

Glasgow Corporation Consolidation (General Powers) Order Confirmation Act, 1960

8 & 9 ELIZ. 2 Ch. iii

ARRANGEMENT OF SECTIONS

Section

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

SCHEDULE

GLASGOW CORPORATION CONSOLIDATION (GENERAL POWERS)

PART I

PRELIMINARY

1. Short title and citation.
2. Commencement of Order.
3. Interpretation.
4. Incorporation of Acts.
5. Limits of Order.

PART II

CLEANSING

6. Definitions for Part II (Cleansing).
7. Vesting of cleansing undertaking.
8. Buildings and works for cleansing undertaking.
9. Lands for cleansing undertaking.
10. Cleansing of streets and collection of domestic refuse by Corporation.
11. Watering of streets.
12. Ashbins.
13. Occupiers to deposit domestic refuse in ashbins.
14. Penalty for depositing other refuse than domestic refuse in ashbins etc.
15. Arrangements as to removal of domestic refuse in certain streets or districts.
16. Ashbins to be of types etc. prescribed by director of cleansing.
17. Refuse etc. to be vested in Corporation.
18. Foot pavements to be swept by occupier.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
 (General Powers) Order Confirmation Act, 1960

Section

19. Cleansing byelaws.
20. Removal and disposal of trade refuse.
21. Penalty for interference with ashbins etc.
22. Removal of offensive matter.
23. Penalty for allowing offensive matter or things to run into street.
24. As to removal of dung etc.
25. Power to Corporation to provide street orderly bins etc.
26. Provision of public conveniences.
27. Byelaws as to and charges for public conveniences.
28. As to cleansing of quays etc. by Clyde trustees.
29. Saving for statutory undertakers.
30. Saving in respect of nuisance.

PART III

LIGHTING

31. Vesting of lighting undertaking.
32. Buildings and works for lighting undertaking.
33. Streets and courts to be lighted by Corporation.
34. Works for lighting streets etc.
35. Lighting of common stairs.
36. As to lighting of quays etc. by Clyde trustees.

PART IV

CONTROL OF TRAFFIC ETC.

37. Regulations as to traffic on special occasions.
38. Barriers on streets.
39. Stances for cabs to be appointed by Corporation.

PART V

LICENSING AND REGISTRATION

A—Cabs

40. Definitions for Part V of Order.
41. Licensing of cabs.
42. Licensing of drivers of cabs.
43. Obligations of cab-operators with respect to cab-drivers and cab-drivers' licences.
44. Miscellaneous provisions as to cab-drivers and others.
45. Penalty for carrying additional passengers without consent.
46. Hirer not paying legal fare may be detained.
47. Byelaws with respect to cabs and drivers of cabs.

B—Theatres public shows and billiard rooms

48. Theatres and public shows to be licensed.
49. Billiard rooms etc. to be licensed.

Section

50. Further provisions as to billiard rooms.
51. Byelaws with respect to theatres public shows and billiard rooms.
52. Saving for cinematograph theatres.

C—Servants registries and theatrical agencies

53. Licensing of registries for servants.
54. Byelaws with respect to registries for servants.
55. Licensing of theatrical training businesses and agencies.
56. Byelaws with respect to theatrical agencies etc.

D—Chimney sweeps and window cleaners

57. Licensing of chimney sweeps and window cleaners.
58. Power to make byelaws in respect of chimney sweeps and window cleaners.

E—Brokers metal refiners and pawnbrokers

59. Definitions for Head E of Part V of Order.
60. Licensing of brokers and metal refiners.
61. Offences by brokers and metal refiners.
62. Offences by pawnbrokers.
63. Penalty on pawnbrokers brokers and metal refiners for certain offences.
64. Pawnbroker broker or metal refiner to be punishable as a receiver of stolen goods in certain cases.
65. As to proof of guilty knowledge on part of pawnbroker broker or metal refiner.
66. Power to pawnbroker broker and metal refiner to detain suspected persons.
67. Power to enter premises of brokers and metal refiners.

F—Street traders

68. Definitions for Head F of Part V of Order.
69. Licensing of street traders.
70. Byelaws as to street trading.
71. Savings in respect of Head F of Part V of Order.

G—Piggeries

72. Licensing of piggeries.

H—Stables

73. Register of stables.
74. Registration to be applied for.
75. Inspection of stables.
76. Byelaws as to stables.
77. As to stables not complying with byelaws.

Section

108. Dust ashes etc. not to be thrown down in common stairs etc.
109. Byelaws as to cleansing of common stairs etc.
110. Provision of water-closet accommodation etc.
111. Penalty for damaging or improperly fouling water-closets etc.
112. Inspection of drainage of buildings.

D—Miscellaneous

113. Hairdressers and barbers.
114. Regulation of tents vans etc.
115. Penalty for creating annoyance caused in carrying on trade etc.
116. Byelaws in respect of fried fish shops.
117. Tipping of spoil and refuse.
118. Noise or vibration nuisance.
119. Conveyance of carcasses etc.
120. Removal of lobby doors.
121. Sanitary inspectors to serve summonses etc.
122. Corporation may remit expenses under this Part of Order on ground of poverty.

PART VII

ESTABLISHMENTS FOR MASSAGE AND SPECIAL TREATMENT

123. Definition of "establishment for massage or special treatment".
124. Establishments for massage or special treatment to be licensed.
125. Application for licences.
126. Grant of licences for establishments for massage or special treatment.
127. Byelaws as to establishments for massage etc.
128. Powers of entry and inspection.
129. Penalties for offences in respect of establishments for massage etc.
130. Provisions as to offences by corporations.
131. Saving for certain premises.
132. Saving for establishments carried on by medical practitioners.
133. Saving for qualified medical auxiliaries.
134. Commencement of Part VII of Order.

PART VIII

FARMED-OUT HOUSES

135. Definitions for Part VIII of Order.
136. Power to declare house to be a farmed-out house.
137. Notice to be sent.

Section

176. Saving for control on borrowing.
177. Power to enter premises.
178. Power to constables to enter premises retailing fireworks.
179. Constables may enter certain premises.
180. Constables may enter licensed etc. premises.
181. Penalty for refusing admission to constables.
182. Granting of warrants to enter certain premises.
183. Penalty for keeping premises for certain purposes or being found thereon.
184. Penalty for re-letting premises to convicted persons or knowingly suffering same to be used after notice.
185. Power to sheriff or magistrates to close such premises after second conviction.
186. Power of police constables to take certain offenders into custody.
187. Habitual drunkards.
188. Additional penalty in case of certain previous convictions.
189. Form mode of service etc. of notices.
190. Jurisdiction of magistrates.
191. Offences under Criminal Law Amendment Acts may be tried by magistrates.
192. Power to magistrate to grant warrants.
193. Penalty for breach of byelaws.
194. Breach of conditions of consent.
195. Offences under Cattle Sheds in Burghs Act.
196. As to penalties and recovery thereof.
197. Interpretation of "provide".
198. Powers of Order to be cumulative.
199. Confirming authority for byelaws.
200. Decisions of sheriff or sheriff-substitute to be final.
201. Amendment of section 48 of Glasgow Police Act 1866.
202. Rescission of adoption of certain provisions of Burgh Police (Scotland) Act 1892.
203. Repeal of Acts.
204. General saving from effect of repeal.
205. Crown rights.
206. Saving for town and country planning.
207. Costs of Order.

SCHEDULES:

First Schedule—

Part I.

Part II.

Part III.

Second Schedule—Maximum fees chargeable for grant of licences.

Third Schedule—Confirming authority for byelaws.

Fourth Schedule.



CHAPTER iii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Glasgow Corporation. [13th April 1960.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is requisite that the said Order should be confirmed by Parliament:

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

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.
2. This Act may be cited as the Glasgow Corporation Consolidation (General Powers) Order Confirmation Act 1960. Short title.

SCHEDULE

GLASGOW CORPORATION CONSOLIDATION (GENERAL POWERS)

Provisional Order to consolidate with amendments the Acts and Orders of or relating to the Corporation of the city of Glasgow with respect to cleansing lighting control of traffic licensing and registration public health establishments for massage and special treatment farmed-out houses and offences and penalties and to confer further powers on the Corporation with respect thereto and to make further provision for the local government health and improvement of the city and for other purposes.

