



### CHAPTER cciv.

An Act to confirm a Provisional Order made by the Secretary for Scotland under Part I. of the Housing of the Working Classes Act 1890 relating to the City and Royal Burgh of Edinburgh. A.D. 1900.  
[6th August 1900.]

**W**HEREAS the Secretary for Scotland has made the Provisional Order set forth in the schedule hereto under the provisions of the Housing of the Working Classes Act 1890 :

53 & 54 Vict.  
c. 70.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Provisional Order contained in the schedule hereto annexed shall be and the same is hereby confirmed. Order in  
schedule  
confirmed.

2. This Act may be cited as the Edinburgh Improvement Scheme Provisional Order Confirmation Act 1900. Short title.

A.D. 1900.

SCHEDULE.

CITY AND ROYAL BURGH OF EDINBURGH.

*Provisional Order for confirming an Improvement Scheme under  
Part I. of the Housing of the Working Classes Act 1890.*

WHEREAS the Lord Provost Magistrates and Town Council of the City and Royal Burgh of Edinburgh being the local authority under the Housing of the Working Classes Act 1890 presented to me the Right Honourable Alexander Hugh Lord Balfour of Burleigh Her Majesty's Secretary for Scotland a petition praying that an Order might be made confirming a scheme prepared by the said local authority under Part I. of the said Act for the improvement of certain areas within the said City and Royal Burgh:

And whereas a copy of the said scheme and of the estimates by which it was accompanied is annexed to this Order:

And whereas the maps referred to in the said scheme have been deposited at the office of the Secretary for Scotland:

And whereas on consideration of the said petition and on proof of the publication of the proper advertisements and of the service of the proper notices I thought fit to proceed with the case and directed a local inquiry to be made by Lieutenant-Colonel Frederick Bailey late Royal Engineers in accordance with the provisions of the said Act for the purpose of ascertaining the correctness of the official representations made to the said local authority as to the areas and the sufficiency of the scheme provided for the improvement of such areas and any local objections to be made to such scheme:

And whereas before commencing such inquiry the said Frederick Bailey made public by advertisement his intention to make such inquiry and stated the time and place at which he would be prepared to hear all the persons desirous of being heard on the subject thereof in accordance with the provisions of section eighteen of the said Act:

And whereas the said Frederick Bailey has reported to me in favour of the said scheme:

And whereas the working class population occupying the areas comprised in the said scheme is estimated at one thousand nine hundred and twenty-one persons and it is proved to my satisfaction that sufficient and suitable accommodation for such population will be provided within the areas or in the neighbourhood thereof:

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Now therefore in pursuance of the powers vested in me by the said Act I do hereby confirm the said scheme and authorise the same to be carried into execution subject to the following modifications and conditions : —

A.D. 1900,  
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- (1) The areas comprised in the scheme are the lands houses and buildings delineated and coloured respectively red and blue on the maps except the property belonging to the Deacons' Court of Lady Glenorchy's Free Church numbered 42 in Area F on the maps which property is excluded from the scheme ;
- (2) The magistrates and council shall not eject or displace within any period of six months any number of persons of the labouring classes exceeding two hundred within the Greenside part of the scheme or any number of persons of the labouring classes exceeding one hundred within the Paul Street part of the scheme without having first obtained a certificate from the sheriff of the Lothians and Peebles that other and suitable accommodation has been provided for such persons and the burgh engineer and medical officer of health of the city shall produce to the sheriff a joint report showing the number of houses available for such persons intended to be displaced and the rental condition and situation of such houses ;
- (3) Whenever the magistrates and council find it necessary to eject or displace any greater number than two hundred from any area in the Greenside district or one hundred from any area in the Paul Street district and suitable accommodation has not been found or otherwise provided or does not otherwise exist within the city the magistrates and council shall provide or erect or cause to be erected or may lease or otherwise acquire houses for the temporary accommodation of such persons as may be so displaced and the magistrates and council may let such houses to such persons at such rents and upon such terms and conditions as the magistrates and council may from time to time determine and may also thereafter sell let or otherwise dispose of such houses as they may think fit ;
- (4) If in the construction of the street widenings and improvements and other works by this Order authorised any water or gas mains and pipes are or may be interfered with the Corporation shall before proceeding to interfere with appropriate or stop up any streets or closes in or under which water or gas mains or pipes are laid give at least fourteen days' previous notice of their intention so to do to the clerk to the Edinburgh and District Water Trustees (in this section referred to as "the Water Trustees") in the case of water mains and pipes and to the Edinburgh and Leith Corporations Gas Commissioners (in this section referred to as "the Commissioners") in the case of gas mains and pipes and shall submit a plan and section showing the intended operations proposed by which any water or gas mains and pipes as the case may be in any such street or close shall or may be affected or interfered with and the same shall be subject to the reasonable approval of the engineer to the Water Trustees and the Commissioners as the case may be and any alteration or removal or diversion of any such water or gas mains or pipes shall be done and executed by the Water Trustees or by the Commissioners as the case may be or by persons to be employed by them

