



CHAPTER xxxvii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Paisley Corporation. [6th August 1947.]

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 Paisley Corporation Order Confirmation Act 1947. Short title.

SCHEDULE.

PAISLEY CORPORATION.

Provisional Order to extend the municipal and police boundaries of the burgh of Paisley in the county of Renfrew to confer further powers on the provost magistrates and councillors of the burgh with respect to streets buildings sewers and other cognate matters and with respect to public health and the general municipal administration of the burgh to authorise them to borrow money and make provision with respect to the finances of the burgh to confer powers with respect to stevedoring at the River Cart Navigation and for other purposes.

WHEREAS the provost magistrates and councillors of the burgh of Paisley in the county of Renfrew (hereinafter referred to as "the Corporation" and "the burgh" respectively) are the police public health municipal local and road authority within the burgh and are charged with the administration and management thereof:

55 & 56 Vict.
c. 55.

And whereas pursuant to an interlocutor of the sheriff of Renfrew dated the eleventh day of July one thousand nine hundred and forty-six the boundaries of the burgh were in terms of the Burgh Police (Scotland) Act 1892 and Acts amending the same extended as from the eleventh day of November one thousand nine hundred and forty-six so as to include certain areas adjoining the burgh described in the said interlocutor and hereinafter referred to as the "added areas":

And whereas it is expedient that the added areas so far as not already within the boundaries of the burgh for all municipal and police purposes should be deemed to be within those boundaries for all such purposes:

And whereas a small area of land (hereinafter referred to as "the additional added area") forming part of the royal burgh of Renfrew (which area is part of the site for the installation of sewage disposal works to deal with the sewage of the burgh) immediately adjoins the burgh and it is expedient that the boundaries of the burgh should be further extended so as to include the said area:

19 & 20 Geo. 5.
c. 25.

And whereas it is expedient that the added areas and the additional added area should be separated and disjoined for the purposes of this Order from the county of Renfrew and as regards the additional added area from the royal burgh of Renfrew and that subject to the provisions of the Local Government (Scotland) Act 1929 and of this Order all matters of administration and management and all jurisdictions powers functions and authorities within the added areas and the additional added area should devolve upon and be vested in the Corporation:

And whereas it is expedient that the added areas and the additional added area should be added to certain existing wards of the burgh as provided in this Order:

And whereas it is expedient to make further and better provision with reference to the local government health and improvement of the burgh and that the powers of the Corporation with respect thereto should be enlarged as provided in this Order:

And whereas it is expedient that further powers should be conferred on the Corporation with respect to streets buildings sewers and other cognate matters:

And whereas it is expedient that the provisions contained in this Order with respect to the sale of coke in the burgh and as to personal weighing machines should be enacted:

And whereas by the Paisley Corporation (Cart Navigation) Order 1938 the undertaking of the Cart Navigation Trustees was transferred to and vested in the Corporation and powers were conferred on the Corporation for the carrying on of the said undertaking:

And whereas it is expedient that the Corporation should be authorised to undertake as provided in this Order the work of stevedoring and master portorage at the docks quays and wharfs forming part of the Cart Navigation:

And whereas it is expedient to authorise the Corporation to borrow further money for the purposes mentioned in this Order and to make further provision with regard to the finances of the Corporation:

And whereas it is expedient that the amount of the rate which may be levied by the Corporation in order to meet expenditure incurred in respect of their public libraries should be increased as provided in this Order:

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

26 Geo. 5. &
1 Edw. 8. c. 52.

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

PART I.

PRELIMINARY.

1. This Order may be cited as the Paisley Corporation Order 1947. Short and collective titles.
This Order and the Paisley Corporation (Cart Navigation) Acts 1787 to 1938 may be cited together as the Paisley Corporation (Cart Navigation) Acts 1787 to 1947.

2. This Order shall except as otherwise expressly provided come into operation on the date of the passing of the Act confirming this Order (which date is hereinafter referred to as "the commencement of this Order"). Commencement.

PART I.
—cont.
Order divided
into Parts.

3. This Order is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Extension of boundaries.

Part III.—Public health.

A. Infectious diseases and sanitary.

B. Human food.

C. Expenditure under Part III.

Part IV.—Public parks and burial grounds.

A. Public parks.

B. Burial grounds.

Part V.—Streets buildings &c.

Part VI.—Weights and measures.

Part VII.—Financial and miscellaneous.

Interpretation.

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

1 Edw. 7.
c. cciv.

“ Act of 1901 ” means the Paisley Police and Public Health Act 1901;

“ added areas ” means the portions of the county of Renfrew by this Order incorporated by virtue of the sheriff’s interlocutor with the burgh as previously existing;

“ additional added area ” means the area described in Part I of the First Schedule to this Order;

“ burgh ” means the burgh of Paisley as extended by this Order;

“ burgh as previously existing ” means the burgh of Paisley within the limits and boundaries existing immediately before the coming into operation of the sheriff’s interlocutor;

“ burgh engineer ” means the burgh engineer of the burgh appointed or continued in office in pursuance of the provisions of this Order;

“ burgh fund ” means the burgh fund established under and in pursuance of the Paisley Corporation (General Powers) Order 1938;

“ Burgh Police Acts ” means the Burgh Police (Scotland) Acts 1892 to 1903;

“ common good ” means the common good of the burgh as previously existing or of the existing burgh or of the burgh as the case may be;

“ Corporation ” means the provost magistrates and councillors of the burgh as previously existing or of the existing burgh or of the burgh as the case may be;

“ county council ” means the county council of the county of Renfrew;

- “ daily penalty ” means a penalty for every day on which any offence is continued after conviction therefor;
- “ dean of guild ” means the dean of guild of the burgh as previously existing or of the existing burgh or of the burgh as the case may be and elected in pursuance of the Act of 1901;
- “ dean of guild court ” means the dean of guild court of the burgh;
- “ district council ” means the district council of the Second District of the county of Renfrew;
- “ dwelling-house ” means and includes all premises used or occupied wholly or partly by any person or persons for residential purposes;
- “ Election Acts ” means the Acts in force for the time being relating to the registration of parliamentary and local government electors and the election of town councillors;
- “ existing burgh ” means the burgh of Paisley as extended by virtue of the sheriff’s interlocutor;
- “ lands and heritages ” means lands and heritages as defined in the Valuation Acts;
- “ Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 as such last-mentioned Act is amended by the Acquisition of Land (Assessment of Compensation) (Scotland) Act 1931 and the Town and Country Planning (Scotland) Act 1945; 9 & 10 Geo. 5.
c. 57.
21 & 22 Geo. 5.
c. 11.
8 & 9 Geo. 6.
c. 33.
- “ liabilities ” unless where otherwise expressly provided includes all debts and liabilities to which any person is or but for the confirmation of this Order would be liable or subject whether accrued due at the commencement of Part II of this Order or subsequently accruing;
- “ magistrates ” means the magistrates of the burgh as previously existing or of the existing burgh or of the burgh as the case may be and “ magistrate ” means any one of them;
- “ medical officer ” means the medical officer of health of the burgh;
- “ new building ” includes—
- (a) any building erected after the commencement of this Order;
 - (b) any existing building which has been taken down for more than one-half of its cubical extent and re-erected or commenced to be re-erected wholly or partially on the same site after the commencement of this Order;
 - (c) any existing building not originally constructed for human habitation but subsequently proposed to be converted into one or more dwelling-houses; and
 - (d) any existing dwelling-house proposed to be subdivided into two or more dwelling-houses;

PART I.
—cont.41 & 42 Vict.
c. 8.60 & 61 Vict.
c. 38.

- “ office ” includes any place situation or employment;
- “ parks ” means and includes any land whether situated within or beyond the burgh provided owned leased or occupied by the Corporation and used for the purpose of recreation games sports or amusement or as a public playground public open space public walk and ornamental or pleasure ground and all buildings works apparatus appliances machinery plant servitudes rights powers and privileges connected therewith;
- “ Public Parks Act ” means the Public Parks (Scotland) Act 1878;
- “ powers ” includes rights authorities jurisdictions civil and criminal capacities privileges and immunities;
- “ property ” includes all property heritable and moveable and all interests servitudes and rights in to and out of property heritable and moveable including things forming the subject of claim or action and registers books and documents and when used in relation to any sheriff clerk town clerk clerk of the peace county clerk town council county council district council justices board or other authority includes any property which at the commencement of Part II of this Order belongs to or is vested in or held in trust for or would but for the passing of the Act confirming this Order have on or after that date belonged to or been vested in or held in trust for such sheriff clerk town clerk clerk of the peace county clerk town council county council district council justices board or other authority;
- “ provost ” means the provost of the burgh as previously existing or of the existing burgh or of the burgh as the case may be;
- “ Public Health Acts ” means the Public Health (Scotland) Act 1897 and any Acts amending or extending the same;
- “ Renfrew town council ” means the provost magistrates and councillors of the royal burgh of Renfrew;
- “ sanitary inspector ” means the chief sanitary inspector of the burgh;
- “ sheriff ” and “ sheriff clerk ” mean respectively the sheriff of Renfrew and Argyll and any of his substitutes in the county of Renfrew and the sheriff clerk of the county of Renfrew;
- “ sheriff’s interlocutor ” means the interlocutor of the sheriff of Renfrew and Bute dated the eleventh day of July one thousand nine hundred and forty-six in causa the provost magistrates and councillors of the burgh of Paisley petitioners against the county council of the county of Renfrew respondents;
- “ town clerk ” means the town clerk of the burgh as previously existing or of the existing burgh or of the burgh as the case may be;
- “ Valuation Acts ” means the Acts in force for the time being relating to the valuation of lands and heritages.

PART II.

EXTENSION OF BOUNDARIES.

5. This Part of this Order shall (except as hereinafter provided) be deemed to have come into operation on and from the sixteenth day of May one thousand nine hundred and forty-seven.

Commencement
of Part II of
Order.

6. The added areas so far as not already within the boundaries of the burgh of Paisley for all municipal and police purposes shall be deemed to be within the boundaries of the said burgh for all such purposes and the municipal and police boundaries of the said burgh shall be and are hereby further extended to and shall include and comprehend in addition to the areas embraced in the burgh as previously existing and the added areas the lands and area within the limits defined in Part I of the First Schedule to this Order situated in the parish of Renfrew in the royal burgh of Renfrew and the county of Renfrew and accordingly the municipal and police boundaries of the burgh of Paisley shall comprise and comprehend the area described in Part II of the First Schedule to this Order. Provided that the rules prescribed by the Representation of the People Acts shall be observed and receive effect with reference to the description of boundaries contained in the said schedule.

Extension of
boundaries.

7.—(1) A map of the burgh (distinguishing the added areas and the additional added area) of which thirteen copies have been signed by Matthew George Fisher counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936 shall within one month after the date of the passing of the Act confirming this Order be deposited as follows (that is to say) one copy with the town clerk at his office one copy with the sheriff clerk at his office in the burgh one copy in the office of the Clerk of the Parliaments House of Lords one copy in the Committee and Private Bill Office of the House of Commons one copy at the Scottish Office London one copy with the Ministry of Agriculture and Fisheries one copy with the Commissioners of Inland Revenue one copy with the Commissioners of Customs and Excise one copy with the Board of Trade one copy with the Minister of Transport one copy with the Postmaster-General one copy with the Registrar General of Births Deaths and Marriages in Scotland and one copy with the Electricity Commissioners.

Map of burgh.

(2) If there be any discrepancy between the said map and the descriptions in the First Schedule to this Order the said map shall be deemed to be correct and shall prevail.

8. The added areas and the additional added area shall be and are hereby for the purposes of this Order separated and disjoined from the county of Renfrew and in the case of the additional added area from the burgh of Renfrew.

Added areas and
additional
added area
disjoined from
county.

9. Subject to the provisions of this Order the portions of the added areas and of the additional added area described in the Second Schedule to this Order shall respectively be added to and form part of the existing wards of the burgh as previously existing mentioned in that schedule.

Added areas and
additional
added area to
form part of
existing wards.

PART II.

—cont.

Property of
existing burgh
vested in
Corporation.

10. Subject to the provisions of this Order the common good and all property (including all means revenues and income of every description arising therefrom) belonging to or leviable within the burgh as previously existing or to which the burgh as previously existing is entitled or which is held or administered by any person for or on behalf of the community of the burgh as previously existing or for the public ends and purposes thereof shall be vested in and be held by the Corporation for the behoof and benefit of the burgh or (as the case may be) be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the burgh as previously existing shall be due by and exigible from the burgh and all debts due to the Corporation by any person before the commencement of this Part of this Order may be demanded and recovered from such person and received and applied by the Corporation for the behoof of the burgh.

Powers of local
authorities to
cease in added
areas and in
additional
added area.

11. Subject to the provisions of this Order all jurisdictions rights powers and authorities which before the commencement of this Part of this Order were exercised or exercisable by the county council Renfrew town council or other local or licensing or other authority within or over the added areas the additional added area or any part or parts thereof (with the exception of such powers as are at present exercised by the county council or other local or licensing or other authority other than the Corporation within the burgh as previously existing or any part thereof) shall cease and determine.

Powers
extended over
added areas and
additional
added area.

12. The Corporation the provost the magistrates and the dean of guild of the burgh as previously existing and their respective courts shall have possess and may exercise the same powers including (subject to the provisions of this Order) powers of assessment respectively in and over the burgh and over the inhabitants thereof as they and their respective courts have possess and exercise in their several characters and capacities in and over the burgh as previously existing and over the inhabitants thereof whether at common law or by statute and all rights and privileges and immunities and obligations at present enjoyed and possessed by or incumbent on the inhabitants of the burgh as previously existing shall subject to the provisions of this Order extend and apply to the inhabitants of the burgh.

Existing trusts
vested in
Corporation.

13. Subject to the provisions of this Order all mortifications endowments and trusts however constituted charitable bequests or other grants held or administered by the Corporation or the magistrates or office-bearers of the burgh as previously existing by themselves or in conjunction with any person or persons body or bodies (but under the liabilities to which the same are legally subject) shall be vested in held and administered by the Corporation or the magistrates or office-bearers of the burgh or so many of their number to be chosen by the Corporation for that purpose as are appointed by the deeds or writings under which such mortifications endowments trusts bequests or other grants are constituted together with the other trustees also therein nominated for the purposes and with the rights powers and authorities and subject to all the conditions and provisions under and upon

which the same were conveyed granted or settled by the grantors or makers of such mortifications endowments trusts bequests or other grants.

PART II.
—cont.