Whereas the Corporation of the city and royal burgh of Glasgow (hereinafter called "the Corporation") are vested with the municipal government and administration of the city and royal burgh of Glasgow (hereinafter called "the city") and are the local authority therein:

And whereas the Acts and Orders relating to the several matters and things mentioned in this Order are very numerous and many of their provisions have been superseded by subsequent legislation and ought to be repealed and it would be of public and local advantage if such of the provisions of the said Acts and Orders as it is expedient to retain were consolidated with certain additions and amendments:

And whereas it is expedient at the same time to extend as provided in this Order the powers of the Corporation relating to the matters comprised in those enactments:

And whereas it is expedient to make further and better provision with reference to the local government health and improvement of the city and that the powers of the Corporation with respect thereto should be enlarged 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 Private Legislation Procedure (Scotland) Act 1936:

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

PART I

PRELIMINARY

Short title and citation.

1. This Order may be cited as the Glasgow Corporation Consolidation (General Powers) Order 1960 and shall be included among the Acts and Orders which may be cited together as the Glasgow Corporation Acts 1855 to 1960.

Commencement of Order.

2. Except as otherwise in this Order expressly provided this Order shall come into operation on the first day of May nineteen hundred and sixty which date is in this Order referred to as the commencement of this Order.

3.—(1) Words and expressions to which meanings are assigned by the city Acts or by any public Act applicable to the Corporation or wholly or partially incorporated with this Order shall subject to the provisions of this Order and unless there is something in the subject or context inconsistent with or repugnant to such construction have the same respective meanings in the provisions of this Order in which such words and expressions are used.

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

- “ Act of 1897 ” means the Public Health (Scotland) Act 1897;
- “ Act of 1947 ” means the Local Government (Scotland) Act 1947;
- “ Act of 1954 ” means the Summary Jurisdiction (Scotland) Act 1954;
- “ animal ” means cattle sheep goats swine horses asses and mules;
- “ building ” includes any structure or erection of whatsoever kind or nature whether temporary or permanent or any part thereof but does not include an advertisement to which regulations made under section 29 of the Town and Country Planning (Scotland) Act 1947 for the time being apply;
- “ chief constable ” means the chief constable of the city;
- “ city ” means the city and royal burgh of Glasgow;
- “ city Acts ” means the local Acts and Orders applicable to the city;
- “ cleansing undertaking ” means and includes all lands (whether situated within or beyond the city) buildings depots garages works workshops vehicles apparatus appliances machinery plant and materials held or used by the Corporation for the purpose of the collection treatment and disposal of domestic refuse trade refuse manure or other refuse;
- “ Clyde trustees ” means the trustees of the Clyde Navigation;
- “ common lodging-house ” has the meaning assigned to it by section 96 (Amendment of Act of 1897 as to common lodging-houses) of this Order;
- “ common stair ” means any passage or stair open and accessible at all time to the public and situated in any building and leading to parts thereof separately occupied;
- “ constable ” means any member of the police force and includes the chief constable;
- “ Corporation ” means the Corporation of the city of Glasgow;
- “ court ” means any court street passage or place (except a common passage or a common stair) used solely for foot passengers and open and accessible to the public from a street and forming an access to lands and heritages separately occupied which at the commencement of this Order is not maintained by the Corporation as a public street or is not

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART I
—cont.

- after the commencement of this Order declared to be a public street in pursuance of the city Acts;
- “ daily penalty ” means a further fine for every day on which any offence is continued after conviction therefor;
- “ dean of guild ” means the person appointed to the office of dean of guild by the Merchants House of Glasgow and includes any member of the dean of guild court acting for him in his absence;
- “ dean of guild court ” means the court of the dean of guild;
- “ director of cleansing ” means the person appointed by the Corporation for the purpose of carrying out the duties of the inspector of cleansing appointed by the Corporation in pursuance of the Act of 1947;
- “ farmed-out house ” has the meaning assigned to it by section 135 (Definitions for Part VIII of Order) of this Order;
- “ firemaster ” means the chief officer of the fire brigade of the city;
- “ footpath ” and “ foot pavement ” mean any part of a street used or intended to be used mainly for pedestrian traffic and include any portion thereof constructed or adapted for use as a carriage-crossing;
- “ house ” and “ dwelling-house ” severally extend to and include any house or building or part thereof used or intended or designed to be used for human habitation and outhouses and other erections being pertinents thereof;
- “ infectious disease ” means an infectious disease to which the Infectious Diseases (Notification) Act 1889 applies and includes any infectious disease to which that Act may from time to time be applied by the Corporation in pursuance of the provisions of section 7 thereof;
- “ inspector of common lodging-houses ” means the inspector of common lodging-houses appointed for the purposes of the city Acts;
- “ inspector of lighting ” means the person appointed by the Corporation as inspector of lighting in pursuance of the Act of 1947;
- “ lands and heritages ” has the same meaning as in the Acts in force for the time being relating to the valuation of lands and heritages and “ land or heritage ” in the singular number means one of such lands and heritages valued or entered as separately occupied in the valuation roll made up in pursuance of the said Acts;
- “ Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;
- “ lighting undertaking ” means and includes all lands buildings depots garages works workshops vehicles lamp-posts standards lamp-brackets lamps cables pipes wires apparatus appliances machinery plant and materials held or used by the Corporation for the purposes of lighting the streets and

courts in the city and common stairs together with all servitudes rights powers and privileges connected therewith.

- “ lord provost ” means the lord provost of the city for the time being;
- “ loudspeaker ” means any device for the reproduction or amplification of sound;
- “ magistrate ” means any magistrate authorised by any enactment to act as a judge in any of the police courts of the city;
- “ magistrates committee ” means the statutory committee of the Corporation appointed in pursuance of the city Acts consisting of the lord provost and the magistrates;
- “ master of works ” means the person appointed and holding office as master of works of the city;
- “ medical officer of health ” means a medical officer of health appointed by the Corporation in pursuance of the Act of 1947;
- “ occupier ” includes the actual occupier or tenant or sub-tenant;
- “ owner ” means the proprietor or owner or any one of the proprietors or owners of a land or heritage and includes life-renters fiars lessees (provided such lessees are not in the actual occupancy of such land or heritage) tutors curators commissioners trustees bondholders in possession or other persons who shall be in the actual enjoyment of or entitled to receive the rents and profits of such land or heritage and the factor or agent for any such proprietor in the management or receipt of the rents or profits thereof and any other person who shall intromit with or draw the rents of such land or heritage;
- “ police force ” means the police force of the city ;
- “ private street ” means any street not being a public street;
- “ procurator fiscal ” means the person appointed by the Corporation in pursuance of the city Acts for the purpose of carrying out the duties of procurator fiscal of police;
- “ public place ” means any place (whether a thoroughfare or not) to which the public have unrestricted access and includes any common passage close court stair garden or yard pertaining to any tenement or group of separately occupied houses;
- “ public service vehicle ” has the same meaning as in the Road Traffic Act 1956;
- “ public street ” means a street entered in the register of public streets kept by the Corporation or declared to be a public street in pursuance of the city Acts;
- “ registrar ” means the registrar appointed by the magistrates committee for the purposes of the city Acts;
- “ repealed Acts ” means the provisions of the Acts and Orders specified in the Fourth Schedule to this Order and repealed by this Order;
- “ sanitary inspector ” means any one of the sanitary inspectors for the city appointed by the Corporation in pursuance of the Act of 1947;

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART I
—cont.

- “sheriff” means the sheriff of Lanarkshire and includes his substitutes;
- “street” means and includes any public street private street highway road bridge tunnel square lane footpath court or passage or any part thereof open and accessible to the public;
- “summary conviction” means conviction by a court of summary jurisdiction;
- “trolley vehicle” means a mechanically-propelled vehicle adapted for use upon roads without rails and moved by power transmitted thereto from some external source;
- “town clerk” means the town clerk of the city;
- “transport commission” means the British Transport Commission.

(3) Any reference in this Order to any other enactment shall except so far as the context otherwise requires be construed as a reference to that enactment as amended by or under any other enactment including this Order.

Incorporation
of Acts.

4. The following Acts so far as they are applicable to the purposes of and are not inconsistent with this Order are hereby (except where expressly varied by this Order) incorporated with this Order—

The Lands Clauses Acts (except section 90 and section 120 of the Lands Clauses Consolidation (Scotland) Act 1845);

and this Order shall be deemed to be a special Act within the meaning of those Acts.

Limits of Order.

5. Except where otherwise expressly provided in this Order or where the context otherwise requires the provisions of this Order shall apply only to the city.

PART II

CLEANSING

Definitions
for Part II
(Cleansing).

6. For the purposes of this Part of this Order—

“domestic refuse” means any dust ashes rubbish and other refuse arising from or incidental to the normal occupation of any dwelling-house shop office or other similar premises but does not include manure or trade refuse;

“trade refuse” means—

(a) the refuse arising from or incidental to the carrying on of any trade business or manufacture including—

(i) ashes clinker and flue dust from any kiln engine furnace oven or stove used in connection with any industrial or commercial purpose or process;

(ii) packing material and similar refuse from shops warehouses and workshops;

(iii) fruit and vegetable rubbish;

(iv) meat and fish offal;

(v) garage debris; and

(b) garden rubbish.

