

**ELIZABETH II**



**1973 CHAPTER XXV**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Aberdeen Corporation. [25th July 1973]

**W**HEREAS 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 1936 c. 52. Order should be confirmed by Parliament:

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 Aberdeen Corporation Order Short title. Confirmation Act 1973.

## SCHEDULE

### ABERDEEN CORPORATION

*Provisional Order to authorise the Corporation of the City of Aberdeen to construct a building or structure bridging over Concert Court in the city and royal burgh of Aberdeen; and for other purposes.*

Whereas the lord provost, magistrates and town council of the city and royal burgh of Aberdeen (hereinafter respectively referred to as "the Corporation" and "the city") are vested with the municipal government of the city and are the local authority therein:

And whereas the Corporation are resolved that new municipal buildings should be erected for the transaction of the business of the Corporation and it is the intention of the Corporation for this purpose to erect on lands belonging to them adjoining and to the north west of Concert Court in the city an extension of the existing Town House, the rear or north western elevation of which fronts upon the south eastern side of Concert Court:

And whereas it is an essential feature of the proposed extension that it should be linked to the existing Town House by a building or structure bridging Concert Court so as to constitute a single entity and to permit free, convenient and internal passage between the existing Town House and the proposed extension:

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

And whereas an estimate has been prepared by the Corporation in relation to the following purpose and such estimate is as follows:—

For the work authorised by this Order	... ..	£9,200:
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And whereas a plan and section showing the line and levels of the work authorised by this Order have been deposited with the sheriff clerk of the city of Aberdeen and such plan and section are respectively referred to in this Order as the deposited plan and section:

And whereas the purposes of this Order 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 orders as follows:—

Short title and citations.

1.—(1) This Order may be cited as the Aberdeen Corporation Order 1973.

(2) This Order and the Aberdeen City Acts 1936 to 1970 may be cited together as the Aberdeen City Acts 1936 to 1973.

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

“ Concert Court ” means the highway of that name in the city;

“ existing ” means existing at the commencement of this Order;

“ limits of deviation ” means the limits of deviation shown on the deposited plan;

“ the work ” means the work described in section 3 (Power to construct work) of this Order.

3.—(1) Notwithstanding anything in any other enactment or rule of law, or of any interest or other right of the public or the inhabitants at large in, on or over Concert Court, but subject to the provisions of this Order and to any building standards regulations made under the Building (Scotland) Act 1959 and for the time being in force, the Corporation may in the lines and situation and within the limits of deviation shown on the deposited plan and according to the levels shown on the deposited section construct the work hereinafter described, that is to say:—

Power to construct work.

1959 c. 24.

A building or structure 9 feet 3 inches in width across and above the level of Concert Court commencing at a point on the face of the existing Town House 24 feet 6 inches or thereby from the western corner of the said Town House measured in a north easterly direction and terminating at a point 16 feet 4 inches or thereby from the point of commencement measured in a north westerly direction along a line drawn at 87.5 degrees to the face of the existing Town House from the said point.

(2) Subject to the provisions of this Order, the Corporation may from time to time within the limits of deviation maintain and renew the work or any part thereof and may make minor alterations and additions thereto.

4. Subject to the provisions of this Order, the Corporation for the purposes of or in connection with the work may in addition thereto construct, execute, place and keep all such minor subsidiary works and conveniences as they may find necessary or expedient for or in connection with the construction, maintenance or renewal of the work or the making of minor alterations thereto.

5. In the construction of the work the Corporation may deviate laterally from the line or situation thereof shown on the deposited plan to any extent not exceeding the limits of deviation and may deviate vertically from the levels shown on the deposited section to any extent upwards or downwards:

Power to deviate.

Provided that any vertical deviation downwards shall not be such as to reduce to less than 12 feet 6 inches the height of the lowest horizontal surface of the work above the surface of the carriageway of Concert Court.

Saving for  
Town and  
Country  
Planning Acts.  
1972 c. 52.

6.—(1) Section 274 of the Town and Country Planning (Scotland) Act 1972 (which for the avoidance of doubt declares that the provisions of that Act and any restrictions or powers thereby imposed or conferred in relation to land apply to land notwithstanding that provision is made by any local Act passed before or during the Session of Parliament held during the regnal years 10 & 11 Geo. 6 for authorisation or regulation of development of the land) shall apply to this Order as if it had been passed during that Session; and accordingly the Town and Country Planning (Scotland) Act 1972 and Orders, Regulations, Rules, Schemes and directions made or given thereunder shall apply to development authorised by this Order.

(2) In their application to development authorised by this Order, article 3 of, and Class XI in Schedule 1 to, the Town and Country Planning (General Development) (Scotland) Order 1950 (which permit development authorised by any local or private Act or by any Order approved by both Houses of Parliament, being an Act or Order designating specifically both the nature of the development thereby authorised and the land on which it may be carried out) shall have effect as if the authority to develop given by this Order were limited to development begun within five years after the passing of the Act confirming this Order.

(3) In this section the reference to article 3 of and Class XI in Schedule 1 to the Town and Country Planning (General Development) (Scotland) Order 1950 includes a reference to corresponding provisions of any general order superseding that Order made under section 21 of the Town and Country Planning (Scotland) Act 1972 or any corresponding provision of an Act repealing that section.

Costs of Order.

7. 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 out of the burgh fund of the Corporation in such manner as the Corporation may determine.

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