14. For the purpose of the Election Acts the added areas and the additional added area shall notwithstanding anything contained in this Order be deemed to be and to have always been a part of the burgh as previously existing and to have been included in the wards specified in the section of this Order of which the marginal note is " Added areas and additional added area to form part of existing wards " for the making up of the register of voters.

Register of
voters and
valuation roll.

15. The several officers of or appointed by the Corporation shall possess and may exercise in their several characters and capacities the same powers in and over the burgh as they have possess and exercise in their several characters and capacities in and over the burgh as previously existing whether at common law or by statute but without prejudice to the right of the Corporation to make such arrangements in regard to the said officers and their respective duties as before the commencement of this Part of this Order they were entitled to make with reference to the officers of the burgh as previously existing.

Officers in
existing burgh.

16.—(1) Subject to the provisions of this Order and except as otherwise expressly provided in this Order all property and assets of every description vested in held by or due or belonging to the county council Renfrew town council the district council or other authorities in the added areas and in the additional added area are by virtue of this Order and without the necessity of recording in the register of sasines any conveyance notarial instrument notice of title or other deed or writing transferred to and vested in and shall be held by and be due and belong to the Corporation and shall form part of the property and assets of the Corporation for all the estate and interest therein of the county council Renfrew town council the district council or such authorities and shall be received held and enjoyed by the Corporation accordingly.

Transfer of
property and
liabilities.

(2) All the powers duties liabilities contracts and agreements of the county council Renfrew town council the district council or such authorities in relation to the added areas and to the additional added area are by virtue of this Order transferred and shall attach to the Corporation and shall form part of the powers duties liabilities contracts and agreements of the Corporation and be enjoyed performed paid and discharged by them.

(3) For the purpose of enabling the Corporation to complete a title if thought fit to any part of the lands buildings and other heritable property transferred to and vested in them by virtue of this Order by expediting a notarial instrument notice of title or otherwise this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such lands buildings and other property in favour of the Corporation.

(4) The Corporation shall determine any question which arises as to the department of the Corporation to which any part of such property shall belong and any question as to the branch of expenditure out of which such liabilities and obligations shall be defrayed.

PART II.
—cont.

(5) This section shall not apply to the property and assets situated beyond the burgh which belong to the county council Renfrew town council the district council or other authorities.

Assessment of
burgh.

17. Subject to the provisions of this Order every rate charge or assessment authorised to be requisitioned for levied and collected by the county council over the added areas or any part or parts thereof or by Renfrew town council over the additional added area or any part or parts thereof which has not been actually imposed before the commencement of this Part of this Order shall thereupon cease and determine within the added areas or within the additional added area as the case may be and thereafter all rates charges and assessments leviable by the Corporation within the burgh as previously existing shall be leviable on and within the burgh in the same way and manner as the same are leviable on and within the burgh as previously existing.

Differential
assessments in
added areas and
in additional
added area.

18.—(1) Notwithstanding anything contained in this Order—

- (a) during the period of ten years from the term of Whitsunday one thousand nine hundred and forty-seven the rates and assessments (excluding water rates) to be levied and recovered by the Corporation on and from the owners and occupiers respectively of all lands and heritages existing at the commencement of this Part of this Order in the added areas and in the additional added area shall not in respect of such lands and heritages in each of the districts in the added areas and in the additional added area mentioned in column two of the Third Schedule to this Order and shown on the map of the burgh signed by Matthew George Fisher counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936 and deposited with the town clerk exceed the amount set out in the third and fourth columns respectively of the said schedule opposite to the said districts; and
- (b) notwithstanding anything contained in the Valuation Acts the rates and assessments (excluding water rates) to be levied and recovered by the Corporation during the said period of ten years shall be levied by the Corporation on the amount of the rateable value of such lands and heritages (other than lands and heritages entered in the portion of the valuation roll made up by the Assessor of Public Undertakings (Scotland)) as entered in the valuation roll for the year ended Whitsunday one thousand nine hundred and forty-seven in which such lands and heritages were entered provided that where the rateable value of any such lands and heritages so entered has been fixed with reference to a part only of the year the rateable value thereof shall for the purpose of the foregoing provisions of this subsection be increased proportionately to a rateable value in respect of the whole year and any question as to whether such rateable value has been fixed with reference to a part only of the year or as to the amount of any such increase shall be referred to the sheriff whose decision shall be final.

(2) The provisions of paragraph (b) of subsection (1) of this section shall cease to apply to any land and heritage let to a tenant by the

owner thereof in any year during the said period of ten years at an amount greater or less than the yearly rent or value set forth in the said valuation roll.

(3) If in any year during the said period of ten years any material alteration or addition shall be made on or to any of the lands and heritages referred to in subsection (1) of this section such alteration or addition shall for the purposes of the Valuation Acts and any enactment relating to rating be deemed during that year and the remainder of such years to be separate land and heritage and to have come into existence after the commencement of this Part of this Order.

(4) Any assessments required to be imposed by the Corporation in the burgh to meet additional expenditure under any public general Act passed in the present or any future session of Parliament which is or will be applicable to the county of Renfrew as well as to the burgh may be added to the assessments to be imposed assessed levied and collected by the Corporation in the added areas and in the additional added area in pursuance of the provisions of this section.

19. Every rate charge or assessment which has been actually imposed by the county council within the added areas or any part thereof or by Renfrew town council within the additional added area before the commencement of this Part of this Order together with all arrears thereof shall continue to be due and payable to and may be collected and levied by the county council or by Renfrew town council as the case may be and by the same ways and means and under the same restrictions and regulations as if the Act confirming this Order had not been passed and shall be received and applied by the county council or by Renfrew town council as the case may be to and for the purposes for which the same were authorised to be levied.

Recovery of assessments within added areas and additional added area.

20. All bridges highways roads streets footpaths lanes courts sewers and drains in the added areas and in the additional added area which are vested in the county council Renfrew town council the district council or other authorities (other than railway companies) or which the said councils or authorities by minutes or otherwise at or before the commencement of this Part of this Order have taken over or have agreed to take over and maintain or have maintained are by virtue of this Order transferred to and vested in and shall be managed maintained and repaired by the Corporation along with and in the same way and manner and to the same extent as the bridges highways roads streets footpaths lanes courts sewers and drains within the burgh as previously existing and the said councils or authorities shall be freed and relieved of the liability to repair and maintain all such bridges highways roads streets footpaths lanes courts and sewers in all time coming.

Roads streets and footpaths.

21.—(1) All books documents (including certified copies of agreements relating to the added areas or to the additional added area) maps and plans directed or authorised to be kept by the county council or any other authority in the added areas or any of them or by Renfrew town council by any Act or otherwise shall so far as they relate to the added areas or to the additional added area

Books to be evidence.

PART II.
—cont.

as the case may be belong and be transferred to the Corporation and in so far as they would at the commencement of this Part of this Order be receivable in evidence shall be admitted as evidence in all courts and proceedings notwithstanding the cesser of the powers of the county council or other authorities and of Renfrew town council.

(2) The foregoing provision shall not apply to the books documents maps and plans kept by the county council and other authorities or by Renfrew town council which relate to parts of the county other than the added areas or to parts of the royal burgh of Renfrew other than the additional added area but the Corporation and their officers shall be entitled to access to such books documents maps and plans in so far as may be necessary in relation to matters affecting the added areas or the additional added area as the case may be and the respective clerks or other officers of the county council and other authorities or of Renfrew town council as the case may be shall afford all reasonable facilities for that purpose.

Application of
general and
local Acts.

22. Except so far as inconsistent with or varied by this Order all public and general and local and personal Acts and Orders relating to and in force in the burgh as previously existing and all byelaws rules regulations and orders made thereunder shall subject to the provisions of this Order be exercised over and be applicable to the burgh Provided that nothing in this Order shall extend the the area of supply defined by the Paisley Electric Lighting Order 1891 Provided further that nothing in this section shall confer on the Corporation or authorise them to exercise any powers in relation to the tramway undertaking of the corporation of the city of Glasgow in the burgh which are exclusively conferred on and exercise-able by the said Corporation under the Glasgow Tramways Acts 1905 to 1946.

Extension of
compulsory
limits of water
supply.

23. The limits for the compulsory supply of water by the Corporation are hereby extended so as to include the added areas and the additional added area and the provisions of the Acts and Orders relating to the water undertaking of the Corporation shall be read and have effect accordingly.

Variation of
procedure under
Temperance
(Scotland) Act
1913.
3 & 4 Geo. 5.
c. 33.

24. The Secretary of State may in order to meet the circumstances arising from the extension of the boundaries of the burgh as previously existing authorised by this Order by order vary the procedure prescribed by or in pursuance of the Temperance (Scotland) Act 1913 in connection with the taking of polls under the said Act or otherwise including any dates fixed in connection with such procedure.

Insurance
committees.

25. The Secretary of State may by order reconstitute the insurance committees for the county of Renfrew and for the burgh as from the commencement of this Part of this Order or such subsequent date as he may determine and that in such manner and to such extent as he may deem necessary in consequence of the provisions of this Order and any such order may contain such incidental supplemental and consequential provisions as may appear to the Secretary of State necessary or expedient for carrying it into effect and for adapting thereto the provisions of the National Health Insurance Acts 1936 to 1941 Provided that any order so made shall be laid before both Houses of Parliament as soon as may be after it is made.

26.—(1) Every person whose settlement is derived from birth or residence for the statutory period of three years in the added areas or in the additional added area shall be deemed to have a settlement within the burgh.

(2) Every person who at the commencement of this Part of this Order is resident in the added areas or in the additional added area and is in course of acquiring a settlement in the county of Renfrew by reason of such residence shall for the purposes of his settlement be deemed to have resided within the burgh during the period during which he has before the commencement of this Part of this Order resided within the added areas or within the additional added area.

(3) Where at the commencement of this Part of this Order a person has a settlement within the county of Renfrew by reason of residence partly in the added areas and partly in another part of the county of Renfrew or partly in the additional added area and partly in another part of the county of Renfrew the burgh or the county of Renfrew as the case may be shall be deemed to be the area of settlement of that person according as the place of his residence at the time of his acquiring a settlement was within the added areas or the additional added area or within another part of the county of Renfrew.

(4) For the purposes of section 4 of the Poor Law (Scotland) Act 1898 and subsection (3) of section 3 of the Poor Law (Scotland) Act 1934 every person who at the commencement of this Part of this Order is resident in the added areas or in the additional added area shall be deemed to have resided within the burgh during the period during which before the commencement of this Part of this Order he has resided within the added areas or the additional added area or within any other part of the county of Renfrew.

61 & 62 Vict.
c. 21.
24 & 25 Geo. 5.
c. 52.

27.—(1) Subject and without prejudice to any of the provisions of this Order the Corporation and the county council Renfrew town council the district council or other authority (all of whom are hereinafter in this section referred to as "the authorities") or any of them may make and carry into effect agreements with respect to the transfer of property from the authorities or any of them to the Corporation and for settling and adjusting any claims or any doubt or difference arising in relation thereto.

Corporation
may enter into
agreements.

(2) The provisions of any such agreement shall be deemed to be within the powers of the Corporation and of the authorities or any of them respectively and shall have and be carried into effect accordingly.

(3) Any difference arising as to any such agreement or as to any other matter or thing in relation to the transference under this Order of the property liabilities or powers of the authorities or any of them shall failing agreement be determined by an arbiter to be appointed by the Secretary of State on the application of any of the parties concerned.

(4) If any question of law arises in the course of such arbitration the arbiter shall have power at the request of any of the parties concerned to state a case for the opinion of the Court of Session and the said court shall determine such question.

PART II.

—cont.

Financial
adjustments.
4 & 5 Geo. 5.
c. 74.
52 & 53 Vict.
c. 50.

28.—(1) The financial adjustments between the Corporation and Renfrew town council consequent upon the inclusion within the boundaries of the burgh of the additional added area shall be made upon the basis of the provisions of the Local Government (Adjustments) (Scotland) Act 1914 and in accordance with the rules contained in the schedule to that Act and section 50 of the Local Government (Scotland) Act 1889 shall apply and have effect on the extension of the boundaries of the existing burgh by this Order by the inclusion therein of the additional added area.

(2) Any dispute or difference arising in connection with such adjustments shall be settled by arbitration by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of the Corporation or Renfrew town council.

(3) If any question of law arises in the course of such arbitration the arbiter shall have power at the request of any of the parties concerned to state a case for the opinion of the Court of Session and the said court shall determine such question.

Compensation
to clerks of
peace &c.

29.—(1) The Corporation shall pay to the persons now holding the respective offices of justice of the peace procurator fiscal clerk of the peace and county assessor under the Election Acts for the added areas compensation in respect of any loss which they may respectively sustain by diminution of salary or emoluments or loss of office consequent upon the extension of the boundaries of the burgh as previously existing authorised by this Order.

(2) In the event of the several compensations to be paid under this section not being agreed between the parties or in so far as such compensations are not so agreed the same shall be determined by an arbiter to be appointed by the Secretary of State on the application of any of the parties concerned and the decision of such arbiter shall be final.

Saving of
existing
jurisdictions
&c.

30. Nothing contained in this Order shall transfer or be deemed or construed to transfer to the Corporation—

(1) (a) any jurisdiction power or right hitherto exercised or exercisable by the county council within the added areas or within the additional added area which was also exercised or exercisable within the burgh as previously existing by the county council before the commencement of this Part of this Order;

(b) any liability debt duty or obligation incurred by or incumbent on the county council in connection with the exercise of any such jurisdiction power or right; or

(c) any property officer or servant held or employed for the future exercise of any such jurisdiction power or right or for the discharge of any such liability debt duty or obligation;

(2) any property in the added areas or in the additional added area belonging to a railway company or an electricity supply company or any powers of any such company exercised or exercisable in the added areas or in the additional added area.

31. Notwithstanding anything contained in the Local Government (Scotland) Act 1889 or this Order any member of the county council or of Renfrew town council as the case may be who at the commencement of this Part of this Order represents any electoral division situated partly within and partly without the added areas or the additional area as the case may be shall continue to be a member of the county council or of Renfrew town council as the case may be (unless he resigns) until the next election of county councillors or of town councillors after the commencement of this Part of this Order.

PART II.

—cont.

Saving for
county and
town councillors.

32. All legal or other proceedings begun before the transfer and relating to any property or liabilities transferred to the Corporation under this Part of this Order may be carried on with the substitution of the Corporation as party to the proceedings in lieu of the transferor authority from whom the property or liabilities was or were transferred and any such proceedings may be amended in such manner as may be necessary for that purpose.

Proceedings not
to abate.