7. The cleansing undertaking as it exists and as it is used by and vested in the Corporation at the commencement of this Order shall be and continue to be vested in the Corporation and be held and used by them.

PART II
 —cont.

Vesting of
 cleansing
 undertaking.

8. The Corporation may—

Buildings and
 works for
 cleansing
 undertaking.

(a) For the purposes of the cleansing undertaking continue provide and maintain depots garages refuse disposal works stores workshops works materials equipment and vehicles for the collection treatment and disposal of domestic refuse trade refuse manure and other refuse with all necessary plant machinery and apparatus; and

(b) do all such acts as may be appropriate for or in connection with the collection treatment disposal and sale in any form of domestic refuse trade refuse manure and other refuse:

Provided that the Corporation shall not under the powers of this section manufacture any motor vehicles.

9.—(1) The Corporation may from time to time as they think fit by agreement purchase or feu or lease or arrange for the use of any lands or other property situated within or beyond the city for the purposes of the cleansing undertaking.

Lands for
 cleansing
 undertaking.

(2) The Secretary of State may authorise the Corporation to purchase compulsorily any land which they require for any of the purposes of the cleansing undertaking and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply in relation to any such compulsory purchase as if this Order had been in force immediately before the commencement of that Act.

10. Subject to the provisions of this Part of this Order the Corporation shall make or cause to be made provision—

Cleansing of
 streets and
 collection of
 domestic refuse
 by Corporation.

(a) for scavenging and keeping the streets clean; and

(b) for the collection treatment and disposal of domestic refuse.

11. The Corporation may cause all or any of the streets to be watered as often as the Corporation think proper.

Watering of
 streets.

12.—(1) The Corporation may by notice require the owner of any premises to provide maintain or renew such numbers of ashbins for the reception of the domestic refuse of such premises as may be determined by the director of cleansing and in the event of any such owner failing after ten days' notice to comply with such requirement the Corporation may provide maintain or renew such ashbins at the expense of such owner.

Ashbins.

(2) In the event of the Corporation being unable to find the owner of any premises they may by notice require the occupiers of such premises to provide maintain or renew such number of ashbins for the reception of the domestic refuse of such premises as may be determined by the director of cleansing and in the event of such occupiers failing after ten days' notice to comply with such requirement the Corporation may provide maintain or renew such ashbins and may recover the cost incurred by them in so doing from such occupiers in such proportions as they may think fit:

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART II
—cont.

Provided that the amount recoverable from any of such occupiers shall not exceed the amount due and owing at the time by such occupier to the owner of the premises by way of rent.

Occupiers to deposit domestic refuse in ashbins.

13.—(1) The domestic refuse of any premises so far as made or found on any land or heritage shall except as provided in this Part of this Order be deposited by the occupier of such premises in the ashbin provided and maintained in respect of such premises in accordance with the provisions of this Part of this Order (or in any case where there is an ashpit maintained on such premises in such ashpit).

(2) Any person failing to comply with the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds for each such offence.

Penalty for depositing other refuse than domestic refuse in ashbins etc.

14. Any person who deposits or causes to be deposited in any ashbin or ashpit provided for the deposit of domestic refuse any refuse or material other than domestic refuse shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds for each such offence.

Arrangements as to removal of domestic refuse in certain streets or districts.

15.—(1) The Corporation may by handbills posted or delivered to the occupiers of the premises adjoining any street or within any district in the city or otherwise in such manner as the Corporation may think fit require such occupiers to deposit their domestic refuse in ashbins provided and maintained by such occupiers and to place such ashbins on the outside of the foot pavement opposite the premises occupied by them or at such other place near thereto as the director of cleansing shall appoint on such days and at such times as may be fixed by the director of cleansing for the collection and removal of such domestic refuse.

(2) In the event of any of such occupiers failing after ten days' notice to provide or maintain any such ashbin as aforesaid the Corporation may provide or maintain such ashbin and may recover the cost incurred by them in so doing from such occupier.

(3) When the Corporation have put into operation such arrangement as aforesaid in any street or district in the city the Corporation may by notice require the owner of any premises in such street or district to remove or shut up any ashpit or to close any ashbin shelter or ashbin recess used in connection with such premises.

(4) Every person who fails to comply with any requirement or notice under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Ashbins to be of types etc. prescribed by director of cleansing.

16. Every ashbin provided by the owner or occupier of any premises in accordance with the provisions of this Part of this Order shall be of a type size and mode of construction specified by the director of cleansing and the director of cleansing may specify different types sizes and modes of construction of ashbins (including ashbins which are normally moved on or by means of a trolley or similar contrivance) for different premises.

Refuse etc. to be vested in Corporation.

17.—(1) The whole domestic refuse trade refuse manure soot street sweepings litter and other materials collected by the Corporation shall be vested in and be the property of the Corporation.

(2) The Corporation may dispose of or use in such manner or may sell the same on such terms and conditions as they think fit.

PART II
—cont.

18.—(1) The occupier of every land or heritage (or if there be no occupier the owner thereof) shall daily not later than nine of the clock in the morning sweep and cleanse the foot-pavement of the street so far as adjoining the land or heritage occupied by him.

Foot pavements
to be swept by
occupier.

(2) All rubbish and other refuse swept from such foot pavement by the occupier or the owner as the case may be of any land or heritage used for the purpose of any trade business or manufacture shall be deposited by him in the ashbin or receptacle for refuse provided in respect of such land or heritage.

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

19. The Corporation may make byelaws for or in respect of any of the following purposes or matters (that is to say):—

Cleansing
byelaws.

(a) for regulating the time and mode of the collection removal and disposal of domestic refuse and other offensive matters or things;

(b) (i) for requiring the occupiers of premises to keep separate from other domestic refuse any substances or materials the separation of which is necessary or desirable for the economical collection removal and disposal of such refuse substances and materials; and

(ii) for making a separate collection of any substances or materials so kept separate.

20. The Corporation may make arrangements with—

Removal and
disposal of
trade refuse.

(a) warehousemen shopkeepers and other traders;

(b) occupiers of factories workshops garages or offices or business premises;

(c) occupiers of places of public entertainment;

(d) proprietors and occupiers of gardens; and

(e) other persons;

for the collection removal and disposal of trade refuse manure soot and other refuse and substances at such times and on such terms and conditions as the Corporation may determine.

21. Any person who interferes with any ashbin or the contents thereof shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for
interference with
ashbins etc.

22.—(1) The Corporation may from time to time fix the hours within which only it shall be lawful to remove any offensive matter or thing into or through the city or from any premises within the city and shall give public notice of such hours in such manner as they may deem proper.

Removal of
offensive
matter.

(2) A person shall not except within such hours as have been fixed and notified in accordance with the provisions of the foregoing subsection and are for the time being in force remove any offensive matter or thing into or through the city or from any premises within the city.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART II
—cont.

(3) A person shall not (whether such hours have been fixed or not) use for the removal of any offensive matter or thing into or through the city or from any premises within the city any vehicle unless such vehicle is of such construction and so covered as to prevent the escape of the contents of such vehicle or of the stench of the contents.

(4) A person who—

- (a) contravenes any of the foregoing provisions of this section; or
- (b) wilfully or negligently spills any offensive matter or thing in the removal thereof; or
- (c) does not carefully sweep and cleanse every place in which any offensive matter or thing has been placed or unavoidably spilled;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds for each such offence.

Penalty for allowing offensive matter or things to run into street.

23. Any person who causes or permits any foul water oil dirt filth or other offensive matter or thing to run into or be discharged upon any street or into any gulley-pot provided for the surface drainage of any street shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

As to removal of dung etc.

24.—(1) Any person who for the purpose of removing dung or manure or hay or straw or other material or refuse lays or causes such dung or manure or hay or straw or other material or refuse to be laid on any street and allows such dung or manure or hay or straw or other material or refuse to remain on the street for a longer period than two hours shall be guilty of an offence and shall be liable on summary conviction—

- (a) to a fine not exceeding five pounds for each offence; and
- (b) to the forfeiture of the dung or manure or hay or straw or other material or refuse which after the expiry of the said period of two hours may be removed and disposed of by the director of cleansing.

(2) The cost of such removal shall be recoverable as a debt by the Corporation from such person.

Power to Corporation to provide street orderly bins etc.

25. The Corporation may provide place and maintain in any public street movable or fixed boxes or bins for the temporary deposit of street sweepings and baskets or bins for the deposit of litter.

Provision of public conveniences.

26.—(1) The Corporation may continue erect provide and maintain public conveniences and other similar accommodation for the use of the public in or under any public street or in any other suitable place.

