



CHAPTER xix

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Clyde Navigation. [14th July 1953.]

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:

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 Clyde Navigation Order Confirmation Act 1953. Short title.

SCHEDULE

CLYDE NAVIGATION

Provisional Order to extend the period for the compulsory purchase of certain lands by the Trustees of the Clyde Navigation and for other purposes.

WHEREAS the Trustees of the Clyde Navigation (hereinafter called "the Trustees") were incorporated by the Clyde Navigation Consolidation Act 1858:

And whereas the Trustees were authorised by the Clyde Navigation Order 1914 and by the Clyde Navigation Order 1950 to construct certain works and for that purpose to acquire certain lands by compulsory purchase:

And whereas it is expedient that the period now limited for the compulsory purchase of the said lands should be extended as provided by this Order:

And whereas it is expedient that the other powers mentioned in the Order should be conferred:

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 and
collective titles.

1.—(1) This Order may be cited as the Clyde Navigation Order 1953.

(2) The Clyde Navigation Acts 1858 to 1950 and this Order may be cited together as the Clyde Navigation Acts 1858 to 1953.

Extending
period for
compulsory
purchase of
lands.

2. Section 11 (Revival of powers for compulsory purchase of land) and section 18 (Period for compulsory purchase of lands) of the Clyde Navigation Order 1950 shall each be read and have effect as if for the reference therein to the first day of October one thousand nine hundred and fifty-three there were substituted a reference to the first day of October one thousand nine hundred and fifty-six.

Power to
owners and
lessees to give
notice as to
purchase of
land.

3.—(1) If any person being the owner or lessee of any land to which the last preceding section relates shall give notice in writing to the Trustees of the Clyde Navigation of his desire that as soon as may be such land or his interest therein shall be acquired then the said Trustees shall within a period of six months after the receipt of that notice either—

- (a) enter into an effective contract with such person for the acquisition by agreement of such land or part of such land or his interest in such land or part thereof; or
- (b) serve a notice to treat for the compulsory acquisition of such land or part of such land or of such person's interest in such land or part thereof; or
- (c) notify their intention not to proceed with the purchase of such land or of such person's interest therein;

and if they fail to do so within the said period or if within the said period they notify their intention in accordance with the foregoing paragraph (c) the powers referred to in the last preceding section so far as they authorise the compulsory purchase of the land or the interest in land (as the case may be) to which the notice given by the owner or lessee relates shall cease.

(2) Where a notice to treat (whether relating to the whole or part of the land to which the notice given by the owner or lessee relates) is given in accordance with paragraph (b) of subsection (1) of this section then—

- (a) if in pursuance of any statutory provision in that behalf the notice to treat is withdrawn the said powers so far as they authorise the compulsory purchase of such land or (as the case may be) the interest therein of the person on whom the notice to treat was served shall cease;
- (b) if part only or such person's interest in part only of such land is acquired in pursuance of the notice to treat the said powers so far as they authorise the compulsory purchase of the remainder or (as the case may be) such person's interest in the remainder of such land shall cease.

4. All costs charges and expenses of and incident to the preparing Costs of Order.
for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Trustees of the Clyde Navigation out of the revenues of their undertaking.

Table of Statutes referred to in this Act

Short title	Session and chapter
Clyde Navigation Consolidation Act 1858 ...	21 & 22 Vict. c. cxlix
Private Legislation Procedure (Scotland) Act 1936	26 Geo. 5. & 1 Edw. 8. c. 52

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