33. The following provisions for the protection of the Clyde Valley Electrical Power Company and the Strathclyde Electricity Supply Company Limited (hereinafter referred to in this section as "the company") in addition to those contained in the section of this Order of which the marginal note is "Saving of existing jurisdictions &c." shall apply and have effect (that is to say):—

For protection
of Clyde Valley
Electrical Power
Company and
Strathclyde
Electricity
Supply
Company
Limited.

Notwithstanding anything in this Part of this Order contained the company shall subject to the provisions of the Clyde Valley Electrical Power Acts 1901 to 1937 the Renfrew and District Electricity Special Order 1922 the Eastwood and Cathcart Electricity (Extension) Special Order 1923 the Renfrewshire (Western Area) Electricity Special Order 1925 and section 24 of the Paisley Corporation (Cart Navigation) Order 1938 be entitled to exercise all the powers of their said Acts and Orders in their area of supply and distribution in the same way as if the provisions of this Part of this Order had not been enacted notwithstanding the said area or some part thereof is comprised within the burgh.

PART III.

PUBLIC HEALTH.

A.—*Infectious diseases and sanitary.*

34.—(1) If the medical officer certifies in writing that any person in the burgh—

As to removal
of certain infirm
and diseased
persons.

(a) is aged or infirm or physically incapacitated and resides in premises which are insanitary owing to any neglect on the part of the occupier thereof or under insanitary conditions; or

(b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in

PART III.
—cont.

the interest of the health of such person and in order to prevent injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the medical officer may make application to the sheriff and the sheriff upon oral proof of the allegations in the certificate and subject to examination of such person by a registered medical practitioner to be nominated by him (if he thinks fit) may make an order for the removal of such person to a suitable hospital or institution or other suitable place provided or arranged for by the Corporation and for the care and maintenance of such person therein for such period (not exceeding three months) as may be determined by the order or such further period or periods (each not exceeding three months) as may be determined by any further order or orders made under and in accordance with the provisions of this section.

(2) The medical officer shall give to any person proposed to be removed under the provisions of this section or to some person being in charge of such person at least three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

(3) The cost of the removal of any person to a hospital or institution or other place as aforesaid and of his care and maintenance therein in pursuance of an order made under this section shall be borne by the Corporation.

(4) Any person who wilfully refuses to comply with or obstructs the execution of an order under this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding ten pounds.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to the sheriff by or on behalf of the person in respect of whom the order was made for the rescission of the order and the sheriff may make a rescission order accordingly if having regard to the circumstances he is of opinion that it is right and proper that such rescission order should be made.

Such person or other person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The powers of this section shall not be put into operation by the medical officer unless he is authorised by a resolution of the public health committee of the Corporation so to do in any particular case in which those powers are proposed to be exercised.

As to cleansing
of certain
dwelling-houses.

35. When the medical officer certifies in writing that any dwelling-house is in an insanitary condition and that the occupier thereof is unable through infirmity or mental incapacity to remedy such condition and that his health is thereby endangered the sheriff may on the application of the Corporation (who shall give the occupier seven days' notice of their intention to make such application) make an order for the removal of such occupier to an institution or other dwelling maintained by the Corporation for such period as the sheriff may by such order direct as being necessary to enable the Corporation to cleanse and disinfect the dwelling-house and the Corporation

may remove such occupier and may carry out such cleansing and disinfection of the dwelling-house as may be necessary. Provided that upon the completion of such cleansing and disinfection of the dwelling-house the Corporation shall make provision for the return of such occupier to the dwelling-house.

PART III.
—cont.

36.—(1) The owners of all common stairs or common passages and of water-closets drying rooms and wash-houses used in common and of all common ventilating shafts and lift shafts shall keep the same in repair and shall as often as may be required by the sanitary inspector and to his satisfaction repair and limewash or paint the same and every part and pertinent thereof and all roof-lights sky-lights fan-lights and windows belonging thereto in such manner and within such time as may be required. Provided that such owner shall not be required under the powers of this section to limewash more often than once in every year or to paint more often than once in three years any such common stair common passage water-closet drying room wash-house used in common common ventilating shaft lift shaft or any part or pertinent thereof or any roof-light fan-light or window belonging thereto.

Common stairs
&c. to be
limewashed &c.
by owners.

(2) Any such owner failing to comply with the provisions of this section or with any requirement of the sanitary inspector under this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

(3) Any person aggrieved by any requirement of the sanitary inspector under this section may appeal therefrom and section 339 of the Burgh Police (Scotland) Act 1892 shall extend and apply in respect of any such appeal.

55 & 56 Vict.
c. 55.

37.—(1) Where it appears to the Corporation upon a report from the medical officer or from the sanitary inspector that any person or the clothing of any person is verminous then if that person consents to be removed to a cleansing station they may cause him to be removed to such a station and if he does not so consent they may apply to the sheriff and the sheriff if satisfied that it is necessary that such person or his clothing should be cleansed may make an order for his removal to such a station and for his detention therein for such period and subject to such conditions as may be specified in the order.

Cleansing of
verminous
persons and
their clothing.

(2) Where a person has been removed to a cleansing station in pursuance of the last preceding subsection the Corporation shall take such measures as may in their opinion be necessary to free him and his clothing from vermin.

(3) The cleansing of females under this section shall be carried out only by a registered medical practitioner or by a woman duly authorised by the medical officer.

(4) Any consent required to be given for the purposes of this section may in the case of a person under the age of sixteen years be given on his behalf by his parent or guardian.

PART III.
—cont.

(5) A charge shall not be made in respect of the cleansing of a person or his clothing or in respect of his removal to or maintenance in a cleansing station under this section.

Verminous
articles to be
purified.

38.—(1) Where it appears to the sanitary inspector that—

(a) any dwelling-house or part thereof or any thing therein is in such a verminous condition that the health of any person is affected or endangered thereby; or

(b) the cleansing or purifying of any such dwelling-house or part thereof or thing therein would tend to prevent or check infectious disease;

he shall by notice in writing to the owner or occupier as the case may be of such house or part thereof or the owner of such thing require such owner or occupier as the case may be to cleanse or purify such dwelling-house or part thereof or such thing.

(2) Any person to whom notice is so given who fails to comply therewith within the time therein specified shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding ten shillings for every day during which he continues to make default and the sanitary inspector may if he thinks fit cause such article or thing to be cleansed or purified and may recover in a summary manner the expenses incurred by him in so doing from the person in default.

Prohibition of
sale of
verminous
furniture &c.

39.—(1) A dealer shall not sell or expose for sale any second-hand furniture mattress bed-linen or similar articles if the same are to his knowledge infested with bed bugs or if by taking reasonable precautions he could have known the same to be so infested.

(2) A dealer offending against the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds.

(3) (a) Any officer of or other person duly authorised by the Corporation in that behalf and producing his authority if and when required to do so may enter any premises in which second-hand furniture mattresses bed-linen or similar articles are sold or exposed for sale for the purpose of examining whether there be any contravention of the provisions of this section.

(b) Every person who refuses to permit any officer or authorised representative of the Corporation to enter any premises or make any inspection which such officer or authorised representative is authorised under the provisions of this section to enter or make or obstructs any such officer or representative in the execution of his duty under such provisions shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds.

(4) In and for the purposes of this section "dealer" means any person who in the course of his business trades or deals in any of the articles referred to in this section.

Buildings unfit
for occupation.

40.—(1) In any case where it is certified to the Corporation by the medical officer or the sanitary inspector that any building or part of a building (other than a dwelling-house) is unfit for occupation the Corporation may by an order affixed conspicuously on the building or part of the building declare that such building or part of a building

is not fit for occupation and such building or part of a building shall not after a date to be specified in such order be occupied.

(2) Any person who after the date specified in such order lets or continues to let or knowingly occupies or suffers to be occupied such building or part of a building shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding twenty shillings for every day during which such building or part of a building is so let or occupied. Provided always that if at any time after such order is made the Corporation are satisfied that such building has become or been rendered fit for occupation they may revoke such order and such order shall thenceforward cease to operate.

(3) Any person aggrieved by any order of the Corporation under the provisions of this section may appeal to the sheriff in the manner provided by section 20 of the Housing (Scotland) Act 1930 and the provisions of that section so far as applicable shall extend and apply with respect to any such appeal. 20 & 21 Geo. 5. c. 40.

41.—(1) The contractor engaged in or upon the construction reconstruction or alteration of any building in the burgh shall where practicable and if required by the Corporation provide to the reasonable satisfaction of the sanitary inspector and until the completion of any such work or operation maintain such water or other closets and urinals in or in connection with such building as may be sufficient for the accommodation of the workmen employed. Sanitary conveniences for workmen engaged on buildings.

(2) Any person who offends against this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) Any person aggrieved by any requirement of the Corporation under the provisions of this section may appeal therefrom and section 339 of the Burgh Police (Scotland) Act 1892 shall extend and apply in respect of any such appeal.

(4) Nothing in this section shall affect the operation of the Factories Act 1937 or any regulation or order made thereunder. 1 Edw. 8. & 1 Geo. 6. c. 67.

42. The provisions of section 32 of the Public Health (Scotland) Act 1897 so far as relating to byelaws as to offensive businesses shall within the burgh extend to the trade or business of a fish frier notwithstanding that such trade or business may not have been declared to be an offensive business in pursuance of the provisions of the Public Health Acts. Nothing in this section or in any byelaws made thereunder shall apply to any restaurant or café carried on in connection with a cinematograph theatre. Byelaws in respect of fried fish shops.

43.—(1) The Corporation may make byelaws for all or any of the following purposes (that is to say):— Byelaws as to fuel burning installations.

(a) For requiring in the case of new fuel burning installations and in the case of substantial alterations to existing fuel burning installations the provision of such arrangements as are calculated to prevent or reduce to a minimum the emission of visible smoke or other waste from such fuel burning installations to the satisfaction of the Corporation.

PART III.
—cont.

(b) For requiring the maintenance and operation of fuel burning installations in a manner calculated to prevent or reduce to a minimum the emission of visible smoke or other waste as far as practicable:

Provided that byelaws made under this section shall not apply with respect to any private dwelling-house or any fuel burning installations therein.

(2) Nothing contained in this section or in any byelaws made thereunder shall affect prejudicially the operation of the Smoke Nuisance (Scotland) Act 1857 or the Smoke Nuisance (Scotland) Act 1865 or the provisions of the Public Health (Scotland) Act 1897 or of the Burgh Police (Scotland) Act 1892 relating to the prevention of nuisance arising from smoke or apply to the railways stations or depots of a railway company or buildings connected therewith.

20 & 21 Vict.
c. 73.
28 & 29 Vict.
c. 102.

Noise nuisance.

44.—(1) A noise nuisance shall be liable to be dealt with summarily in the manner provided in Part II of the Public Health (Scotland) Act 1897 in the same way and to the same effect as in cases under subsection (6) of section 16 of that Act and the Corporation shall have all the powers and duties with reference to a noise nuisance which a local authority has with reference to a nuisance under the said Act.

(2) For the purposes of this section a noise nuisance shall be deemed to exist where any person makes or continues or causes to be made or continued any excessive or unreasonable or unnecessary noise and where such noise (a) is injurious or dangerous to health and (b) is capable of being prevented or mitigated having due regard to all the circumstances of the case:

Provided that if the noise is occasioned in the course of any trade business or occupation it shall be a good defence that the best practicable means of preventing or mitigating it having regard to the cost have been adopted.

(3) Nothing contained in this section shall apply to a railway company or their servants exercising statutory powers.

Nuisance arising from pigeons.

45.—(1) For the purpose of abating or mitigating any nuisance annoyance or damage caused by the congregation at any place in the burgh of pigeons having or believed by the Corporation not to have an owner or of preventing or minimising any such nuisance annoyance or damage which might in the opinion of the Corporation be so caused the Corporation may destroy or may seize and sell or otherwise dispose of or cause to be destroyed or seized and sold or otherwise disposed of such pigeons and take such other steps as they may deem necessary for any such purpose:

Provided that the Corporation shall not in the exercise of the powers conferred by this section—

(a) enter upon any building or land (other than a street) without the consent (which shall not be unreasonably withheld) of the occupier or the authority body or person having the exclusive control and management of such building or land;

(b) execute or do any work or thing affecting the structure of such building or the use of such land without the consent

(which shall not be unreasonably withheld) of the authority body or person in whom such building or land is vested; or

(c) knowingly destroy sell or otherwise dispose of or cause to be destroyed sold or otherwise disposed of any pigeon belonging to any person.

(2) Any question arising under this section as to whether any consent has been unreasonably withheld shall be determined by the sheriff.

46. Any person in charge of a dog in any street and having the dog on a lead who allows or permits such dog to deposit its excrement upon a public pavement or footway shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings. Nuisance by dogs.

47.—(1) The Corporation may make byelaws for the purpose of securing that any premises used or to be used for the purpose of carrying on the business of a hairdresser barber manicurist or chiropodist are suitable and adequate for such purpose and of securing the cleanliness of such premises and of the instruments towels and materials used by hairdressers barbers manicurists and chiropodists in such premises or elsewhere where a charge is made for attendance or service. Byelaws as to premises &c. of hairdressers barbers &c.

(2) Any person using any such premises shall keep exhibited in a suitable place a copy of the byelaws made by the Corporation under this section.

(3) Any person who acts or offends against any byelaw made under this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

B.—Human food.

48.—(1) The Corporation may make byelaws for securing the observance of sanitary and cleanly conditions and practices in connection with the handling wrapping and delivery of food sold or intended for sale for human consumption and in connection with the sale or exposure for sale in the open air of food intended for human consumption. Byelaws with respect to handling wrapping &c. of food and sale of food in open air.

(2) The medical officer the sanitary inspector or any other officer duly authorised by the Corporation in that behalf and showing his authority if required shall be entitled at all reasonable times to enter into and inspect any premises in which he suspects that there is any contravention of a byelaw made under this section.

(3) Any person refusing such entry or inspection or obstructing any such officer in the execution of his duty shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings.

49.—(1) Every occupier of any shop or other premises used for the sale preparation or storage of butcher meat poultry game fish butter meal bread or any other article of food which by its nature will be liable to contamination by contact with unclean conditions who does not keep such shop or other premises clean and in good condition Penalty for want of cleanliness in meat and provision shops &c.

PART III.
—cont.

shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

(2) Every person who uses any cart basket or other article or thing for the disposal or sale of any article of food which by its nature will be liable to contamination by contact with unclean conditions who does not keep the same clean and in good condition shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Provisions as to
rooms where
food intended
for sale is
prepared or
stored &c.