(2) Nothing contained in this section shall empower the Corporation to interfere with or render less convenient the access to or exit from—

- (a) any station or depot of the transport commission or of any operators of public service vehicles; or
- (b) any quay dock or wharf belonging to the transport commission.

27. The Corporation may in relation to any public conveniences and other similar accommodation provided by them—

- (a) make byelaws as to the good and orderly conduct of persons using them; and
- (b) make such charges as they think fit for the use of any such public conveniences and other similar accommodation other than urinals.

PART II
 —cont.

Byelaws as to and charges for public conveniences.

28. Notwithstanding anything in this Part of this Order the Clyde trustees shall continue to cleanse their quays wharves sheds and streets.

As to cleansing of quays etc. by Clyde trustees.

29. Nothing in section 25 (Power to Corporation to provide street orderly bins etc.) or in section 26 (Provision of public conveniences) of this Order shall empower the Corporation to interfere with the cables mains pipes or other apparatus of any statutory undertakers except with the consent of such statutory undertakers which consent shall not be unreasonably withheld and any question as to whether any such consent has been unreasonably withheld shall be referred to and determined by an arbiter to be mutually agreed upon between the Corporation and such undertakers or failing agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers.

Saving for statutory undertakers.

30. Nothing in this Part of this Order shall exempt the Corporation from any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land used by the Corporation for the purposes of the cleansing undertaking.

Saving in respect of nuisance.

PART III
 LIGHTING

31. The lighting undertaking as it exists and as it is used by and vested in the Corporation at the commencement of this Order shall be and continue to be vested in the Corporation and be held and used by them.

Vesting of lighting undertaking.

32. The Corporation may—

- (a) for the purposes of the lighting undertaking continue provide and maintain depots garages workshops works materials equipment and vehicles together with all necessary plant machinery and apparatus; and
- (b) do all such acts as may be appropriate for or in connection with the lighting of the public and private streets and courts lighted by them:

Buildings and works for lighting undertaking.

Provided that the Corporation shall not under the powers of this section manufacture any motor vehicles.

33. Subject to the provisions of this Order the Corporation shall make provision for lighting in a suitable manner the public and private streets and courts which in their judgment should be lighted by them.

Streets and courts to be lighted by Corporation.

34.—(1) For the purposes of lighting the public and private streets and courts lighted by them and for the purposes of section 35 (Lighting of common stairs) of this Order the Corporation may—

Works for lighting streets etc.

- (a) provide and maintain in under or upon the causeway or in under or upon the foot pavements of any such streets and courts;

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART III
—cont.

- (b) attach to the undersides of any bridges over any such streets and courts; and
- (c) affix to the walls of any buildings adjoining any such streets or courts or to the railings or walls of any land or heritage adjoining any such streets or courts;

lamps lamp-posts standards lamp-brackets cables pipes wires and other apparatus and may from time to time replace and renew or alter the position of the same:

Provided that the provisions of section 26 of the Public Utilities Street Works Act 1950 shall extend and apply with respect to the attachment by the Corporation of any such apparatus as aforesaid to the underside of any bridge in on or attached to which there is any apparatus of any owning undertakers as defined in that section as if any such attachment were works to which the said section applies.

(2) The Corporation shall make compensation to the owners of any such buildings railings or walls for any injury done by them to the same.

(3) (a) Any lamps lamp-brackets cables pipes wires or other apparatus attached to the underside of any bridge carrying any railway or canal of the transport commission shall be fixed to the reasonable satisfaction of the engineer of the transport commission and so as not to injure such bridge.

(b) Any difference arising under this subsection shall be determined by an arbiter to be mutually agreed upon between the Corporation and the transport commission or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers.

Lighting of
common stairs.

35.—(1) The owner of every land or heritage having an access by a common stair shall provide fit up maintain and renew pipes and wires or pipes or wires in such common stair suitable for the lighting thereof all to the satisfaction of the inspector of lighting.

(2) So soon as such pipes and wires or pipes or wires are so provided and fitted up in any common stair and so long as they are maintained and renewed the Corporation shall in such common stair provide fit up maintain and renew brackets lamps and fittings and other means of lighting and all necessary appliances for lighting and extinguishing the light.

(3) The Corporation shall make provision for supplying with gas electricity or other illuminant the lamps and other means of lighting required to be provided by them under the provisions of this section and shall at such hours as the inspector of lighting may determine light and extinguish the same.

(4) Where there is more than one owner of a land or heritage having an access by a common stair the owners shall be bound to provide fit up maintain and renew such pipes and wires or pipes or wires in such common stair and shall pay the cost thereof in proportion to the valuation of their respective lands and heritages having an access by such common stair as such valuation appears on the valuation roll.

(5) If any such owner fails to provide fit up maintain and renew such pipes and wires or pipes or wires the inspector of lighting may serve a notice on such owner requiring him to provide fit up maintain and renew such pipes and wires or pipes or wires.

PART III
—cont.

(6) If any owner upon whom any such notice is served does not carry out the work therein specified within ten days from the date of such notice the inspector of lighting may cause the said work to be done and the Corporation may recover the cost thereof from such owner as a debt.

36. Notwithstanding anything in this Part of this Order the Clyde trustees shall continue to light their quays wharves sheds and streets. As to lighting of quays etc. by Clyde trustees.

PART IV

CONTROL OF TRAFFIC ETC.

37.—(1) The Corporation may from time to time make regulations or orders— Regulations as to traffic on special occasions.

(a) diverting temporarily out of any street traffic of every kind or traffic of any particular kind;

(b) prescribing the route to be observed by all vehicles and other traffic or vehicles and other traffic of different classes on occasions of ceremonies processions rejoicings shows exhibitions entertainments sports races or on any occasions when the streets are liable to be thronged or obstructed or the traffic likely to be abnormal and for keeping order and preventing obstruction on such occasions; and

(c) for keeping order and preventing the obstruction of streets in the neighbourhood of theatres and other places of public resort;

Provided that the Corporation shall not exercise the powers of this section in such manner as to cause any unnecessary interference with or render less convenient any access to or egress from any quay dock wharf depot or shed of the Clyde trustees.

(2) Any person who contravenes any regulation or order of the Corporation under the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(3) All regulations and orders made by the Corporation under the provisions of this section shall be advertised in at least two daily newspapers circulating in the city.

(4) The Corporation shall not exercise the powers of this section in such manner as unreasonably to obstruct or interfere with the access to or exit from any railway station or railway or canal depot belonging to the transport commission or station or depot of any operators of public service vehicles.

38.—(1) For the purpose of securing public order or public safety or preventing congestion of traffic the Corporation may in any case of emergency or on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed Barriers on streets.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART IV
—cont.

cause barriers to be erected in any street and kept in position for so long as may be necessary for that purpose:

Provided that the Corporation shall not exercise the powers of this subsection—

- (a) as respects a street belonging to or maintainable by the transport commission or by the Clyde trustees and forming the approach to a station or depot of the transport commission or to any dock wharf quay or depot of the transport commission or of the Clyde trustees without the consent of the transport commission or of the Clyde trustees as the case may be; or
- (b) so as to deprive foot-passengers bona fide going to or from a building or land abutting on the street of reasonable access to the building or land; or
- (c) so as to interfere unreasonably with the access to or exits from any station or depot of any operators of public service vehicles.

(2) The consent of the transport commission or of the Clyde trustees as the case may be under proviso (a) to the foregoing subsection shall not be unreasonably withheld and any question whether it is unreasonably withheld shall be determined by the sheriff.

(3) For the purpose of erecting barriers in a street under this section the Corporation may provide sockets or slots in or under the surface of the street.

(4) If any person wilfully removes or damages a barrier socket or slot erected or provided under this section he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(5) Nothing in this section shall authorise interference with the cables mains pipes or other apparatus of any statutory undertakers or with the access thereto except with the consent of such statutory undertakers which consent shall not be unreasonably withheld and any question as to whether such consent has been unreasonably withheld shall be referred to and determined by an arbiter to be mutually agreed upon between the Corporation and such undertakers or failing agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers.

Stances for
cabs to be
appointed by
Corporation.

39.—(1) The Corporation may appropriate any portion of a public street as a stance for cabs and regulate or prohibit the use of any such stance or of any shelter thereat.

(2) For the purposes of this section “cab” has the same meaning as in section 40 (Definitions for Part V of Order) of this Order.

PART V

LICENSING AND REGISTRATION

A—Cabs

Definitions for
Part V of Order.

40. For the purposes of this Part of this Order—

“cab” means every wheeled carriage whatever its form or construction and however drawn or propelled which shall stand for hire or ply for hire or be hired for the carrying of

passengers and also includes any carriage kept by the owner in any building garage yard or other premises for the purpose of being let out for hire but shall not include—

PART V
—cont.