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respectively and the expense thereof and all expenses and charges incident thereto shall be repaid by the Corporation to the Water Trustees or to the Gas Commissioners as the case may be.

If any difference shall at any time arise between the Corporation and the Water Trustees or the Gas Commissioners or their respective engineers with respect to any of the matters aforesaid such difference shall be referred to and determined by an engineer to be agreed on by the Corporation and the Water Trustees or Gas Commissioners as the case may be or failing such agreement to be appointed by the sheriff on the application of either party.

(L.S.)  
Scottish Office Whitehall  
26th June 1900.

BALFOUR OF BURLEIGH  
Her Majesty's Secretary for Scotland.

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THE CITY AND ROYAL BURGH OF EDINBURGH.

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SCHEME made by the Lord Provost Magistrates and Town Council of the City and Royal Burgh of Edinburgh being the Local Authority within the same under the Housing of the Working Classes Act 1890.

1. This scheme may be cited as the Edinburgh (Housing of the Working Classes Act) Improvement Scheme 1900.

2. In this scheme the following expressions shall have the meanings hereby assigned to them :—

The "burgh" means the City and Royal Burgh of Edinburgh ;

The "magistrates and council" means the Lord Provost Magistrates and Town Council of the City and Royal Burgh of Edinburgh ;

The "town clerk" and the "burgh engineer" mean respectively the town clerk and the burgh engineer of the City and Royal Burgh of Edinburgh ;

The "maps" mean the maps which accompany this scheme and include the sections thereon of areas A B and C ;

The "areas" mean the areas or portions of areas coloured red and blue on the maps.

3. The unhealthy areas included in this scheme are the portions of areas marked on the maps respectively areas A B C D E F G H and I delineated and coloured red the portions of these areas coloured blue are included in the scheme as necessary in the opinion of the magistrates and council to make it efficient for sanitary purposes The areas herein-before referred to are respectively delineated and indicated on the maps and lie within the City Parish of Edinburgh and within the Burgh and County of the City of Edinburgh and County of Midlothian.

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A duplicate of the maps is deposited at the office of the town clerk and copies of the maps or any part thereof certified by the burgh engineer shall be received in all courts of justice or elsewhere as evidence of the contents thereof respectively.

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4. The magistrates and council may for the purposes of this scheme and from time to time enter upon purchase take compulsorily and deal with all or any of the lands houses and buildings within the areas and take down and clear away the materials of such houses and buildings Provided always that with respect to areas A B C and H the magistrates and council shall not clear away the outside walls of the tenements but may do whatever they deem necessary for making the said areas habitable and sanitary.