50.—(1) Subject to the provisions of this section the following provisions shall have effect in relation to every room in which any food intended for human consumption (other than milk) is prepared for sale or sold or offered or exposed for sale or deposited for the purpose of sale or of preparation for sale (that is to say):—

- (a) sanitary conveniences dustbins or ashpits shall not be within or communicate directly with the room or be so placed that offensive odours therefrom can penetrate into the room;
- (b) a cistern for the supply of water to the room shall not be in direct communication with or discharge directly into a sanitary convenience and there shall not be within the room any outlet for the ventilation of a drain or except with the approval of the Corporation an inlet into any drain conveying sewage or foul water;
- (c) the walls floor doors windows and ceiling of the room shall be kept in a proper state of repair;
- (d) the walls ceiling and doors of the room shall be painted whitewashed cleansed or purified as often as may be necessary to keep them clean and the windows of the room shall be kept clean;
- (e) the room shall not be used as a sleeping place and so far as may be necessary to prevent risk of infection or contamination of food in the room a sleeping place adjoining the room shall not communicate therewith except through the open air or through an intervening ventilated space;
- (f) except in the case of an artificially refrigerated room suitable and sufficient means of ventilation shall be provided and suitable and sufficient ventilation shall be maintained;
- (g) refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in the room except so far as may be necessary for the proper carrying on of the trade or business for which the room is used and the floor of the room shall be cleansed as often as may be necessary to keep it clean;
- (h) cleanliness shall be observed by persons employed in the room both in regard to the room and all articles apparatus and utensils therein and in regard to themselves and their clothing; and
- (i) there shall be provided in or within reasonable distance of the room suitable washing basins and a sufficient supply of soap clean towels and clean water both hot and cold for the use of persons employed in the room:

Provided that paragraph (i) of this subsection shall not apply in relation to a room which is used for the sale or storage or for the sale and storage of food contained in containers of such materials and so closed as to exclude all risk of contamination but is not otherwise used for any purpose in connection with the preparation storage or sale of food.

(2) If in the case of a room to which the preceding subsection applies—

- (a) any of the requirements of that subsection are not complied with; or
- (b) any person does or permits any act or thing in contravention of that subsection or fails to take all such steps as may be reasonably necessary to prevent risk of contamination of food in the room; or
- (c) any person prevents the owner of the room from executing any work necessary to make the room comply with the said requirements;

then in the first-mentioned case the occupier of the room and in the other cases mentioned the person in question whether he be the occupier or not shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(3) If in the case of a room to which subsection (1) of this section applies any of the requirements specified in paragraphs (a) (b) (c) or (f) of that subsection is not complied with then in so far as that requirement is of a structural character the owner of the room—

- (a) if he let it for the purpose of being used for the preparation sale or storage of food; or
- (b) if not having so let it he permits it to be so used after receiving notice from the Corporation;

shall be guilty of an offence and on summary conviction be liable to the same penalty as the occupier of the room but without prejudice to the liability of the occupier under the foregoing subsection.

(4) Where the owner of a room who did not let it for the purpose of being used for the preparation sale or storage of food executes any work necessary to make the room comply with the requirements of subsection (1) of this section he may recover the expenses incurred by him in so doing from the occupier of the room as a civil debt.

(5) In this section the expression "room" includes a shop or cellar or any other part of a building and shed store or outbuilding or any part thereof and the provisions of this section except paragraphs (e) and (f) of subsection (1) thereof shall so far as applicable apply in relation to a forecourt (that is to say any recess yard or area or enclosed space in front of and contiguous or adjacent to any building) as they apply in relation to a room.

51.—(1) The following provisions shall apply and have effect in relation to every vehicle in which any food intended for human consumption (other than milk) is prepared for sale or sold or offered

Provisions as to vehicles used in connection with sale &c. of food.

PART III.
—cont.

or exposed for sale or deposited for the purpose of sale or of preparation for sale (that is to say):—

- (a) Every part of such vehicle adjacent to or liable to come in contact with any food as aforesaid shall be kept in a proper state of repair;
- (b) The inside of the floor sides ends roof and doors of such vehicle shall be painted washed cleaned or purified as often as may be necessary to keep them clean;
- (c) Sufficient means of ventilation shall be provided and suitable and sufficient ventilation shall be maintained in such vehicle;
- (d) Refuse or filth either liquid or solid shall not be deposited or allowed to accumulate in such vehicle except so far as may be reasonably necessary for the proper carrying on of the trade or business for which the vehicle is used;
- (e) Due cleanliness shall be observed by persons employed in or about such vehicle and in the carrying of food to or from the vehicle.

(2) If in the case of a vehicle to which the preceding subsection applies—

- (a) any of the requirements of that subsection are not complied with; or
- (b) any person does or permits any act or thing in contravention of that subsection or fails to take such steps as may be reasonably necessary to prevent risk of contamination of food in the vehicle;

the owner of or any person in charge of such vehicle shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

52.—(1) (a) A person shall not carry on the business of a manufacturer or vendor of or dealer in ice-cream unless he is registered by the Corporation.

(b) Premises shall not be used for the manufacture for sale or sale of ice-cream or for the storage of ice-cream intended for sale unless such premises are registered by the Corporation.

(c) A person shall not carry on the business of a manufacturer of preserved food unless he is registered by the Corporation.

(d) Premises shall not be used for the manufacture of preserved food intended for sale unless such premises are registered by the Corporation.

(e) Any person who offends against the provisions of this subsection shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The Corporation may refuse to register any such person or premises or (after giving one month's notice in writing to the person

registered or in whose name any such premises are registered) may revoke the registration of any such person or premises—

- (i) as regards any person on the ground that the public health is or is likely to be endangered by any act or default of the person who is registered or who seeks to be registered as aforesaid in relation to the quality storage or distribution of the ice-cream or preserved food as the case may be; and
- (ii) as regards any premises on the ground that the premises are not suitable to be used for the purposes aforesaid:

Provided that before refusing or revoking such registration the Corporation shall serve upon the applicant for registration or the person registered or in whose name such premises are registered a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register or revoke the registration of the person or premises.

(b) If the Corporation refuse to register or revoke the registration of any such person or premises they shall deliver to the person applying for such registration or the person registered or in whose name the premises are registered a statement in writing of the ground or grounds on which such refusal or revocation is based. Notice of the right to appeal next hereinafter mentioned shall be endorsed on every such statement.

(c) Any person aggrieved by any such refusal or revocation may appeal to the sheriff provided that such appeal be made within fourteen days from the date of the delivery of the statement referred to in the immediately preceding paragraph of this subsection.

(d) Any person so appealing shall give written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal.

(3) In this section—

(a) the expression “ice-cream” includes any preparation sold under the name of ice-cream or any similar name whether containing milk or cream or not and also includes any other frozen or chilled confection;

(b) the expression “preserved food” means sausages or potted pressed pickled or preserved meat fish or other food and the preparation of meat or fish by any process of cooking shall be deemed to be the preservation thereof.

(4) The Corporation may make a charge not exceeding five shillings in respect of the registration of any person or premises under this section.

(5) The provisions of this section shall not in any way affect the operation of the Factories Act 1937.

(6) The provisions of this section shall not apply to any premises used as a club hotel or restaurant or as railway refreshment rooms nor to the sale of ice-cream or preserved food upon any premises used as a theatre or other place of public amusement unless ice-cream or preserved food is actually manufactured upon such premises.

PART III.

—cont.

Power to prohibit persons in advanced state of tuberculosis from selling &c. food.

53.—(1) If the medical officer certifies that any person is suffering from tuberculosis of the respiratory tract and is in an infectious state and that he is employed within the burgh in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household and that his continuance in such employment would in the judgment of the medical officer be detrimental to the public health the Corporation may request such person to stop his employment and on such request being made the Corporation may if they think fit make compensation to him in respect of any loss which he may sustain by reason of such stoppage.

(2) If any such person fails to comply with such request the Corporation may apply to the sheriff for an order requiring him to stop his employment and the sheriff shall have power to make such an order if after consideration of all the circumstances he thinks fit to do so and may direct that such compensation as he deems equitable shall be paid by the Corporation to such person.

(3) If any such person fails to comply with any such order he shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Medical practitioners to notify cases of food poisoning.

54.—(1) Every registered medical practitioner attending on a person in the burgh who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the medical officer a notification of the case stating the name of such person and the place at which such person is.

(2) The Corporation shall pay to every registered medical practitioner for each notification duly sent by him in accordance with this section a fee of two shillings and sixpence if the case occurs in his private practice and of one shilling if the case occurs in his practice as medical officer of any public body or institution.

Provisions as to suspected food.

55.—(1) If the medical officer the sanitary inspector or any other officer duly authorised by the Corporation in that behalf has reasonable ground for suspecting that any food of which he has procured a sample is likely to cause food poisoning he may give notice to the person in charge of the food that until his investigations are completed the food or any specified portion thereof is not to be removed or is not to be removed except to some place specified in the notice.

(2) If as a result of his investigations the medical officer the sanitary inspector or such other officer is satisfied that the food in question may safely be used for human consumption he shall forthwith withdraw his notice but if he is satisfied that such food or any portion thereof is likely to cause food poisoning he may seize and remove it in order to have it dealt with by the magistrate and shall inform the person in whose possession it was found of his intention to have it dealt with by the magistrate and such person shall be entitled to appear before the magistrate and to be heard and call witnesses.

(3) If it appears to the magistrate that any food brought before him whether seized under the provisions of this section or not is unfit for human consumption he shall condemn it and order it to be

destroyed or to be so disposed of as to prevent it from being used for human consumption.

PART III.
—cont.

(4) A person who removes any food in contravention of the requirements of a notice given under subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds.

(5) If a notice given under subsection (1) of this section is withdrawn by the medical officer the sanitary inspector or such other officer or if the magistrate before whom any food is brought under this section refuses to condemn it the Corporation shall compensate the owner of the food to which the notice related for any depreciation in its value resulting from the action taken by the medical officer sanitary inspector or such other officer.

C.—Expenditure under Part III.

56. All expenses incurred by the Corporation in carrying out the powers conferred on them by this Part of this Order shall be paid out of the burgh fund in the same manner as expenditure incurred by the Corporation under the Public Health Acts.

Expenditure of Corporation under Part III of Order.

PART IV.

PUBLIC PARKS AND BURIAL GROUNDS.

A.—Public parks.

57. The Corporation may from time to time as they think fit by agreement purchase feu or lease any lands situated either within or beyond the burgh for the purposes of this Head of this Part of this Order and for the purposes of the Public Parks Act.

Acquisition of land for parks.

58. Subject to the provisions of this Head of this Part of this Order the Corporation shall in addition to the powers conferred on the Corporation by the Public Parks Act have and may exercise all or any of the following powers in connection with the parks (that is to say):—

Powers as to parks.

- (1) They may reclaim drain and improve the surface of the parks or any part thereof and execute construct and maintain all necessary works for that purpose:
- (2) They may form improve and maintain roads drives footpaths riding tracks and walks in the parks and do such other things as from time to time may appear to the Corporation to be expedient for the use and enjoyment of the parks by the public:
- (3) They may form and maintain or lay out or set apart in any part of the parks golf courses tennis courts bowling greens putting greens polo grounds football pitches cricket pitches and hockey pitches and grounds for other outdoor games and places for dancing and may also form and maintain thereon yachting ponds swimming pools boating ponds curling and skating ponds and may regulate the playing of games in the parks and the use of such places for dancing ponds and pools:

PART IV.
—cont.

- (4) They may provide and maintain in any of the parks any apparatus and facilities for games recreation and amusement and may make reasonable charges for the use of the same:
- (5) They may provide erect maintain manage and carry on in the parks or authorise other persons to provide erect maintain and carry on therein museums collections of natural history science or art refreshment rooms (other than for the sale of exciseable liquor) pavilions waiting-rooms shelters stores club-houses baths lavatories and other conveniences band-stands conservatories tool-houses dwelling-houses for park-keepers and other similar officers of the Corporation and other such erections and may charge and take such rents rates or charges in respect of the use of the parks and of such yachting ponds boating ponds curling and skating ponds tennis courts bowling greens putting greens polo grounds football pitches golf courses cricket pitches hockey pitches grounds places for dancing refreshment rooms pavilions waiting-rooms shelters stores club-houses baths lavatories and other conveniences band-stands or other erections as they think fit:
- (6) They may from time to time let or permit to be used for any special or temporary purpose portions of the parks and the right to provide apparatus for the purposes of games recreation or amusement on such terms and subject to such conditions and for such periods as they think fit:
- (7) They may set apart any portion of the parks as a children's playground and provide gymnastic or other apparatus therefor and may fix the age above which persons shall not be permitted to play therein:
- (8) They may levy reasonable charges for admission into any museum conservatory winter garden collection of natural history science or art and other similar places and buildings under their control.

Byelaws as to
parks.

59. In addition to the powers to make byelaws conferred upon the Corporation by the Public Parks Act the Corporation may make byelaws for all or any of the following purposes (that is to say):—

- (1) For the general management regulation control and better preservation of the parks and for regulating and ensuring good order in the use of parks and the regulation and control of golf or any other games now played or which may hereafter be played in the parks and the regulation and control of dancing in the parks:
- (2) For licensing appointing and regulating golf caddies and professional golfers and golf experts and all other persons who may be employed in the parks for remuneration or reward and for fixing and regulating the charges for their services:
- (3) For the prevention of unlicensed persons being employed or taking employment in the parks:

- (4) For the orderly conduct of persons frequenting or using the parks or playing golf or any other games therein:
- (5) For excluding and removing from the parks gipsies hawkers and beggars and all persons committing a breach of the peace or infringing any byelaw:
- (6) For regulating and prescribing the days on which games may be played and the hours at which games shall be permitted in the parks or in any part or parts thereof:
- (7) For preventing or regulating the admission to the parks of vehicles and of horses and other animals:
- (8) For protecting from injury any golf courses and turf and greens and all tee boxes guide posts bunkers golf holes pins flags and other fittings connected therewith and any yachting ponds boating ponds curling and skating ponds tennis courts bowling greens putting greens polo grounds football pitches cricket pitches and hockey pitches or ground set apart for any other games or any places for dancing or any apparatus or implements used for or in connection with any games established or provided in any part of the parks:
- (9) For regulating and varying from time to time any charges to be exacted from persons using any place or places for the playing of games or for dancing in the parks and the recovery thereof and the exclusion and removal of persons refusing or evading payment thereof.

60. Subject to the provisions of this Order the Corporation may use or permit the use of the whole or any part of any of the parks for any period or periods not exceeding in the whole one month in any one year for any special purpose other than a purpose for which such park may ordinarily be used and may when the park is being so used close the same or any part thereof against the public and may demand and take or permit to be demanded and taken such reasonable sums for the exclusive occupation of or for the admission of persons to such park or portion thereof as they may fix.