(a) any carriage so kept for hire for the day or any longer period or so kept by any company firm or person in connection with any business carried on by such company firm or person as funeral directors or undertakers and used wholly or partly in connection with such business; or

(b) any tramway car or any trolley vehicle or public service vehicle;

“ cab-operator’s licence ” means a licence in respect of a cab granted by the magistrates committee in pursuance of section 41 (Licensing of cabs) of this Order;

“ cab-driver’s licence ” means a licence to drive a cab granted by the magistrates committee in pursuance of section 42 (Licensing of drivers of cabs) of this Order;

“ driver ” when used with reference to a cab means the person in charge of such cab;

“ proprietor ” when used with reference to a cab means the holder of the cab-operator’s licence in respect of such cab;

“ proper fare ” and “ agreed fare ” in relation to any hire of a cab mean respectively the fare and other charges calculated in accordance with the maximum rates fixed in byelaws made under section 47 (Byelaws with respect to cabs and drivers of cabs) of this Order or such less fare and other charges as may be agreed upon between the hirer and the driver.

41.—(1) Subject to the provisions of this Part of this Order the magistrates committee may grant a licence to any person whom they think fit to operate as a cab such vehicle as may be specified in the licence. Licensing of cabs.

(2) Without prejudice to any other ground on which a cab-operator’s licence may be refused the magistrates committee—

(a) shall not grant a cab-operator’s licence in respect of any vehicle unless they are satisfied that the vehicle is properly constructed and equipped for use as a cab and is in a fit state of repair; and

(b) may refuse to grant a cab-operator’s licence in respect of a vehicle if—

(i) in their opinion there is already a sufficient number of vehicles licensed under this section to meet the needs of the city; and

(ii) the grant is not offset by the expiry or revocation of a cab-operator’s licence held by the same person in respect of the same or another vehicle.

(3) A licence under this section shall not be granted to any person under the age of twenty-one years.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART V
—cont.

(4) Any person who operates as a cab any vehicle in respect of which there is not in force a cab-operator's licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

Licensing of
drivers of cabs.

42.—(1) A person shall not act as the driver of a cab unless he is licensed to do so by the magistrates committee.

(2) A licence under this section shall not be granted to any person under the age of twenty-one years.

(3) The holder of a cab-operator's licence shall not cause or permit any person to drive the vehicle to which the licence relates as a cab unless that person is the holder of a cab-driver's licence.

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

Obligations of
cab-operators
with respect to
cab-drivers and
cab-drivers'
licences.

43.—(1) The proprietor of a cab shall cause to be delivered to him and shall retain the licence of every driver employed by him and shall in all cases of complaint against any such driver produce such driver and his cab-driver's licence.

(2) If any such proprietor refuses or neglects to produce such driver or such cab-driver's licence when required to do so he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Miscellaneous
provisions as to
cab-drivers and
others.

44.—(1) The driver of a cab shall not without reasonable cause refuse to carry at the proper fare to any place to which he shall be required the number of passengers which the vehicle is licensed to carry or any less number.

(2) The driver of a cab shall not demand from the hirer thereof more than the proper fare or the agreed fare and any agreement by the hirer to pay more than the proper fare shall be of no effect in relation to the excess.

(3) The hirer of a cab shall on completion of the journey contracted for pay to the driver thereof the proper fare or the agreed fare as the case may be.

(4) Any person who contravenes any of the foregoing provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds or in the case of a contravention of subsection (3) of this section twenty-five pounds.

(5) Any person who has paid more than the proper fare or the agreed fare as the case may be in respect of the hire of a cab shall be entitled to recover the excess from the person to whom the payment was made and in any proceedings charging the driver of a cab with a contravention of subsection (2) of this section the court may in the event of the offence being proved and on being satisfied that a sum in excess of the proper fare or the agreed fare as the case may be has been paid make an order against the offender for repayment of the excess sum so paid.

(6) In any proceedings charging a person with a contravention of subsection (3) of this section the court may in the event of the offence being proved make an order directing that the fare and any other charges due by the offender to the driver or other person entitled thereto and also such sum as is reasonable in respect of compensation

to such driver or other person for financial loss in attending the court or otherwise in connection with the refusal to pay shall be paid out of the fine imposed on such offender.

PART V
—cont.

(7) The provisions of this section empowering a court to make orders for the payment of money other than a fine shall be without prejudice to any other remedy competent to any person in whose favour such orders might be made.

45. The driver of any cab which is hired who permits or suffers any person to be carried in such cab during such hire without the express consent of the person hiring the same shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for carrying additional passengers without consent.

46. If any person does not pay on demand to the driver of any cab the proper fare or the agreed fare as the case may be such driver may seize and detain such person and deliver him to a constable to be taken to the police office.

Hirer not paying legal fare may be detained.

47.—(1) The magistrates committee may make byelaws as to vehicles and the operation as cabs of vehicles in respect of which cab-operators' licences are granted by them and as to the conduct while acting as drivers of cabs of persons in respect of whom cab-drivers' licences are granted by them.

Byelaws with respect to cabs and drivers of cabs.

(2) Without prejudice to the generality of the last foregoing subsection such byelaws may in particular—

- (a) regulate all matters affecting or relating to the safety comfort or convenience of persons hiring or using cabs and of the public;
- (b) regulate the type construction equipment cleanliness maintenance examination inspection and operation as cabs of such vehicles as aforesaid;
- (c) regulate the numbering of cabs and the issue and display of plates indicating such numbers and fix the charges for the use of such plates;
- (d) require and regulate the display of particulars as to the cab-operators' licences in force with respect to cabs including the names and addresses of the proprietors the serial numbers of such licences and the numbers of passengers which the cabs are licensed to carry;
- (e) require mechanically operated cabs to be equipped with taximeters or similar apparatus for showing the fares and charges payable and regulate the fixing and testing or re-testing of every such taximeter or other apparatus and prohibit interference with any such taximeter or other apparatus or causing of the same to register incorrectly;
- (f) regulate the duties of drivers of cabs while acting as such in relation to the conveyance of passengers' luggage;
- (g) provide for the return by proprietors of the cab-drivers' licences of drivers leaving their employment;
- (h) fix the maximum rates of fares and charges for passengers and luggage and provide for the notification of such fares and charges and for the keeping display and production when required of fare tables or books by the holders of cab-drivers' licences;

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART V
—cont.

- (i) provide for the safe custody and re-delivery of any property which while not in proper custody is found in any cab and in particular—
 - (i) provide for requiring charges to be paid in respect of any such property before it is re-delivered;
 - (ii) provide for authorising the disposal of any such property if it is not re-delivered before the expiration of such period as may be specified in the byelaws;
- (j) provide for the display of badges by the drivers of cabs and for the design loan by the Corporation and return to them of such badges and the making of money deposits to the Corporation in respect thereof;
- (k) provide for every proprietor of a cab supplying to any officer of the Corporation authorised in that behalf or to any constable on request the name and address of any person who was authorised to drive such cab at any specified time within seven days before the request was made; and
- (l) prohibit or regulate the display of advertising matter in or on cabs.

B—Theatres public shows and billiard rooms

Theatres and
public shows to
be licensed.

48.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant)—

- (a) have or keep any premises as a theatre music hall concert hall dance hall public hall or circus or as a place for the public performance of stage plays or for any public entertainment representation or exhibition of any description into which admission is obtained by payment of money or for money consideration (the purchase of any article as a condition of admission being deemed to be a money consideration) (any of which premises is hereinafter in this Order referred to as a “theatre”); or
- (b) open or set up—
 - (i) a public show of any description whether in open ground or in any building or caravan or tent;
 - (ii) any swings switchback railways or hobby horses or other devices of a similar nature for affording amusement;
 - (iii) any shooting gallery singing or dancing saloon or bowling or ninepin alley or place for playing skittles; or
 - (iv) any other place of a like nature;(each of which is hereinafter in this Order referred to as a “public show”).

(2) A licence shall not be granted under this section to any person unless he is the actual and responsible manager of the theatre or public show to which the application for a licence relates.

(3) Any person who has or keeps or on any occasion uses or knowingly lets any premises as a theatre or opens or sets up a public show without a licence from the magistrates committee shall be guilty of an offence and shall be liable on summary conviction to a

fine not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

PART V
—cont.

(4) The provisions of the Theatres Act 1843 in so far as it grants power to justices of the peace to license theatres shall not apply within the city.

49.—(1) A person shall not (except in premises duly licensed as an hotel) without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) keep or use or suffer to be kept or used any premises for the purpose of the public playing of billiards or keep a public billiard table or other table or instrument used in any game of the like kind at which persons are admitted to play.

