordance with the plans, drawings, calculations and specifications and details of the proposed method of work approved or deemed to be approved as provided for in this subsection: Provided that in the event of any question or proceedings arising as to whether or not there has been any such negligent failure, the burden of proving that the company or those for whom the company is responsible have exercised due care and diligence in securing that any such works or operations have been or are being carried out in accordance with the said plans, drawings, calculations and specifications and method of work shall rest with the company;

(ii) In the event of the Corporation being satisfied or of its being established that in carrying out any works or operations on the servitude lands the company or those for whom the company is responsible have carried out or are carrying out such works or operations in accordance with the plans, drawings, calculations and specifications and proposed method of work as approved or deemed to be approved by the Corporation and that the company and those for whom the company is responsible have not acted negligently or have not defaulted in the carrying out thereof, the Corporation shall indemnify, free and relieve the company against all claims (including costs) of whatever nature against the company in respect of any damage, injury or loss caused to any vehicle, cycle, person, goods or thing in or using, being conveyed along or employed on or in connection with the tunnel arising from the carrying out of such works or operations:

(g) The provisions of subsections (6) and (7) and of subsection (8) (so far as relating to the application of subsections (2), (7) and (8) (b) of section 49 (For protection of Barclay Curle & Co. Ltd.) of the Order of 1948) of section 51 (For protection of Alexander Stephen and Sons Ltd.) of the Order of 1948 shall, with any necessary adaptations, extend and apply with respect to the servitude lands as if they were the lands of the company coloured blue on the signed plan referred to in paragraph (1) of the said section:



- (h) Any difference arising between the company and the Corporation under this subsection shall be determined by an arbiter to be mutually agreed upon between the Corporation and the company or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers:
- (i) For the purposes of this subsection "works" includes the installation of any buildings, railway lines, cranes, machinery or apparatus (including the foundations thereof).

(3) In so far as any servitude or right under any part of the servitude lands has been acquired by the Corporation for the purposes of or in connection with the tunnel such servitude or right shall, on the acquisition by the Corporation of such servitude or right under the servitude lands as is mentioned in subsection (1) of this section, be extinguished without prejudice to anything done in pursuance thereof and the said section 51 of the Order of 1948 shall cease to apply thereto.

Byelaws in  
relation to  
Glasgow  
Airport.

5.—(1) (a) The Corporation may make byelaws for regulating the use and operation of the airport and the conduct of all persons while within the airport, and in particular byelaws—

- (i) for securing the safety of aircraft, vehicles and persons using the airport and preventing danger to the public arising from the use and operation of the airport;
- (ii) for preventing obstruction within the airport;
- (iii) for regulating vehicular traffic anywhere within the airport except on roads therein to which the road traffic enactments apply, and in particular (with that exception) for imposing speed limits on vehicles therein and for restricting or regulating the parking of vehicles or their use for any purpose or in any manner specified in the byelaws;
- (iv) for prohibiting waiting by hackney carriages except at stances appointed by the Corporation;
- (v) for prohibiting or restricting access to any part of the airport;
- (vi) for preserving order within the airport and preventing damage to property therein;
- (vii) for regulating or restricting advertising within the airport;
- (viii) for requiring any person, if so requested by a constable, to leave the airport or any particular part of it;
- (ix) for restricting the area which is to be taken as constituting the airport for the purposes of the byelaws.

(b) For the purposes of this subsection "the road traffic enactments" means the enactments (whether passed before or after the coming into operation of this Order) relating to road traffic, including the lighting and parking of vehicles, and any order or other instrument having effect by virtue of any such enactment.

(2) Any person who contravenes any byelaws made under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

(3) As respects byelaws made under the powers of this section the confirming authority for the purposes of section 301 of the Local Government (Scotland) Act, 1947 (which relates to the procedure for making byelaws), shall be the Board of Trade. 1947 c. 43.