As to temporary use of parks for other purposes.

61. Any park which has been or shall be provided or administered by the Corporation outside the burgh shall be deemed to be within the burgh for the purpose of the control regulation and management of the same and the provisions of the Public Parks Act and of this Head of this Part of this Order as to the making of rules regulations and byelaws shall extend and apply to every such park. Provided that nothing in this section shall affect or interfere with the area of jurisdiction of any justices of the peace or any court of competent jurisdiction or any police force. Provided also that such byelaws shall before confirmation be subject to the approval of the county council.

As to parks outside burgh.

62. All expenses incurred by the Corporation in the exercise of the powers conferred on them by this Head of this Part of this Order shall in so far as not met by income from the parks be paid out of the burgh fund in the same manner as expenditure incurred by the Corporation under the Public Parks Act.

Expenditure in respect of public parks.

PART IV.

—cont.

Consent for
formation of
cemeteries and
crematoria.

63. It shall not be lawful for any person or company except with the consent in writing of the Corporation to make or construct any burial ground or cemetery or crematorium or to extend or enlarge any existing burial ground or cemetery or crematorium within the burgh. Provided that the provisions of this section shall not apply to the Woodside cemetery and crematorium of the Paisley Cemetery Company Limited as the same exist at the commencement of this Order.

Byelaws for
cemeteries and
crematoria.

64. The Corporation may for the protection of the public health and amenity and the maintenance of public decency make byelaws for the regulation and preservation of burial grounds cemeteries and crematoria.

Burial registers
to be kept.

65.—(1) Every interment in any burial ground or cemetery (not belonging to the Corporation) shall be registered in register books to be provided and kept for that purpose in such manner as may be approved by the Corporation by the person to whom such burial ground or cemetery belongs.

(2) Such register books shall specify the place of each interment within such burial ground or cemetery with reference to a plan which shall also be provided and kept for such purpose by the person to whom the burial ground or cemetery belongs and on which plan every lair or burying-place shall be numbered and the register books and plan shall at all reasonable times be open to inspection by the medical officer or the sanitary inspector without fee or payment.

(3) Any person failing to comply with the provisions of this section shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds.

Interments.

66.—(1) It shall not be lawful except with the consent of the Corporation to inter or cause or permit to be interred any human remains in any place within the burgh other than in a public burial ground or cemetery.

(2) Any person who does or causes or wilfully permits to be done any act in contravention of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding fifty pounds and to a daily penalty not exceeding five pounds.

PART V.

STREETS BUILDINGS &C.

Owners to fence
property.

67.—(1) The Corporation may by notice require the owner of any land fronting or abutting on any street to erect so far as not already done a suitable fence or wall along such land so far as fronting or abutting on such street and to repair alter or renew any fence or wall along such land so far as fronting or abutting on such street.

(2) This section shall not apply to any land requiring to be fenced in pursuance of the Railway Clauses Consolidation (Scotland) Act 1845 so long as used for railway purposes.

8 & 9 Vict.
c. 33.

68.—(1) The Corporation may by resolution passed or order made at a meeting of the Corporation after notice of the intention to exercise the powers of this section has been given in the notice convening the meeting of the Corporation and by advertisement published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers published or circulating in the burgh shut up discontinue and close any public street or right of way or any portion of a public street or right of way which has from change of circumstances or otherwise become useless to the public or dangerous to foot passengers or may by resolution or order as aforesaid consent to the shutting up and closing of the same on such terms and conditions as may be arranged with the owner of the solum thereof.

(2) Any resolution or order of the Corporation under this section shall be published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers published or circulating in the burgh and by a printed copy thereof being affixed in some conspicuous place at both ends of such street or right of way and a notice narrating such resolution or order and containing a copy of this section shall be served on every owner lessee and occupier of lands and heritages fronting or abutting on or entering from the street or right of way referred to in the resolution or order.

(3) Within one month after the first publication of such resolution or order and the service of such notice the Corporation shall report the resolution or order to the sheriff and any person aggrieved by the resolution or order may within the said period of one month appeal to the sheriff against such resolution or order provided that he gives written notice of such appeal and the grounds thereof to the Corporation.

(4) On such resolution or order being reported to him the sheriff shall take the same into consideration along with any appeal which may have been made against the same under the provisions of this section and shall hear parties and may require them to submit evidence and the sheriff may either confirm the resolution or order or if he considers that in the circumstances the resolution or order should not have been made declare the same to be void and of no effect and his decision shall be final as regards the said resolution or order and he may award expenses such expenses to be recoverable as a civil debt.

(5) In the event of the sheriff confirming the resolution or order he shall in his interlocutor declare the solum of the street or right of way or portion thereof referred to in the resolution or order to be vested in the person or persons whose lands immediately adjoin thereto in the event of such person or persons appearing before the sheriff and claiming the same before the date of such interlocutor or failing such claim the sheriff shall declare the said solum to be vested in the Corporation and the solum so vested shall thereupon be deemed to be freed and discharged from the public use thereof.

(6) In the event of the sheriff in his interlocutor declaring the solum to be vested in the Corporation the Corporation may sell convey or otherwise dispose of the same for such consideration as they may consider reasonable or proper and in the event of the sheriff declaring

PART V.
—cont.

the solum to be vested in the person or persons whose lands immediately adjoin thereto the Corporation shall be entitled within one month from such interlocutor to appropriate and remove the causeway setts road metal paving material kerbs water channels gullies lamp-posts or other property of the Corporation thereon.

For protection
of Postmaster-
General.

69.—(1) Where any street or part of a street ceases to be a street in pursuance of a resolution of the Corporation under the section of this Order of which the marginal note is "Closing of streets &c." the following provisions shall unless otherwise agreed in writing between the Corporation and the Postmaster-General have effect in relation to any telegraphic line belonging to or used by the Postmaster-General which is under in upon over along or across such street or part of a street at the time of the passing of such resolution:—

- (a) The power of the Postmaster-General to remove the line shall be exerciseable notwithstanding the passing of such resolution so however that the said power shall not be exerciseable as respects the whole or any part of the line after the expiration of a period of three months from the date mentioned in subsection (2) of this section unless before the expiration of that period the Postmaster-General has given notice to the Corporation of his intention to remove the line or that part thereof as the case may be;
- (b) The Postmaster-General may by notice to the Corporation in that behalf abandon the said line or part thereof and shall be deemed as respects the line or any part thereof to have abandoned it at the expiration of the said period of three months unless before the expiration of that period he has removed it or given notice of his intention to remove it;
- (c) The Postmaster-General shall be entitled to recover from the Corporation the expense of providing in substitution for the line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the line a telegraphic line in such other place as the Postmaster-General may require;
- (d) Where under paragraph (b) of this subsection the Postmaster-General abandons the whole or any part of a telegraphic line it shall vest in the Corporation and the provisions of the Telegraph Acts 1863 to 1943 shall not apply in relation to the line or part in question as respects anything done or omitted after the abandonment thereof.

(2) As soon as the whole or any part of a street has ceased to be a street in pursuance of any such resolution as aforesaid the Corporation shall send by post to the Postmaster-General a notice informing him of such cessation and the period of three months mentioned in subsection (1) of this section shall commence to run from the date on which such notice is sent.

(3) In this section the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878.

41 & 42 Vict.
c. 76.

Temporary
closing of streets
for carrying out
works.

70. Any two members of the Corporation on a written report from the burgh engineer that it is necessary to close any street or part of a street for a limited period for the purpose of the carrying out by the Corporation of any necessary works therein or in order to prevent

risk of accident may from time to time authorise the closing of such street or part thereof for such period as they may deem necessary. Provided that except in case of emergency before closing any street to through traffic under the provisions of this section one week's notice of the intention so to do must be given by advertisement in a daily newspaper circulating in the burgh. Provided further that except in case of emergency reasonable means of access for vehicular and pedestrian traffic shall be provided during any such period to any station or depot of a railway company.

71.—(1) Where any tree hedge or shrub overhangs any street so as to obstruct or interfere with the light from any public lamp or to come into contact with any existing or proposed overhead public lighting electric cable or to interfere with vehicular traffic or with the free passage or comfort of passengers the Corporation may by notice under the hand of the burgh engineer require the owner of the tree hedge or shrub or the occupier of the premises on which such tree hedge or shrub is growing to lop the tree hedge or shrub within seven days so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves at the expense of such owner or occupier as the case may be carry out the requisition of their notice doing no unnecessary damage.

Lopping of trees
overhanging
streets.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to the sheriff within seven clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the town clerk and the sheriff shall have power to make such order as he may think fit and to award expenses such expenses to be recoverable as a civil debt. Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

72.—(1) The Corporation may from time to time make byelaws for any of the purposes after-mentioned (that is to say):—

Building
byelaws.

- (a) The drainage of the subsoil of sites on which buildings are about to be erected and of sites fronting or abutting on streets or public places;
- (b) The construction of floors beams joists columns and stanchions and the exhibition of notices as to the live loads which the said floors beams joists columns and stanchions are designed to carry as a live load;
- (c) The provision of retaining walls and the erection of walls or other fences forming divisions between courts back-courts and areas and of walls adjoining streets;
- (d) The protection from fire of persons occupying dwelling-houses or occupied apartments where any trade business or manufacture is carried on or is intended to be carried on in the same tenement or building;
- (e) Pavement lights and gratings and openings for coal shutes;
- (f) The giving of notices to the Corporation in connection with building operations and the making of inspections.

PART V.
—cont.

(2) The byelaws made under the powers of this section shall apply to new buildings and to every addition to or alteration of any building and any other work made or done for any purpose in to or upon or in immediate connection with any building that may affect its sanitary condition air space or structural security or increase its dimensions or increase the number of separate occupancies therein so far as regards such addition or alteration or other work.

(3) The Corporation may by byelaws under this section impose on offenders against the same such reasonable penalties as they think fit not exceeding the sum of five pounds for each offence and a daily penalty not exceeding forty shillings.

Control of
vacant building
areas and
derelict
buildings.

73.—(1) For protection of the amenity of the burgh and for preventing the disfigurement of the streets by the unsightly condition of adjacent lands and buildings the Corporation may make byelaws for regulating the manner in which vacant building sites fronting or abutting on streets and unoccupied or ruinous buildings in streets shall be kept.

(2) Byelaws made under the authority of this section shall not apply to any such site or to any building in a street unless at least one-half of the frontage of one side of the street is built upon.

(3) The owner and the occupier of a building site or building who fails to comply with the byelaws made under the authority of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds for each site or building in respect of which he fails to comply and to a daily penalty not exceeding forty shillings.

Apartments not
to be let or used
for sleeping in
unless they have
one or more
windows of a
proportionate
size.

74. It shall not be lawful for any owner or the factor or agent of any owner to let or for any person to take on lease or to use or suffer to be used as a sleeping apartment any apartment in which there is not at least one window (not being a sky-light or roof-light) or in which each window (be there one or more) is not so constructed or hung as that at least one-third of it may be conveniently and easily opened or in which the sash of the window or the sashes or the several windows taken together is or are not of the dimensions hereinafter provided (that is to say):—

If the said apartment contains less than two thousand five hundred cubic feet of space unless the said sash or sashes give a superficial area in the proportion of one foot for every hundred of such cubic feet;

If the said apartment contains more than two thousand five hundred cubic feet of space unless the said sash or sashes give a superficial area in the proportion of one foot for every one hundred and fifty of such cubic feet.

Opening up of
enclosed beds
&c.

75.—(1) The Corporation may by notice require the owner of any dwelling-house containing an enclosed bed or bed recess which is not open in front for three-fourths of its length and from floor to ceiling (with the exception only of carrying beams) to cause such

enclosed bed or bed recess to be opened up to the satisfaction of the burgh engineer and of the sanitary inspector within a reasonable time to be prescribed in such notice.

PART V.
—cont.

(2) Any such owner who fails to comply with a notice given under the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

76.—(1) It shall not be lawful for any person to discharge or permit to flow or pass into any sewer of the Corporation or any drain connecting therewith—

Injurious matter not to be allowed to pass into a sewer.

(a) any matter likely to injure the sewer or drain or to interfere with the free flow of its contents or to affect prejudicially the treatment and disposal of its contents; or

(b) any chemical refuse or waste steam or any liquid of a temperature higher than one hundred and ten degrees Fahrenheit being refuse or steam which or a liquid which when so heated is either alone or in combination with the contents of the sewer or drain dangerous or the cause of a nuisance or prejudicial to health; or

(c) any petroleum spirit or carbide of calcium.

(2) Every person who is guilty of a contravention of the provisions of this section shall be liable on summary conviction to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

(3) In this section the expression "petroleum spirit" means—

(a) any crude petroleum;

(b) any oil made from petroleum coal shale peat or other bituminous substances; and

(c) any products of petroleum and mixtures containing petroleum;

which when tested in manner set forth in the Second Schedule to the Petroleum (Consolidation) Act 1928 gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit. 18 & 19 Geo. 5.
c. 32.

77. With respect to any sewer or drain which may be constructed by any person and intended to be connected with the sewerage undertaking of the Corporation the point of junction or connection of such sewer or drain with a sewer of the Corporation and the mode of effecting such junction or connection shall be determined by the Corporation and the Corporation shall have the exclusive right of executing any works on any of the sewers of the Corporation required for making any junction or connection to any such sewer and any expense incurred by the Corporation in so doing shall be repaid by the person on whose behalf or at whose request such junction or connection is made and failing payment shall be recoverable by the Corporation as a debt from the person in default.

Junctions or connections to sewers.

PART V.

—cont.

Penalty for
damaging
sewers.

78. Every person who wilfully breaks or in any way damages interferes with or obstructs any of the sewers of the Corporation or any of the works or appurtenances of the sewerage undertaking of the Corporation shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds over and above the expense of repairing the damage done.

Streams not to
be culverted or
covered over
except in
accordance with
plans.

79.—(1) It shall not be lawful to culvert or cover over any stream watercourse or ditch except in accordance with plans and sections to be submitted to and approved by the Corporation. Provided that the approval of the Corporation shall not be unreasonably withheld.

(2) If any difference arises between the Corporation and the owner of any lands as to the reasonableness of the requirements of the Corporation under this section such difference may be determined by the sheriff on the application of either party.

(3) Any person who acts in contravention of this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Power to require
covering in of
watercourses
and ditches.