Billiard rooms
etc. to be
licensed.

(2) Every person who has obtained such a licence shall so long as such licence is in force put and keep up the words "Licensed for billiards" legibly printed in a conspicuous place on or near the door or on the outside of the premises specified in the licence.

(3) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds and to a daily penalty not exceeding two pounds.

(4) For the purposes of this and the next two succeeding sections of this Order "billiards" includes "bagatelle" and "billiard table" includes "bagatelle board" and "billiard room" shall be construed accordingly.

50. Where any premises occupied as a club (whether or not such club is a company incorporated under the Companies Act 1948 or any other enactment) are used for the playing of billiards then such playing of billiards or any game of the like kind in such premises shall be deemed to be the public playing of billiards for the purposes and within the meaning of the immediately preceding section of this Order unless adequate provision is made—

Further
provisions as to
billiard rooms.

(a) to ensure that a person shall not be admitted to such club with a view to taking part in the playing of billiards therein unless he is a bona fide member of such club or is accompanied by a bona fide member of such club; and

(b) to preclude the admission of persons who present themselves for admission to membership of such club solely or mainly with a view to taking part in the playing of billiards therein.

51.—(1) The magistrates committee may make byelaws for the regulation and conduct of theatres public shows and billiard rooms for which the magistrates committee are empowered to grant licences under section 48 (Theatres and public shows to be licensed) and section 49 (Billiard rooms etc. to be licensed) of this Order.

Byelaws with
respect to
theatres public
shows and
billiard rooms.

(2) Without prejudice to the generality of subsection (1) of this section such byelaws may in particular provide—

(a) for the safety and comfort of the public;

(b) for the suppression of disorderly conduct;

(c) for the prevention or regulation of smoking;

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART V
—cont.

(d) for regulating the times at and during which the premises or places to which the byelaws relate may severally remain open and for prohibiting the opening thereof on Sundays; and

(e) in the case of billiard rooms for prohibiting persons under the age of seventeen years from frequenting or using the same.

(3) Any such byelaws may be made so as to apply only to such classes of theatres public shows or billiard rooms as may be specified in the byelaws and may contain different provisions for different classes of theatres public shows and billiard rooms.

(4) Neither the provisions of section 48 (Theatres and public shows to be licensed) requiring the opening or setting up of a public show to be licensed nor any byelaw made under this section for the regulation and conduct of public shows shall apply to—

(a) any entertainment which is not run for profit and is not carried on for more than seven consecutive days; or

(b) any entertainment the profits whereof are devoted to a religious or charitable purpose.

Saving for cinematograph theatres.

52. Nothing in this Head of this Part of this Order shall apply to any premises in respect of which a licence under the Cinematograph Acts 1909 and 1952 is for the time being in force.

C—Servants registries and theatrical agencies

Licensing of registries for servants.

53.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) carry on the trade or business of a keeper of a domestic servants registry and exact or receive fees or other charges or payments in respect of his services in connection with a domestic servants registry.

(2) A licence under this section shall specify the premises in which the said trade or business is to be carried on.

(3) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

(4) For the purposes of this and the next succeeding section of this Order “domestic servants registry” includes any registry relating to the engagement and supply of persons employed or to be employed as servants in hotels restaurants boarding houses or similar premises.

Byelaws with respect to registries for servants.

54. The magistrates committee may make byelaws for regulating the conduct of persons carrying on the trade or business of a keeper of a domestic servants registry and the premises in which the said trade or business is carried on the books to be kept and the entries to be made therein by such persons the inspection of such books and any other matters which the magistrates committee may deem necessary to secure the proper conduct of the said trade or business.

Licensing of theatrical training businesses and agencies.

55.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant)—

(a) offer to teach or train or afford facilities for the teaching or training of persons desirous of employment as actors performers singers dancers musicians or in any other similar

capacity at theatres or circuses or music halls or exhibitions of pictures produced by a cinematograph or other similar apparatus or at other places of public entertainment or in connection with cinema film productions or directly or indirectly offer or hold out a prospect of such employment as an inducement to those who desire to be so taught or trained; or

PART V
—cont.

(b) carry on a theatrical or other agency or similar business or offer to find employment for persons as actors performers singers dancers musicians or in any other similar capacity at theatres or circuses or music halls or exhibitions of pictures produced by a cinematograph or other similar apparatus or at other places of public entertainment or in connection with cinema film productions.

(2) A licence under this section shall specify the premises in which any such teaching or training or agency or business is to be carried on.

(3) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

56. The magistrates committee may make byelaws for regulating the conduct of the persons and the premises in respect of which licences are granted under the immediately preceding section of this Order the books to be kept the entries to be made therein by such persons the inspection of such books and any other matter which the magistrates committee may deem necessary to secure the proper conduct of such persons and premises.

Byelaws with respect to theatrical agencies etc.

D—Chimney sweeps and window cleaners

57.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) carry on the business or occupation of a chimney sweep or a window cleaner.

Licensing of chimney sweeps and window cleaners.

(2) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

58. The magistrates committee may make byelaws for regulating the conduct of persons carrying on the business or occupation of chimney sweep or window cleaner and for distinguishing such persons by badges or otherwise and without prejudice to the foregoing generality for regulating the charges to be made by persons licensed as chimney sweeps.

Power to make byelaws in respect of chimney sweeps and window cleaners.

E—Brokers metal refiners and pawnbrokers

59. For the purposes of this Head of this Part of this Order—

Definitions for Head E of Part V of Order.

“broker” means any person who purchases receives or bargains for or deals by way of trade in—

(a) second hand goods or articles other than—

(i) second hand books; or

(ii) goods or articles bona fide forfeited in accordance with the Pawnbrokers Act 1872; or

(b) old metals bones or rags.

PART V
—cont.

“metal refiner” means any person who keeps or suffers to be on his premises any melting pot or implement for melting altering or defacing any metals and who purchases receives or bargains for old metal scrap metal broken metal defaced metal or partly manufactured metal goods whether new or old but shall not include (a) any such person purchasing any of the said metals in greater quantities than those respectively set forth in Part I of the First Schedule to this Order or purchasing in one lot not less than three hundredweight of any two or more of such metals or (b) plumbers gas fitters and other such tradesmen receiving such metals in the ordinary course of business for the value of which they give credit in their accounts to their customers or purchasing in good faith new metals for the purposes of their business.

“pawnbroker” has the same meaning as in the Pawnbrokers Act 1872.

Licensing of
brokers and
metal refiners.

60.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) carry on business as a broker or as a metal refiner or use any premises for the purpose of such business.

(2) A licence under this section shall specify the premises in which the business is to be carried on including all cellars closets and other places used or proposed to be used in the course of the business.

(3) A licence under this section shall not be granted to any person who is the holder of a pawnbroker's licence under the Pawnbrokers Act 1872.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

Offences by
brokers and
metal refiners.

61. Every broker and every metal refiner who—

- (a) acts as a pawnbroker or receives or takes any article in pledge;
- (b) carries on his trade in premises communicating with those of a pawnbroker;
- (c) fails to have the words “Licensed broker” or “Licensed metal refiner” as the case may be conspicuously painted over the door or principal entrance of his premises;
- (d) purchases receives or bargains for any article by himself or his servant or other person on his premises (for whom in such case he shall be responsible) between ten o'clock on Saturday night and eight o'clock on the following Monday morning or between ten o'clock on any other night and eight o'clock on the following morning;
- (e) disposes of any article to or purchases or causes to be purchased any article from any person who is apparently under sixteen years of age;
- (f) purchases receives or takes the note or ticket of any pawnbroker for any article which has been pawned or contracts and negotiates in any manner with the holder of such note or ticket or any person on his behalf for the purchase of any article specified therein;

- (g) omits to keep regular books and to enter forthwith therein a proper and distinctive description of every article purchased or received by him or his servants or any such person the name and address of the person from whom he purchased or received the same the date and hour of the day of each such transaction and the price paid or agreed to be paid for such article;
- (h) omits to attach forthwith to every article purchased or received by him a ticket or note whereby such article can be identified with the entry relative thereto in the books kept by him;
- (i) does not at any time during his hours of business or at any other time without reasonable excuse on demand forthwith admit to his premises any constable and produce to such constable and suffer to be examined the books kept by him and permit such constable to subscribe his name immediately after the last entry therein;
- (j) omits to keep in his premises any article purchased or received by him for a period of seven days after the purchase or receipt and the entry thereof in the books kept by him or sells or disposes of or allows such article to be removed before the expiry of the said period;
- (k) does not at any time during his hours of business or at any other time without reasonable excuse on demand produce to any constable any article which he has purchased or received and which is in his possession regarding which information has been given tending to show or to render it probable that the same has been stolen embezzled or fraudulently obtained or does not when required by such constable deliver any such article to such constable who shall grant a receipt therefor;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

62. Every pawnbroker who—

Offences by
pawnbrokers.