(4) Subject to the provisions of the Summary Jurisdiction (Scotland) Act, 1954, the magistrates, or any one or more of such magistrates, including any stipendiary magistrate and any sheriff acting in the police court of the city, shall have jurisdiction under the city Acts for the trial in summary manner and punishment of offences against any byelaws made under this section and the provisions of the city Acts with respect to the prosecution of offences and the recovery of penalties and expenses shall apply with respect to any such offences: 1954 c. 48.

Provided that, except as hereinbefore provided, nothing in this section shall affect or interfere with the jurisdiction of any justices of the peace or any court of competent jurisdiction or any police force.

(5) In this section words and expressions to which meanings are assigned by the Order of 1960 shall have the same respective meanings.

6. Section 92 (Application of transport revenue) of the Glasgow Corporation Consolidation (Water, Transport and Markets) Order 1964 shall be read and have effect as if the words "subsection (2)" were substituted for the words "subsections (2) and (3)" occurring in subsection (1) of the said section. Amendment of section 92 of Glasgow Corporation Consolidation (Water, Transport and Markets) Order 1964.

7. Anything required or authorised by or under this Order to be done by, to or before the Board of Trade may be done by, to or before the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board or any person authorised in that behalf by the President. As to Board of Trade.

8. Nothing in this Order shall affect prejudicially any estate, right, power, privilege or exemption of the Crown or shall subject to the provisions of this Order any lands, buildings or works vested in or occupied by the Crown or any department of Her Majesty's Government except to such extent as Her Majesty or such department may voluntarily agree and, in particular, nothing herein contained shall authorise the Corporation to take, use or in any manner interfere with any portion of the shore or bed of the sea or any river, channel, creek, bay or estuary or any land, heritages, subjects or rights of whatsoever description belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose. Crown rights.

9. 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 amongst the several undertakings and services of the Corporation in such proportions as the Corporation may deem expedient. Costs of Order.



SCHEDULE

GENERAL DESCRIPTION OF THE LANDS REFERRED TO IN SUBSECTION (1)  
OF SECTION 4 (ACQUISITION OF RIGHTS IN AND CONTROL OVER CERTAIN  
LANDS FOR PURPOSES OF LINTHOUSE-WHITEINCH TUNNEL)

All and whole that plot or area of ground lying within the parish of Govan in the city and the county of Lanark and containing 3 acres or thereby bounded on the north, north-west, west and again north by other property of Alexander Stephen & Sons Limited along which it extends, first on the north 38 feet or thereby, second on the north-west 15 feet or thereby, third on the west 48 feet or thereby, and again on the north 105 feet or thereby; on the east by a line drawn at a distance of 15 feet from the eastern limit of the east tunnel of the Linthouse-Whiteinch Tunnel along which it extends 980 feet or thereby; on the south by a line drawn at a distance of 10 feet from the north wall of the south ventilation building of the said tunnel along which it extends 101 feet or thereby; and on the west by a line drawn at a distance of 15 feet from the western limit of the west tunnel of the said tunnel along which it extends 935 feet or thereby.

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SIR PERCY FAULKNER, K.B.E., C.B.  
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament  
LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 1s. 6d. net

PRINTED IN ENGLAND





# Glasgow Corporation Order Confirmation Act 1967

## CHAPTER ii

### ARRANGEMENT OF SECTIONS

#### Section

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

#### SCHEDULE

##### GLASGOW CORPORATION

1. Short title and citations.
2. Interpretation.
3. Power to feu Ardgoil Estate.
4. Acquisition of rights in and control over certain lands for purposes of Linthouse-Whiteinch Tunnel.
5. Byelaws in relation to Glasgow Airport.
6. Amendment of section 92 of Glasgow Corporation Consolidation (Water, Transport and Markets) Order 1964.
7. As to Board of Trade.
8. Crown rights.
9. Costs of Order.

SCHEDULE—General description of the lands referred to in subsection (1) of section 4 (Acquisition of rights in and control over certain lands for purposes of Linthouse-Whiteinch Tunnel).