5. The magistrates and council may lay out form pave sewer and complete in the lines shown on the maps and of such width and gradients as they may see fit all or any of the street widenings extensions and improvements following viz.:—

- (1) A widening and improvement of part of Leith Street and Leith Walk on the east side thereof extending from the southern boundary of No. 119 Leith Street to the northern boundary of No. 12 Greenside Place ;
- (2) A widening extension alteration and improvement of Gilchrist Court Lane and Entry and adjacent court to Gilchrist Court to the north and Greenside Court ;
- (3) An extension alteration and improvement of the street known as Queen's Place ;
- (4) A widening alteration and improvement of the streets known as Simpson's Court and Cuddy Lane by raising the levels of the said last-mentioned lane ;
- (5) A widening alteration and improvement of part of Upper Greenside Lane Marshall's Court and Greenside End ;
- (6) An improvement of Greenside Row at the north end and Greenside End and part of Marshall's Court by raising the levels thereof respectively ;
- (7) A widening alteration and improvement of Gilmour Street Simon Square on the north side thereof ;
- (8) A widening alteration and improvement of Richmond Lane on the west side thereof :

And such other streets courts alterations of levels stopping up widening or diverting of existing streets lanes and closes and otherwise as may hereafter be determined by the magistrates and council to be necessary or proper for the purposes of this scheme.

All these street improvements and widenings will be in the City Parish of Edinburgh and within the City and Royal Burgh and County of the City of Edinburgh and County of Midlothian.

6. In laying out the widened and extended streets the magistrates and council may deviate from the lines shown on the maps to any extent within the limits of the areas respectively and beyond those limits with the consent of the owners lessees and occupiers of the lands through which a deviation is made but not otherwise.

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7. The magistrates and council may from time to time appropriate any parts of the areas and also any lands for the time being belonging to them or which they may have power to acquire for the erection or re-construction of suitable dwellings for the accommodation of persons of the working class who will from time to time be displaced within the areas.

8. All dwelling-houses to be erected in accordance with this scheme shall be well and substantially built and shall be so situated and constructed as to secure efficient ventilation and shall be furnished with a proper water supply and with proper drainage and other sanitary appliances and apparatus to the satisfaction of the magistrates and council and shall be subject to the provisions of the Edinburgh Municipal and Police Acts in force for the time and the magistrates and council may enforce the execution and maintenance of all other proper sanitary arrangements.

9. The magistrates and council shall as soon as practicable after the passing of the Act authorising this scheme proceed to carry the same into execution but they may from time to time purchase and deal with parts of the lands within the areas without being required to purchase and deal with the whole of the lands within the areas.

10. The magistrates and council in carrying out any of the purposes of this scheme may subject to the provisions hereof form the areas or any part or parts of them respectively as they may consider necessary into and maintain or require the same to be maintained as open spaces or they may sell or dispose of the lands and property herein-before authorised to be dealt with by them or any part of the same.

11. The costs charges and expenses of and incident to the preparation of this scheme and the obtaining of the relative Provisional Order and confirmation by Parliament and the expenses of the execution of this scheme so far as not defrayed out of moneys received by the magistrates and council pursuant to the Housing of the Working Classes Act 1890 shall be paid by the magistrates and council out of the local rate in the said Act as amended and defined by the Edinburgh Municipal and Police (Amendment) Act 1891 or out of moneys borrowed for the purposes of the said first mentioned Act as so amended or out of any other moneys which the magistrates and council may have under their control Provided always that in repaying money so borrowed for the purposes of this scheme the magistrates and council shall set apart as a sinking fund for repayment of the same not less than one-thirtieth part each year of the sum borrowed.

Dated at Edinburgh and the City Seal hereunto affixed this Seventh day of November One thousand eight hundred and ninety-nine.

(L.S.)

THOMAS HUNTER  
Town Clerk.

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ESTIMATE of cost of the Scheme made by the Lord Provost Magistrates and Town Council of the City and Royal Burgh of Edinburgh as the local authority therein under the Housing of the Working Classes Act 1890 :—

A.D. 1900.

	£	s.	d.
Cost of acquiring the lands and buildings for the purposes of the scheme—clearing the sites and incidental works - - - -	65,530	0	0
Estimated value of surplus lands available for re-sale - - - -	24,934	0	0
Net cost of scheme - - - -	<u>40,596</u>	<u>0</u>	<u>0</u>

JOHN COOPER  
 Burgh Engineer.

Edinburgh 7th November 1899.

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