- (a) acts as a broker or as a metal refiner;
- (b) carries on his trade in premises communicating with those of a broker or of a metal refiner;
- (c) does not at any time during his hours of business or at any other time without reasonable excuse on demand forthwith admit to his premises any constable and produce to such constable and suffer to be examined his books in which articles purchased or taken in by him are entered and produce to any constable any article which he has purchased or taken in and which is in his possession regarding which information has been given tending to show or to render it probable that the same has been stolen embezzled or fraudulently obtained or does not when required by any constable deliver any such article to such constable who shall grant a receipt therefor;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

PART V
—cont.

Penalty on
pawnbrokers
brokers and
metal refiners for
certain offences.

63. Every pawnbroker or broker or metal refiner who—

- (a) carries on business as a publican or retailer of exciseable liquors;
- (b) by himself or his servant or any other person on his premises (for whom in such case he shall be responsible) acquires any note or ticket issued by authority of any local or public authority or charitable institution or any article of clothing issued as aforesaid and legibly marked as or known by him to be so issued;
- (c) by himself or his servant or any such person on his premises (for whom in such case he shall be responsible) purchases receives or takes in any goods of any manufacture or of any part or branch of any manufacture either mixed or separate or any materials whatsoever plainly intended or fitted for the composing or manufacturing of any goods after such goods or materials respectively are put into a state or course of manufacture or into a state for any process or operation to be thereupon or therewith performed and before such goods or materials are completed or finished for the purpose of wear or consumption or any silk cotton linen woollen or other fabric or any yarn leather metals marine stores or other such articles unless he proves that such goods materials or other articles belonged to the person from whom he so purchased received or took them in;
- (d) after notice given to him by any constable that certain articles have been stolen embezzled or fraudulently obtained fails to give information at the police office of the district in which his premises are situated without unnecessary delay that articles of a like description were offered to him or were or are in his possession and to state the name and address given by the person by and from whom the same were purchased received or taken in Provided that in the case of wearing apparel or other articles which it may be difficult for such pawnbroker or broker or metal refiner to identify a penalty shall not be exigible in respect of not reporting such articles unless it appears to the magistrate that such articles had been knowingly concealed by such pawnbroker or broker or metal refiner;
- (e) being a pawnbroker or a broker keeps or suffers to be on his premises or uses any smelting pot or implement for melting altering or defacing gold silver lead or other metals;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

Pawnbroker
broker or metal
refiner to be
punishable as a
receiver of
stolen goods
in certain cases.

64. Every pawnbroker broker or metal refiner who purchases receives or takes in any article knowing that the same was stolen embezzled or fraudulently obtained or that the person from whom he so purchased received or took it was fraudulently or unlawfully disposing thereof or was not entitled so to dispose thereof shall and may be proceeded against according to law as a receiver of stolen goods or as being a party to the fraud and punished accordingly.

65. If any pawnbroker broker or metal refiner after notice given to him by any constable of the theft or of the embezzling or fraudulent disposal of any article melts alters defaces secretes or puts away the same or causes the same to be melted altered defaced secreted or put away without having previously received the permission of the magistrate or the chief constable and if it is found that such article was stolen embezzled or fraudulently disposed of by the person from whom such pawnbroker broker or metal refiner as the case may be received the same or by any other person it shall be held that such pawnbroker broker or metal refiner as the case may be knew that such article was stolen embezzled or fraudulently disposed of and such pawnbroker broker or metal refiner shall and may be proceeded against according to law as a receiver of stolen goods or as being a party to the fraud and punished accordingly and no other evidence of his guilt shall be necessary than evidence of such melting altering defacing secreting or putting away after receiving information as aforesaid.

PART V
—cont.

As to proof of guilty knowledge on part of pawnbroker broker or metal refiner.

66. It shall be lawful for every pawnbroker broker and metal refiner and he is hereby required to seize and detain any person who offers to pawn sell or deliver to him any article regarding which notice has been given to him tending to show or to render it probable that the same has been stolen embezzled or fraudulently obtained or which he has reasonable ground for suspecting was stolen embezzled or fraudulently obtained and to deliver such person to a constable to be taken to the police office and every pawnbroker broker or metal refiner so acting shall be freed from responsibility unless malice be averred and proved.

Power to pawnbroker broker and metal refiner to detain suspected persons.

67.—(1) On an application being made by the chief constable or any superintendent or chief inspector of police to any magistrate which may be in the form set forth in Part II of the First Schedule to this Order the magistrate may after hearing such evidence as he thinks sufficient grant a warrant which may be in the form set forth in Part III of the said schedule empowering any constable to enter and search the premises of a broker or metal refiner in which in the application it shall be stated that it is believed that a stolen article is concealed.

Power to enter premises of brokers and metal refiners.

(2) Any such warrant when granted shall be valid authority for entering and searching the premises described in it at any time during ten days after the granting thereof and the powers conferred by the warrant may be exercised as often as the police deem necessary during the time when the warrant is effective.

F—Street traders

68. In this Head of this Part of this Order—

“street trading” means the hawking selling or offering or exposing for sale or otherwise dealing or offering to deal in any article or thing of any description in any street;

“street trader” means a person engaged or employed in street trading.

Definitions for Head F of Part V of Order.

69.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) engage or be employed in street trading.

Licensing of street traders.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) Order Confirmation Act, 1960

PART V
—cont.

(2) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

Byelaws as to
street trading.

70.—(1) The magistrates committee may make byelaws for regulating street trading.

(2) Byelaws made under this section may distinguish between different parts of the city and between different classes of goods and articles and may contain provisions—

- (a) determining the days and hours during which and the streets or parts of streets in which persons may engage or be employed in street trading;
- (b) regulating the conduct of street traders.

Savings in
respect of
Head F of Part
V of Order.

71. Nothing in this Head of this Part of this Order or in any byelaws made under this Head of this Part of this Order shall—

- (1) apply to the hawking selling or offering or exposing for sale of newspapers or periodicals by such vendors of newspapers or periodicals as shall carry on their businesses without the use of any barrow or other vehicle;
- (2) apply to the hawking selling or offering or exposing for sale or otherwise dealing or offering to deal in—
 - (a) coal coke char or any other fuel of which coal or coke is a constituent; or
 - (b) oil for heating cooking or lighting;
- (3) be deemed to exempt any person from taking out a hawker's licence under the Hawkers Act 1888 or from any of the provisions of the Acts relating to excise;
- (4) be in derogation of the provisions of section 30 of the Children and Young Persons (Scotland) Act 1937.

G—Piggeries

Licensing of
piggeries.

72.—(1) A person shall not without a licence from the magistrates committee (which the magistrates committee are hereby authorised to grant) keep swine in any premises or place.

(2) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

H—Stables

Register of
stables.

73.—(1) The Corporation shall continue to keep and maintain a register (in this Head of this Part of this Order referred to as "the register") of all premises occupied as stables.

(2) The register shall contain the following particulars with regard to every stable entered in the register (that is to say):—

- (a) the situation and boundaries of the premises;
- (b) the name and address of the owner or factor of the premises;
- (c) the name and address of the tenant or occupier of the premises and particulars of the tenure under which the premises are occupied;

- (d) A short description of the premises and of the accommodation therein and information with regard to cubical contents construction water supply drainage lighting ventilation sanitary arrangements and the proximity of the stables to dwelling-houses or other buildings;
- (e) the maximum number of horses mules or asses which may be kept in the premises.

74.—(1) Every person intending to occupy or use any premises as a stable shall apply to the Corporation to have such premises entered on the register and every such application shall contain or be accompanied by such particulars and information as the Corporation may direct. Registration to be applied for.

(2) The Corporation on receipt of any such application shall subject to the provisions of this Head of this Part of this Order cause such premises to be entered on the register and shall cause a certificate of registration to be issued to the applicant in such form as may be prescribed by the Corporation.

(3) Any person who in or in connection with an application for registration makes any statement which he knows to be false in a material particular shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

75. All owners and occupiers of stables in the city shall afford any officer authorised for the purpose by the Corporation and showing if so required his authorisation— Inspection of stables.

- (a) access to their stables at all reasonable times for the purpose of inspecting the same; and
- (b) reasonable facilities for enabling such officer to obtain the information required for the register.

76.—(1) The Corporation may make byelaws with regard to stables for all or any of the following purposes (that is to say):— Byelaws as to stables.