80.—(1) If any watercourse or ditch situated upon land laid out for building or on which land laid out for building abuts other than any ditch along the side of a road requires in the opinion of the Corporation to be wholly or partially filled up or covered over the Corporation may by notice in writing require the owner of the land before any building operations are begun or proceeded with to execute such works as may in their opinion be necessary for effecting the objects aforesaid or for substituting for the watercourse or ditch a pipe drain or culvert with all necessary gullies pipes and means of conveying surface water through the same.

(2) Any person who fails to comply with a requirement of the Corporation under this section shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) Nothing in this section shall authorise the Corporation to require the execution of works upon the land of any person other than the owner of the land laid out for building without the consent of that person or prejudicially to affect the rights of any person not being the owner of the land so laid out.

Power to
officers of
Corporation to
enter premises
for purposes of
Order.

81.—(1) The burgh engineer and any officer appointed by him for the purpose and showing his authority if required may at all reasonable hours in the daytime enter into and upon and inspect—

(a) any public building;

(b) any building or premises in or upon which any operations or works are being carried out in pursuance of any authority or approval given by the Corporation or by the burgh engineer under the provisions of the Act of 1901 or of this Order or in pursuance of any requirement or order given by the dean of guild court or by the burgh engineer thereunder;

- (c) any building or premises which are undergoing structural alteration or are being taken down or removed;
- (d) any building or anything affixed thereon which appears to be or to be likely to become dangerous; or
- (e) any building or premises in respect of which the burgh engineer has reason to believe that any of the provisions of the Act of 1901 or of this Order or any requirement or condition imposed thereunder or of the byelaws made thereunder is not being observed or are being contravened.

(2) The burgh engineer and any officer appointed by him may also enter into or upon any building lands or premises for the purposes of executing any work authorised to be executed by the Corporation under the provisions of the Act of 1901 or of this Order.

(3) Except as otherwise provided in this Order the burgh engineer or any such officer shall not enter into or upon any building lands or premises under the powers of this section unless with the consent of the occupier thereof until after the expiration of twenty-four hours' notice for that purpose given to such occupier.

(4) The provisions of this section shall not apply to any building or premises of a railway company except a dwelling-house or any building as is referred to in subsection (1) (d) where such building abuts on a highway.

82. Any person who refuses to permit any person acting under the authority of this Order and showing his authority if required to enter into or upon any building lands or premises or to make any inspection authorised by this Order shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds.

Penalty for refusing entry or inspection to be made.

83. All expenses incurred by the Corporation under the foregoing provisions of this Order—

Expenses of Corporation in respect of streets and buildings.

- (a) with respect to any street (so far as not recoverable from the owners or occupiers of any lands or premises adjoining or abutting on such street); and
- (b) with respect to any building (so far as not recoverable from the owners or occupiers thereof);

shall be defrayed in the same way and manner as expenses incurred by the Corporation under the provisions of the Act of 1901 in respect of streets and buildings respectively are defrayed under the provisions of that Act.

84.—(1) The foregoing provisions of this Part of this Order shall be in addition to and not in derogation of the powers conferred on the Corporation the dean of guild court the burgh engineer the master of works or any other officer of the Corporation by the Burgh Police Acts and the Act of 1901 and the provisions of the Burgh Police Acts with respect to the serving of notices the recovery of expenses from owners or occupiers the prosecution of offences and the execution

Powers of Part V to be in addition to powers under Burgh Police Acts &c.

PART V.
—cont.

of works shall with the necessary modifications extend and apply with respect to such matters under this Part of this Order.

(2) Words and expressions to which meanings are assigned by the Burgh Police Acts or the Act of 1901 shall except as otherwise expressly provided by this Order and so far as not inconsistent with this Order have the same meanings respectively in and for the purposes of this Part of this Order.

For protection
of railway
companies.

85.—(1) Nothing contained in the section of this Order the marginal note of which is "Building byelaws" shall apply to any building or property (other than dwelling-houses) belonging to a railway company or used for railway purposes or affect the exercise of any powers conferred upon a railway company by any special Act of Parliament for railway purposes except with respect to sewers, drains and other sanitary matters.

(2) (a) The provisions contained in the sections of this Order the marginal notes of which are respectively—

"Junctions or connections to sewers";

"Streams not to be culverted or covered over except in accordance with plans";

"Power to require covering in of watercourses and ditches"

shall not except as may be otherwise agreed in writing between the Corporation and any railway company extend or apply to or in respect of any land building sewer drain culvert or covering belonging to or constructed by a railway company under any statutory power.

(b) Before a railway company construct alter or extend any common drain or private drain by means of which any sewer of the Corporation may be affected they shall give notice to the Corporation accompanied by plans sections and specifications for the reasonable approval of the Corporation and in the event of any dispute arising between the Corporation and the railway company with respect thereto the matter in dispute shall be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers.

PART VI.

WEIGHTS AND MEASURES.

Definitions for
Part VI of
Order.

86. In this Part of this Order unless the subject or context otherwise requires—

"coke" includes paraffin coke derived from shale;

"inspector of weights and measures" means an inspector appointed under and by virtue of the Weights and Measures Acts;

"personal weighing machine" means any weighing machine which is used or exposed for use in the burgh for the purpose of ascertaining the weight of a person (a) for the use of which

a charge is made or (b) which is kept for the use of the public in any shop or premises or in any place in the burgh;

PART VI.
—cont.

“Weights and Measures Acts” means the Weights and Measures Act 1878 and any Act amending or extending the same;

41 & 42 Vict.
c. 49.

Words and expressions to which by the Weights and Measures Acts meanings are assigned have the same respective meanings.

87. Notwithstanding anything contained in any enactment the provisions of Part II of the Weights and Measures Act 1889 as applied to the burgh by the Weights and Measures Sale of Coal (Scotland) Act 1936 and of any byelaws made thereunder relating to coal shall extend and apply mutatis mutandis with respect to coke and any solid fuel of which coal or coke is a constituent.

Application to coke &c. of provisions of Weights and Measures Acts relating to coal.
52 & 53 Vict.
c. 21.
26 Geo. 5. &
1 Edw. 8. c. 54.

88. If any seller of coke or any person in charge of any vehicle from which coke is being sold or offered or exposed for sale wilfully makes any false statement as to the weight of the coke or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded he shall be guilty of an offence and shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

Prohibition of fraud in connection with sale of coke.

89.—(1) The owner or the person in charge of any personal weighing machine which is false or unjust shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings or in the case of a second or any subsequent offence five pounds and the machine shall be liable to be forfeited.

Personal weighing machines.

(2) A personal weighing machine shall not be used or exposed for use unless it has been examined and approved by an inspector of weights and measures and has been marked with a distinguishing mark by such inspector.

(3) If any person forges or counterfeits or removes any such distinguishing mark as is referred to in the last preceding subsection of this section he shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds and if after the expiry of twelve months from the coming into operation of this section any person knowingly exposes for use any personal weighing machine without any such mark or with such forged or counterfeit mark thereon he shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds.

(4) (a) Any inspector of weights and measures appointed by the Corporation may at all reasonable times inspect and examine any personal weighing machine in the burgh and may seize and detain any such machine which is liable to be forfeited under the provisions of this section and may for the purposes of such inspection and examination enter any place (whether open or enclosed) where he has reasonable cause to believe that there is a personal weighing machine which he is authorised to inspect and examine.

PART VI.
—cont.

(b) Any person who neglects or refuses to produce for such inspection any personal weighing machine in his possession or on his premises or refuses to permit any such inspector of weights and measures to examine the same or obstructs the entry of such inspector or otherwise obstructs or hinders him from acting under this section shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds or in the case of a second offence, or any subsequent offence ten pounds.

(5) This section shall come into operation on the date of the confirmation of the byelaws first made by the Corporation under the section of this Order of which the marginal note is "Byelaws as to personal weighing machines."

90.—(1) The Corporation may make byelaws for all or any of the following purposes (that is to say):—

- (a) generally with respect to the examination and inspection of personal weighing machines and the distinguishing marks to be fixed to personal weighing machines under this Part of this Order and the circumstances and conditions under which such marks may be affixed or cancelled;
- (b) with respect to the tests to be applied for the purpose of ascertaining the accuracy and efficiency of personal weighing machines;
- (c) for fixing the fees to be paid to the Corporation for the examination approval and marking of personal weighing machines under this Part of this Order or for the examination of such personal weighing machines as are found to be incorrect or defective; and
- (d) for fixing the limits of error to be allowed on examination and approval or on inspection and examination of any personal weighing machine under this Part of this Order.

(2) The Corporation by any such byelaws may provide for the imposition of penalties not exceeding five pounds for each offence committed against any of such byelaws.

91. The Corporation may provide and maintain personal weighing machines in any premises belonging to them and may charge for the use thereof.

92. In the application to the burgh of section 431 (Offences under Weights and Measures Acts or Criminal Law Amendment Acts) of the Burgh Police (Scotland) Act 1892 the provisions of that section shall be and are hereby made applicable to offences under this Part of this Order or under any byelaws made thereunder and to the recovery of all penalties imposed or authorised to be imposed by or under the provisions of this Part of this Order or under any byelaws made thereunder.

93. The Corporation shall forthwith after the passing of the Act confirming this Order cause public notice to be given of the effect of this Part of this Order by advertisement in one or more newspapers circulating in the burgh and otherwise in such manner as the Corporation think sufficient.

Byelaws as to
personal
weighing
machines.

Corporation
may provide
personal
weighing
machines.

Offences against
Part VI of
Order.

Notice of
Part VI of
Order.

Evidence shall not be required in any proceedings that compliance has been made with the provisions of this section.

PART VI.
—cont.

94. Any expenses incurred by the Corporation in executing the provisions of this Part of this Order shall be defrayed by the Corporation as part of the expense incurred by them in administering the Weights and Measures Acts.

Expenses of
Part VI of
Order.

PART VII.

FINANCIAL AND MISCELLANEOUS.

95. The Corporation in addition to any other powers of borrowing which they now have may for the purposes of—

Borrowing
powers.

- (a) the payment of any capital sum which may be paid in respect of the inclusion of the added areas within the municipal and police boundaries of the burgh or under the provisions of the sections of this Order whereof the marginal notes are "Financial adjustments" and "Compensation to clerks of peace &c.";
- (b) the payment of any capital sum in respect of any land buildings drainage works or others taken over by the Corporation under the provisions of Part II of this Order; and
- (c) of paying the costs charges and expenses of and incident to the preparing for obtaining and confirming this Order or otherwise in relation thereto;

borrow such money as may be necessary for those purposes respectively Provided that—

- (1) any money borrowed under this section for the purposes (a) and (b) above mentioned shall be repaid within a period of twenty-five years from the date or dates of borrowing the same (except in the case of any lands dwelling-houses or other buildings taken over by the Corporation under the provisions of Part II of this Order in which case the period shall be the statutory period prescribed with respect thereto); and
- (2) any money borrowed for the purpose (c) above mentioned shall be repaid within five years from the commencement of this Order.

96. All moneys borrowed by the Corporation under the powers of this Order shall be applied only to the purposes for which such moneys are authorised to be borrowed and to which capital is properly applicable.

Application of
borrowed
money.

97. Nothing in this Order shall authorise the exercise of any power of borrowing money or the making of any issue of capital otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 or of any defence regulation within the meaning of the Supplies and Services (Transitional Powers) Act 1945 for the time being having effect by virtue of that Act or of any order made under the Borrowing (Control and Guarantees) Act 1946.

Saving for
emergency
restrictions on
borrowing.
8 & 9 Geo. 6.
c. 18.
9 Geo. 6. c. 10.
9 & 10 Geo. 6.
c. 58.

PART VII.

—cont.

Creation of
reserve or
renewal funds.
62 & 63 Vict.
c. 19.

98.—(1) Subject to the provisions of this Order and the Electricity (Supply) Acts 1882 to 1936 and of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the Paisley Electric Lighting Order 1891 and of section 14 (Provision as to surplus electricity revenue) of the Paisley Corporation (General Powers) Order 1938 the Corporation may establish and administer such reserve depreciation or renewal funds for such of their funds departments or undertakings as from time to time shall seem to the Corporation to be necessary or desirable. Provided that the amount from time to time standing to the credit of any reserve depreciation or renewal funds shall not exceed one-tenth of the aggregate capital expenditure of the particular department or undertaking.

(2) Any reserve fund formed in pursuance of the powers conferred on the Corporation by section 13 (Reserve funds) of the Paisley Corporation (General Powers) Order 1938 in respect of any of the public utility undertakings referred to in the said section shall be deemed to have been formed under the powers of this section in respect of such undertaking and any moneys standing to the credit of any such reserve fund shall be carried to the credit of the reserve fund formed under the powers of this section in respect of such undertaking.

Investment of
reserve funds
&c.

99. The Corporation may invest in Government securities or in any other securities in which trustees are by the law of Scotland for the time being authorised to invest including stock or securities of the Corporation any reserve depreciation renewal superannuation or other funds belonging to or held by them on account of or in connection with any of the departments or undertakings administered by them or under their control.

Expenses of
provost.

100.—(1) Notwithstanding anything contained in any enactment the Corporation may from the burgh fund as part of the expenditure in respect of such undertakings or services of the Corporation as the Corporation may deem appropriate defray the expenses of the provost arising out of or incidental to the discharge of his office as provost.

(2) The amount of such expenses to be defrayed under the provisions of this section shall not exceed a sum representing the produce of a rate of one-sixth of a penny per pound on the rateable valuation of the burgh.

(3) The powers conferred on the Corporation by this section shall not be exercised with respect to any year if there is free surplus on revenue account in that year available in the common good to meet such expenses except to the extent to which the amount of such expenses exceeds the amount available as aforesaid in the common good to meet such expenses.

Removal of
limitation on
public library
rate.

50 & 51 Vict.
c. 42.
10 & 11 Geo. 5.
c. 45.

101. The limitation on the amount of the library rate authorised by the Public Libraries Consolidation (Scotland) Act 1887 imposed by section 8 of the said Act of 1887 as amended by section 1 of the Public Libraries (Scotland) Act 1920 is hereby removed so far as applicable to the burgh and the Public Libraries (Scotland) Acts 1887 to 1920 shall in their application to the Corporation and the burgh be read and construed accordingly.

102.—(1) The Corporation shall from time to time appoint a fit person to be the burgh engineer of the burgh and such person shall hold office as burgh engineer water engineer burgh surveyor master of works road surveyor town planning officer and any other office to which he may be appointed by the Corporation and shall exercise all the powers and carry out all the duties vested in or devolving upon the person holding such offices respectively under any Act or Order applicable to or in force in the burgh or customarily vested in or devolving upon such person.

PART VII.
—cont.
Office of burgh
engineer.

(2) The officer of the Corporation holding the office of burgh engineer and any other office referred to in subsection (1) of this section at the date of the passing of the Act confirming this Order shall continue in office as burgh engineer of the burgh as if he had been appointed in pursuance of this section.

103.—(1) The Corporation shall have the exclusive right of undertaking by persons employed by them the whole operations in connection with the stevedoring and master portorage of all goods loaded unloaded or transhipped at any dock quay or wharf forming part of the navigation and may make such reasonable charges as they may think fit for the services so rendered and for the use of any plant and appliances required in connection therewith:

Stevedoring &c.
at Cart
Navigation.

Provided that the Corporation may if they think fit permit such operations or any of them to be carried on by any persons duly authorised by the Corporation under the powers vested in them under the Navigation Acts.

(2) For the purposes of this section "navigation" has the same meaning as in the Paisley Corporation (Cart Navigation) Order 1938 and "Navigation Acts" means the Paisley Corporation (Cart Navigation) Acts 1787 to 1938.

104.—(1) The Corporation may provide manage and carry on or arrange on such terms and conditions as they may think fit for the provision management or carrying on in the town hall and any other hall belonging to them or any part thereof of all or any of the following (in this section referred to as "entertainments") that is to say dances concerts musical and dramatic performances gymnastic displays cinematograph shows exhibitions meetings social gatherings the playing of games dining rooms tea rooms refreshment rooms (other than for the sale of exciseable liquor) kitchens cloak-rooms lavatories stalls pavilions waiting-rooms bicycle sheds motor car parks and other conveniences and may do all such things and provide such services as may be necessary or requisite in connection therewith:

Power to
provide enter-
tainments.

Provided that a concert or other entertainment provided by the Corporation themselves at their own hand under this subsection shall not include—

(a) the performance of a stage play; or

(b) any performance (other than a pageant or similar display) in which scenery theatrical costumes or scenic or theatrical accessories are used; or

PART VII.
—cont.

(c) the showing of any cinematograph film (other than a film illustrative of matters relating to health or disease or the activities of the Corporation).

(2) The Corporation may make such reasonable charges as they may think fit for admission to and for the use of the town hall or any other hall belonging to them or any part thereof used for entertainments provided therein and the services provided in connection therewith.

(3) The Corporation may make regulations for securing good and orderly conduct during any entertainments provided in pursuance of this section.

(4) All expenses incurred by the Corporation in carrying out the powers conferred on them by this section shall in so far as not met by income from the entertainments be paid out of the burgh fund in the same manner as expenditure incurred by the Corporation in carrying into effect the purposes of the Paisley Improvement Act 1877.

40 & 41 Vict.
c. cxlix.

Extension of
Road Traffic
Acts.
20 & 21 Geo. 5.
c. 43.
23 & 24 Geo. 5.
c. 53.

105. For the purposes of the provisions of section 46 (Power to restrict use of vehicles on specified roads) of the Road Traffic Act 1930 as amended by section 29 (Power to prohibit or restrict use of vehicles on certain roads) of the Road and Rail Traffic Act 1933, the Corporation shall be deemed to be a county council within the meaning of paragraph (b) of section 60 (Application to Scotland) of the said Act of 1930.

Dwelling-houses
for persons in
Corporation's
employment.

106. The Corporation may erect purchase or take on lease dwelling-houses for such of the persons employed by them as require in consequence of the nature of their duties to reside in close proximity to the places where they are employed.

Power to cut off
disused water
pipes.

107. Where any pipe laid for the purpose of supplying the water of the Corporation to any premises whether through the premises becoming unoccupied or otherwise has become disused or derelict the burgh engineer and any officer of the Corporation appointed by him and producing his appointment if required may after giving notice to the owner or occupier cut off any such pipe at any point at which it seems to him to be proper so to do whether within or without such premises:

Provided that the powers contained in this section shall not be exercisable in respect of any pipe laid in property belonging to a railway company (other than dwelling-houses or property not used primarily for railway purposes) and forming part of the undertaking of such company.

Blasting
operations.

108.—(1) Blasting operations shall not be carried out within the burgh without a permit from the burgh engineer and the burgh engineer may attach to any permit under the provisions of this section such conditions as he may deem necessary or advisable with a view to the prevention of danger or annoyance to the public.

(2) Any person proposing to carry out blasting operations shall give at least forty-eight hours' notice in writing to the burgh engineer of his intention so to do.

(3) Any person who carries out blasting operations without giving notice as aforesaid to the burgh engineer and obtaining a permit therefor or who contravenes or fails to comply with the conditions of such permit shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five pounds.

(4) Nothing in this section shall affect the operation of the Factories Act 1937 or any regulation or order made thereunder.

109.—(1) Except as otherwise expressly provided in this Order of byelaws made under the powers of the sections of this Order of which the marginal notes are respectively set out in the first column of the Fourth Schedule to this Order shall not take effect unless and until they have been confirmed by the authority designated in the second column of the said schedule opposite such sections respectively (hereinafter in this section referred to as "the confirming authority") and the confirming authority may allow modify or disallow the same as they may think fit.

(2) Not less than one month before application is made by the Corporation or by the magistrates as the case may be to the confirming authority for the confirmation of a byelaw as provided by this section notice of the intended application shall be published in one or more local newspapers circulating in the burgh and for a period of not less than one month before making such application a copy of the proposed byelaws shall be kept at the office of the town clerk and shall be available for inspection during office hours without charge and the town clerk shall furnish a copy of the proposed byelaws to any ratepayer on application.

(3) Any person who objects to any proposed byelaw or any proposed alteration of a byelaw may during the last mentioned period of one month send notice of his objection (which shall contain detailed reasons therefor) to the confirming authority and a copy of such objection shall at the same time be sent to the town clerk and the confirming authority shall consider the objection and any answers thereto by the Corporation before confirming the byelaw.

110. Except where otherwise provided in this Order the following sections of the Burgh Police (Scotland) Act 1892 shall extend and apply in reference to any byelaws made under this Order:—

Section 317 (Byelaws may be enforced by imposition of penalties);

Section 321 (Publication of byelaws);

Section 322 (Byelaws to be binding on all parties);

Section 323 (Evidence of byelaws).

Application of sections of Burgh Police (Scotland) Act 1892 to byelaws.

111. All damages debts forfeitures and expenses directed to be paid or imposed by this Order of which the recovery is not otherwise in this Order specially provided for may be sued for and recovered along with the expenses of the action in the same manner as any debt may be sued for and recovered by the law and practice of Scotland.

Recovery of damages under Order.

PART VII.
—cont.
Recovery of
penalties.

112. Any penalty under this Order or under any byelaws made under this Order unless otherwise specially provided for may be recovered in manner provided by the Summary Jurisdiction (Scotland) Acts.

Proceedings
under Public
Health Acts.

113. Nothing contained in this Order shall exempt any person guilty of any offence under the provisions of the Public Health Acts so far as relating to nuisances or any other Act in force for the time for the removal or prevention of nuisances from prosecution or action in respect thereof in the same manner as if this Order had not been passed and nothing contained in this Order and no proceedings taken under the same shall in any way prevent any proceedings authorised by and taken or to be taken under the said Acts or any of them.

Order not to
affect election
of members
to serve in
Parliament.

114. Nothing in this Order shall interfere with the election of members to serve in Parliament in the county of Renfrew and that county shall for Parliamentary purposes remain the same as if the Act confirming this Order had not been passed.

Crown rights.

115. Nothing in this Order shall effect prejudicially any estate right power privilege or exemption of the Crown.

Repeals.

116. The following enactments are hereby repealed:—

Act of 1901—

Section 21 (Owners to fence);

Section 37 (Cubic space in dwellings);

Section 76 (Billiard rooms and ice-cream shops to be licensed)
so far as relating to the sale of ice-cream;

Section 77 (Penalty for contravention of licence &c.) so far as
relating to the sale of ice-cream.

Paisley Corporation (General Powers) Order 1938—

Section 13 (Reserve funds).

Costs of Order.

117. All costs charges and expenses preliminary to and 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 any funds (not being in the nature of capital) rates or revenues belonging to them or under their control or out of moneys to be borrowed by them under this Order for that purpose.

The SCHEDULES referred to in the foregoing Order.

THE FIRST SCHEDULE.

PART I.

DESCRIPTION OF ADDITIONAL ADDED AREA.

That area containing 13.65 acres or thereby and extending as follows Beginning at the point where the boundary of the burgh as previously existing meets the existing boundary of the royal burgh of Renfrew on the southern bank of the existing burn or sewer between the enclosures marked 271 and 2680 on the Ordnance survey map of Renfrewshire scale 25.344 inches to 1 mile (edition of 1913) thence in a west-north-westerly direction along the existing boundary of the royal burgh of Renfrew to the centre of the White Cart Water thence in a north-north-easterly direction along the existing boundary of the royal burgh of Renfrew and centre of the White Cart Water for a distance of 631 lineal feet or thereby thence in an east-south-easterly direction for a distance of 400 lineal feet or thereby thence in a north-north-easterly direction for a distance of 204 lineal feet or thereby thence in a south-easterly direction for a distance of 566 lineal feet or thereby to the western boundary of the London Midland and Scottish Railway (Renfrew Branch) thence in a south-south-westerly direction along the western boundary of the said London Midland and Scottish Railway to the point thereon where it meets the boundary of the burgh as previously existing thence in a west-south-westerly direction along the said boundary of the burgh to the point of commencement.

PART II.

DESCRIPTION OF THE BURGH.

Beginning at a point on the boundary of the burgh as previously existing being the summit of Knock Hill as shown at the northmost corner of the enclosure marked 2690 on the Ordnance survey map of Renfrewshire scale 25.344 inches to 1 mile (edition of 1913) thence proceeding in an east-south-easterly direction along the boundary of the burgh as previously existing to the point where in the centre of the road leading from Paisley to Renfrew it meets the boundary of the royal burgh of Renfrew thence proceeding in an east-south-easterly south-easterly south-south-westerly, south-south-easterly southerly south-south-easterly and east-north-easterly direction along the boundary of the royal burgh of Renfrew to a point on the said boundary 50 feet or thereby east-north-east of the point where the

1ST SCH.
—cont.

said boundary intersects the line of the western face of the west parapet of the bridge carrying the road forming part of the enclosure marked 1624 on the said map over the London Midland and Scottish Railway (Glasgow and Paisley Line) thence in a south-south-easterly direction across the said London Midland and Scottish Railway (Glasgow and Paisley Line) on a line parallel to the said western face of the west parapet of the said bridge over the said railway to the southern boundary of the said railway thence in a west-south-westerly direction in a straight line to the north-east corner of the enclosure marked 1616 on the said map thence in a south-south-easterly and south-south-westerly direction along the eastern boundary of the said enclosure marked 1616 thence in a westerly direction along the southern boundary of the said enclosure marked 1616 to the point where it meets the eastern boundary of the enclosure marked 1595 on the said map thence in a south-easterly direction along the eastern boundary of the said enclosure marked 1595 thence in a south-easterly direction along the north-east boundary of the enclosure marked 1580 on the said map to the southernmost point of the enclosure marked 1594 on the said map thence in a south-westerly direction in a straight line in continuation of the south-eastern boundary of the said enclosure marked 1594 to the south-western boundary of the road or track leading from Oldhall Farm thence in a south-easterly direction along the south-western boundary of the said road for a distance of 180 lineal feet or thereby and thence in a south-westerly direction along the north-western boundary of a track for a distance of 398 lineal feet or thereby and thence in a southerly direction across the said track for a distance of 12 lineal feet or thereby to meet the northern boundary of the enclosure marked 1581 on the said map and thence in an easterly direction for a distance of 62 lineal feet or thereby and thence in a general south-south-westerly direction along the eastern boundaries of the said enclosure marked 1581 to the south-east corner of the said enclosure marked 1581 thence in a south-south-westerly and southerly direction along the western boundary of Oldhall Road to the point where it meets the boundary of the burgh as previously existing thence in a south-easterly direction along the boundary of the burgh as previously existing to the covered boundary stone indicated within the enclosure marked 1348 on the said map thence in a south-south-easterly direction in a straight line to the eastmost corner of the enclosure marked 1485 on the said map thence in a south-south-westerly and southerly direction along the eastern boundary of the enclosure marked 1485 on the said map to the point where it meets the northern boundary of the London Midland and Scottish Railway (Paisley Canal Line) thence in a southerly direction along the western face of the western parapet of the bridge over the said London Midland and Scottish Railway (Paisley Canal Line) thence in a westerly direction along the southern boundary of the said London Midland and Scottish Railway (Paisley Canal Line) to a point opposite the north-east corner of the enclosure marked 1461a on the said map thence in a straight line to the north-east corner of the said enclosure marked 1461a thence in a southerly south-easterly and south-south-easterly direction along the easterly boundaries of the enclosures marked 1461a and 1461 on the said map thence in a line in continuation of the eastern boundary of the said enclosure marked 1461 to the centre of the White Cart Water

thence in a generally westerly direction along the centre of the White Cart Water to a point immediately opposite the point where the Oldbar Burn discharges into the said White Cart Water thence in a general south-south-easterly south-south-westerly and south-easterly direction following the course of and along the centre of the Oldbar Burn to the point where the line of the centre of the said Oldbar Burn meets the north-west boundary of the enclosure marked 952 on the said map thence in a south-westerly and south-south-westerly direction along the north-west and west boundary of the said enclosure marked 952 on the said map to the point where the southern boundary of the enclosure marked 1409 meets the western boundary of the said enclosure marked 952 thence in a westerly direction along the southern boundaries of the enclosures marked 1409 and 1408 on the said map to the point where the south-west corner of the said enclosure marked 1408 meets the north-eastern boundary of the London Midland and Scottish Railway (Paisley and Barrhead Line) thence in a north-north-westerly direction along the said north-eastern boundary of the said London Midland and Scottish Railway (Paisley and Barrhead Line) to a point 50 feet or thereby south-south-east of the abutment line of the bridge under the said London Midland and Scottish Railway (Paisley and Barrhead Line) thence in a south-westerly direction in a straight line across the said London Midland and Scottish Railway (Paisley and Barrhead Line) and the enclosures marked 1369 and 1403 on the said map and across the public road leading from Paisley to Hamilton to a point on the south-western side of the said road leading from Paisley to Hamilton where it meets the northern boundary of the access road to Dykebarhill Farm thence in a westerly direction to a point 100 feet or thereby west of the south-western side of the said road leading from Paisley to Hamilton thence in a north-north-westerly and north-westerly direction on a line 100 feet distant from and parallel to the south-western boundary of the said road leading from Paisley to Hamilton to the point where it joins the boundary of the burgh as previously existing thence in a south-south-westerly direction along the boundary of the burgh as previously existing to the summit of Dykebar Hill shown within the enclosure marked 1398 on the said map thence in a south-westerly direction in a straight line to the eastmost corner of the enclosure marked 1386 on the said map thence in a south-westerly direction along the south-eastern boundary of the said enclosure marked 1386 thence in a south-westerly direction in a straight line to the north-east corner of the enclosure marked 741 on the said map thence in a south-westerly direction along the south-east boundary of the said enclosure marked 741 to the point where the centre of the Tod Burn cuts across the said south-east boundary of the said enclosure marked 741 thence in a generally south-westerly direction along the centre of the Tod Burn to the point where the said Tod Burn reaches the north-east boundary of the London Midland and Scottish Railway (Paisley and Barrhead Branch) thence in a south-westerly direction across the said London Midland and Scottish Railway (Paisley and Barrhead Branch) following the course of the said Tod Burn to the point where the centre of the said Tod Burn meets the south-western boundary of the said London Midland and Scottish Railway thence in a south-easterly southerly south-south-westerly and west-south-westerly direction along the south-west west and north-north-west boundary

1ST SCH.
—cont.

of the said London Midland and Scottish Railway following first the said Paisley and Barrhead Branch and thereafter the Gleniffer Branch thereof to the point where the said north-west boundary of the said London Midland and Scottish Railway (Gleniffer Branch) meets the north-western boundary of the enclosure marked 628 on the said map thence in a south-westerly direction across the said London Midland and Scottish Railway (Gleniffer Branch) to the point where the north-eastern corner of the enclosure marked 625b on the said map meets the south-south-east boundary of the said London Midland and Scottish Railway (Gleniffer Branch) thence in a south-westerly and south-south-westerly direction along the eastern boundaries of the enclosures marked 625b 625 and 540 on the said map to the southmost corner of the said enclosure marked 540 thence in a west-north-westerly direction along the west-south-west boundary of the said enclosure marked 540 to the point where it intersects the south-eastern boundary of the enclosure marked 1891 on the said map thence in a south-westerly west-south-westerly and west-north-westerly direction along the southern boundary of the enclosure marked 1891 on the said map to the point thereon where it meets the eastmost corner of the enclosure marked 525 on the said map thence in a south-westerly south-south-westerly and south-westerly direction along the south-eastern boundary of the said enclosure marked 525 and the south-eastern boundaries of the enclosures marked 522 and 521a on the said map thence in a south-westerly west-south-westerly and westerly direction along the southern boundaries of the enclosures marked 520 and 519 on the said map thence in a westerly and west-south-westerly direction along the southern boundary of the enclosure marked 518 on the said map thence in a north-north-westerly direction along the western boundary of the said enclosure marked 518 to the point thereon where it meets the southernmost point of the enclosure marked 347 on the said map thence in a north-westerly and west-north-westerly direction along the southern boundaries of the enclosures marked 347 and 354 on the said map thence in a north-westerly direction along the south-western boundaries of the enclosures marked 354 and 355 on the said map thence in a south-westerly direction along the south-eastern boundary of the enclosure marked 356 on the said map thence in a north-westerly direction along the south-western boundary of the said enclosure marked 356 to the westmost corner thereof thence on a line in continuation thereof across the public road forming part of the enclosure marked 341 on the said map to the southern corner of the enclosure marked 359 on the said map thence in a north-westerly direction along the south-western boundary of the said enclosure marked 359 to the westmost corner thereof thence in a straight line in a northerly direction across the public road forming part of the enclosure marked 362 on the said map to the southern corner of the enclosure marked 366 on the said map thence in a northerly north-north-easterly and north-westerly direction along the western boundary of the said enclosure marked 366 to the westmost point thereof thence in a north-easterly direction along the north-western boundary of the said enclosure marked 366 to the point where it intersects the western boundary of the enclosure marked 403 on the said map thence in a north-north-westerly direction along the western boundaries of the enclosures marked 403 and 404 on the said map to the north-western corner of the said enclosure marked

404 thence in a straight line across the public road forming part of the enclosure marked 406 on the said map in a north-north-westerly direction continuing the line of the said western boundary of the said enclosure marked 404 to the point where the said straight line intersects the western boundary of the public road leading from Nethercraigs to Elderslie thence in a north-north-westerly direction along the said western boundary of the said public road from Nethercraigs to Elderslie to the point thereon where it intersects a line in production of the eastern boundary of the enclosure marked 423a on the said map thence in a straight line in a north-north-easterly direction across the said public road leading from Nethercraigs to Elderslie to the south-eastern corner of the said enclosure marked 423a thence in a north-north-easterly direction along the western boundary of the enclosure marked 424 on the said map to the point where it meets the northern boundary of the said enclosure marked 423a thence in a straight line in a north-easterly direction to the westmost corner of the enclosure marked 473 on the said map thence in a north-easterly direction along the north-western boundary of the said enclosure marked 473 thence in a north-north-easterly direction along the western boundary of the enclosure marked 493 on the said map to the northmost corner thereof thence in a straight line across the public road forming part of the enclosure marked 1936 on the said map in a north-north-easterly direction to the westmost corner of the enclosure marked 494 on the said map thence in a north-north-easterly direction along the western boundary of the said enclosure marked 494 to the point thereon where it meets the northmost corner of the enclosure marked 1935 thence in a west-north-westerly direction in a straight line across the road forming part of the enclosure marked 1934 on the said map and leading to Fulbar Farm to the point on the west boundary of the said road where the enclosure marked 1934 on the said map meets the south-east-most corner of the enclosure marked 1937 on the said map thence in a north-north-easterly north-north-westerly and north-easterly direction along the western boundary of the said enclosure marked 1934 until it intersects the south-western boundary of the enclosure marked 1989 on the said map thence in a south-easterly easterly and northerly direction along the north-eastern and western boundaries of the enclosure marked 1961a on the said map thence in a northerly direction along the western boundary of the enclosure marked 1988 on the said map thence in a north-north-westerly and north-north-easterly direction along the western boundary of the enclosure marked 2017 on the said map to the northmost corner thereof thence in an east-north-easterly north-easterly easterly and southerly direction along the northern boundaries of the enclosures marked 2018 and 2020 on the said map; thence in an easterly and north-north-easterly direction along the northern and west-north-western boundary of the enclosure marked 2047 on the said map to the point where the northmost corner of the said enclosure marked 2047 meets the western boundary of the London Midland and Scottish Railway (Paisley and Barrhead Line) thence in a generally northerly direction along the western boundary of the said London Midland and Scottish Railway (Paisley and Barrhead Line) and lines in continuation thereof to a point where it meets the boundary of the burgh as previously existing thence in a north-north-westerly north-north-easterly north-north-

1ST SCH.
—cont.

westerly and east-north-easterly direction along the boundary of the burgh as previously existing to the centre of the White Cart Water thence in a north-north-easterly direction along the centre of the White Cart Water for a distance of 876 lineal feet or thereby thence in an east-south-easterly direction for a distance of 400 lineal feet or thereby thence in a north-north-easterly direction for a distance of 204 lineal feet or thereby thence in a south-easterly direction for a distance of 566 lineal feet or thereby to the western boundary of the London Midland and Scottish Railway (Renfrew Branch) thence in a south-south-westerly direction along the western boundary of the said London Midland and Scottish Railway (Renfrew Branch) to the point thereon where it meets the boundary of the burgh as previously existing thence in an east-north-easterly direction along the boundary of the burgh as previously existing to the point of commencement.

THE SECOND SCHEDULE.

PORTIONS OF ADDED AREAS AND OF ADDITIONAL ADDED AREA TO BE ADDED TO EXISTING WARDS.

AREA TO BE ADDED TO NO. 1 OR FERGUSLIE MUNICIPAL WARD.

Beginning at a point on the boundary of the burgh as previously existing where it is intersected by Stanely Road thence proceeding in a south-westerly direction along the centre of the said road and of Gleniffer Road to a point where Gleniffer Road is intersected by the boundary of the existing burgh thence in a north-north-westerly north-easterly northerly and north-north-easterly direction along the boundary of the existing burgh to the centre of the road leading from South Candren Farm to Blackstone House thence in a south-easterly direction along the centre of said road to a point where it is intersected by the boundary of the burgh as previously existing thence in a south-south-westerly and east-south-easterly direction along the boundary of the burgh as previously existing to the point of commencement.

AREA TO BE ADDED TO NO. 5 OR ST. JAMES MUNICIPAL WARD.

Beginning at a point on the boundary of the burgh as previously existing where it is intersected by the centre of the road leading from South Candren Farm to Blackstone House thence proceeding in a north-westerly direction along the centre of the said road to a point where it is intersected by the boundary of the existing burgh thence in a north-easterly direction along the boundary of the existing burgh to a point where it is intersected by the boundary of the burgh as previously existing thence in an easterly southerly and south-westerly direction along the boundary of the burgh as previously existing to the point of commencement.

AREAS TO BE ADDED TO NO. 6 OR ABERCORN MUNICIPAL WARD.

2ND SCH.
—cont.

(First) That part beginning at a point on the boundary of the burgh as previously existing where it is intersected by the centre of the White Cart Water thence proceeding in a north-north-easterly direction along the boundary of the existing burgh and the boundary of the burgh thence in a south-easterly and south-south-westerly direction along the boundary of the burgh to the point where it meets the boundary of the burgh as previously existing thence in a west-south-westerly direction along the boundary of the burgh as previously existing to the point of commencement.

(Second) That part beginning at a point on the boundary of the burgh as previously existing where in the centre of the road leading from Paisley to Renfrew it meets the boundary of the royal burgh of Renfrew thence proceeding in a generally east-south-easterly south-easterly south-south-westerly and south-south-easterly direction along the boundary of the existing burgh to a point in the centre of the London Midland and Scottish Railway (Glasgow and Paisley Line) thence in a west-south-westerly direction along the centre of the said railway to the point where it meets the boundary of the burgh as previously existing thence in a north-westerly direction along the boundary of the burgh as previously existing to the point of commencement.

AREAS TO BE ADDED TO NO. 7 OR HAWKHEAD MUNICIPAL WARD.

(First) That part beginning at a point where the boundary of the burgh as previously existing is intersected by the centre of the London Midland and Scottish Railway (Glasgow and Paisley Line) thence along the centre of the London Midland and Scottish Railway (Glasgow and Paisley Line) to a point opposite the south-west corner of the enclosure marked 1626 on the Ordnance survey map of Renfrewshire scale 25.344 inches to one mile (editions of 1913 and 1914) thence in a direct line to the south-west corner of enclosure marked 1626 and proceeding in an east-north-easterly south-south-westerly south-easterly and south-south-westerly direction along the boundary of the existing burgh to the point thereon where on the western boundary of Oldhall Road it meets the boundary of the burgh as previously existing thence in a north-westerly direction along the boundary of the burgh as previously existing to the point of commencement.

(Second) That part beginning at a point on the boundary of the burgh as previously existing at the covered boundary stone indicated within the enclosure marked 1348 on the Ordnance survey map of Renfrewshire scale 25.344 inches to one mile (editions of 1913 and 1914) thence proceeding in a generally south-south-easterly direction along the boundary of the existing burgh to a point thereon in the centre of the White Cart Water thence in a westerly direction along the centre of the White Cart Water to the point thereon where it meets the boundary of the burgh as previously existing thence in a north-easterly direction along the boundary of the burgh as previously existing to the point of commencement.

2ND SCH.
—cont.

AREAS TO BE ADDED TO NO. 8 OR CHARLESTON MUNICIPAL WARD.

(First) That part beginning at a point on the boundary of the burgh as previously existing where it is intersected by the centre line of the main channel of the White Cart Water thence in a generally easterly direction along the centre line of the White Cart Water to the point thereon where it reaches the boundary of the existing burgh thence in a generally south-south-easterly south-south-westerly westerly and north-westerly direction along the boundary of the existing burgh to the point thereon where it meets the boundary of the burgh as previously existing thence in a north-easterly direction to the point of commencement.

(Second) That part beginning at a point on the boundary of the burgh as previously existing on the summit of Dykebar Hill thence proceeding in a generally south-westerly south-easterly south-south-westerly south-westerly and north-westerly direction along the boundary of the existing burgh to the point thereon where it meets the centre of Gleniffer Road thence in a north-easterly direction along the centre of Gleniffer Road and Stanely Road to the point where Stanely Road reaches the boundary of the burgh as previously existing thence in a south-easterly and north-easterly direction along the boundary of the burgh as previously existing to the point of commencement.

THE THIRD SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Differential assessments in added areas and in additional added area.")

No. (1)	County districts. (2)	Owners' rates.		Occupiers' rates.	
		(3)	(4)	(5)	(6)
1	Oldhall and Hillington Drainage District ...	s. 4	d. 8.125	s. 4	d. 8.125
2	Oldhall and Hillington Drainage Cardonald (West) Lighting and Cardonald Scavenging Districts.	5	3.875	5	3.875
3	Cardonald West Lighting and Cardonald Scavenging Districts.	4	7.375	4	7.375
4	Potterhill Lighting and Scavenging Districts	4	5.625	4	5.625
5	East Elderslie Drainage District	4	3.375	4	3.375
6	East Elderslie Drainage Elderslie Lighting and Scavenging Districts.	4	11.375	4	11.375
7	Parish of Paisley Second District outwith Special Districts.	3	11.625	3	11.625
8	Parish of Renfrew Third District outwith Special Districts.	3	10.25	3	10.25

THE FOURTH SCHEDULE.
(Confirming authority for byelaws.)

1. Number and marginal note of section.	2. Confirming authority.
43. Byelaws as to fuel burning installations ...	The Secretary of State.
47. Byelaws as to premises &c. of hairdressers barbers &c.	The Secretary of State.
48. Byelaws with respect to handling wrapping &c. of food and sale of food in open air.	The Secretary of State.
59. Byelaws as to parks	The Secretary of State.
64. Byelaws for cemeteries and crematoria ...	The Secretary of State.
72. Building byelaws	The Secretary of State.
73. Control of vacant building areas and derelict buildings.	The Secretary of State.
90. Byelaws as to personal weighing machines ...	The Board of Trade.

Ch. xxxvii.

Paisley Corporation
Order Confirmation Act, 1947.

10. & 11 GEO. 6.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2 ; 13a Castle Street, Edinburgh, 2 ;
39-41 King Street, Manchester, 2 ; 1 St. Andrew's Crescent, Cardiff ;
Tower Lane, Bristol, 1 ; 80 Chichester Street, Belfast
OR THROUGH ANY BOOKSELLER

Price 2s. *od.* net

(70862)