- (a) for the inspection of stables;
- (b) for prescribing and regulating the construction of the internal surface of the walls of stables;
- (c) for providing for the ventilation of stables;
- (d) for the proper cleansing and disinfection of stables;
- (e) for the laying and maintaining of a suitable floor surface in stables and of a suitable road surface in the courtyards thereof and for providing for adequate surface drainage for such courtyards;
- (f) for providing for an efficient supply of water for stables;
- (g) for prescribing the minimum space to be provided for each horse mule or ass.

(2) Byelaws made in pursuance of this section may distinguish between different parts of the city.

77.—(1) Where a stable registered in pursuance of this Head of this Part of this Order or in pursuance of the repealed Acts does not comply with byelaws made and for the time being in force under the provisions of paragraphs (b) (c) (e) and (f) of section 76 (Byelaws As to stables not complying with byelaws.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) Order Confirmation Act, 1960

PART V
—cont.

as to stables) of this Order the Corporation may by notice in writing require the owner of such stable within a time specified therein to comply with the provisions of such byelaws and to execute all works necessary for such compliance.

(2) If such notice is not complied with the owner of such stable may be prosecuted for breach of the said byelaws and upon his conviction therefor the magistrate may cancel the certificate of registration for the said stable and the premises shall on the expiry of ten days from the date of such cancellation cease to be occupied or used as a stable.

(3) Following such cancellation as aforesaid the Corporation shall not be required to cause a certificate of registration in respect of such premises to be issued in accordance with the provisions of this Head of this Part of this Order until such time as the requirements of the notice given under subsection (1) of this section in respect of such premises have been complied with.

Certificate of registration may be cancelled.

78. If any person within a period of twelve months has been convicted three times in respect of the same premises of any offence committed against any of the provisions of this Head of this Part of this Order or against any byelaw made thereunder the court which for the third offence convicts such person may in addition to any fine which it may impose deal with the certificate of registration of the premises in respect of which the offences were committed by cancellation or otherwise as having regard to the whole circumstances of the case the court may think just.

Penalty for contravention of Head H of Part V of Order.

79. If any person contravenes any of the provisions or fails to comply with any of the requirements of this Head of this Part of this Order or of any byelaw made thereunder he shall without prejudice to anything in this Head of this Part of this Order be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds and to a daily penalty not exceeding five pounds.

Application of fines.

80. Any fines recovered for offences committed against any of the provisions of this Head of this Part of this Order or against any byelaws made thereunder shall be applied in the same manner as fines imposed under the Diseases of Animals Act 1950.

Saving premises not used as stables.

81. This Head of this Part of this Order shall not extend or apply to any premises constructed for the purposes of stables but not used for the purpose of keeping horses mules or asses therein.

Saving for Diseases of Animals Act 1950 etc.

82. Nothing in this Head of this Part of this Order shall be in derogation of the provisions of the Diseases of Animals Act 1950 or of any order made thereunder.

I—General provisions relating to licences

Application of Head I of Part V of Order.

83. The provisions contained in this Head of this Part of this Order shall have effect in relation to the several licences referred to in this Part of this Order and the expression "licence" therein shall be construed accordingly.

Applications for licences.

84.—(1) An application for the grant of a licence shall be made in writing to the magistrates committee at such time and in such form and shall be signed by or on behalf of the applicant in such manner

and shall contain or be accompanied by such particulars and information as the magistrates committee may from time to time direct.

PART V
— cont.

(2) Any person who in or in connection with an application for the grant of a licence makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

85. If during the currency of a licence any change occurs in the facts of which particulars and information were given in pursuance of the immediately preceding section of this Order it shall be the duty of the licence-holder to produce his licence and to report the altered particulars and information with all reasonable speed to the registrar and if he fails to do so he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Reporting of changes in particulars.

86. A licence shall be in such form as the magistrates committee may determine and may be granted subject to such terms and conditions (including without prejudice to that generality conditions restricting its validity to specified localities or periods) as may be specified in the licence.

Form and conditions of licences.

87. Every licence granted in pursuance of the provisions of this Part of this Order shall be signed either by the town clerk or by the registrar.

Licences to be signed.

88. Save as otherwise expressly provided in this Order every licence shall unless sooner revoked or suspended continue in force for such period not exceeding one year as the magistrates committee may determine and as may be specified in the licence.

Duration of licences.

89.—(1) Before any person makes or suffers to be made any alteration on any premises specified in a licence granted to him he shall apply in writing to the magistrates committee for their approval and shall specify in such application the nature of the proposed alteration.

Alteration on premises to be first approved of by magistrates committee.

(2) The magistrates committee may approve of such alteration or may disapprove of such alteration.

(3) Every person who makes or suffers to be made any alteration on any such premises without applying to the magistrates committee or without such approval shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

90. The magistrates committee may charge for the grant of a licence enumerated in the Second Schedule to this Order such fee as they may determine not exceeding the maximum fee appropriate to the nature of the licence as set out in the said schedule or such other maximum fee as may from time to time be substituted therefor by byelaws made by the magistrates committee which they are hereby authorised to make.

Fees for licences.

91. It shall be the duty of the registrar to keep records of the particulars of each licence granted by the magistrates committee in pursuance of this Order and of any suspension or revocation thereof and to make available at all reasonable hours to persons desiring the same information as to the particulars recorded as aforesaid and on request by any

Records of licences to be kept.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART V.
—cont.

such persons to furnish them with extracts of such particulars at such fees as may from time to time be prescribed by the magistrates committee.

Power to refuse licences.

92. Without prejudice to any other provision of this Part of this Order with respect to the grounds on which a licence may be refused the magistrates committee may subject to the provisions of section 94 (Restriction on power of magistrates committee to refuse revoke or suspend licences) of this Order refuse for any reasonable cause to grant a licence.

Power to magistrates committee to revoke or suspend licences.

93.—(1) Subject to the provisions of the next succeeding section of this Order the magistrates committee may revoke or suspend a licence for any reasonable cause including (without prejudice to the generality of the foregoing provision)—

- (a) a conviction of the licence holder for an offence under any provision of this Part of this Order or of any byelaws made under this Part of this Order being a provision relating to the matter with which the licence is concerned; or
- (b) a breach of any condition to which the licence is subject.

(2) A licence while suspended shall not be of any effect for the purposes of this Part of this Order.

(3) On the revocation or suspension of a licence the licence holder shall forthwith deliver up the licence to the registrar and any person contravening this provision shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Restriction on power of magistrates committee to refuse revoke or suspend licences.

94. The magistrates committee shall not—

- (a) refuse an application for grant of a licence;
- (b) revoke a licence; or
- (c) suspend a licence for more than seven days on any one occasion;

without first giving the applicant or licence holder as the case may be an opportunity of being heard in person or by a representative.

Appeals.

95.—(1) Subject to the provisions of this Part of this Order where the magistrates committee—

- (a) refuse an application by a licence holder for a succeeding licence;
- (b) revoke a licence; or
- (c) suspend a licence for more than seven days;

they shall intimate their reasons for so doing to the licence holder in writing and he if aggrieved thereby may within fourteen days after such intimation appeal to the sheriff.

(2) On an appeal under the foregoing subsection the sheriff may make such order confirming varying or reversing the decision of the magistrates committee and awarding such expenses as he shall think fit.

(3) A revocation of a licence or suspension of a licence for a period of more than seven days shall not come into force until the expiry of fourteen days from the date on which the reasons for making it are intimated as aforesaid or where an appeal against it is timeously taken under this section until the appeal has been decided or withdrawn.

(4) Where the magistrates committee refuse an application by a licence holder for a succeeding licence the existing licence shall not expire by the effluxion of time (notwithstanding anything contained in that licence or in this Part of this Order) earlier than the expiration of a period of fourteen days from the date on which notice of the refusal was sent to the licence holder or where an appeal against it is timeously taken the appeal has been decided or withdrawn.

PART V
—cont.

(5) For the purposes of this section the expression "succeeding licence" means a licence granted or which may be granted to a person under any of the provisions of this Part of this Order being a licence taking effect on the expiry by the effluxion of time of another licence granted under the same provision (or any corresponding provision of the repealed Acts) to the same person and in the case of a licence under section 41 (Licensing of cabs) and section 48 (Theatres and public shows to be licensed) of this Order relating to the same premises or vehicle as the case may be.

PART VI

PUBLIC HEALTH

A—Common lodging-houses etc.

96.—(1) In Part V of the Act of 1897 in its application to the city from and after the commencement of this Order—

Amendment
of Act of
1897 as to
common
lodging-houses.

(a) the expression "common lodging-house"—

(i) means a house or part thereof in which any person is lodged by the night at a rate not exceeding four shillings and sixpence per night for each person or such less sum as the Corporation shall from time to time prescribe or such greater sum as may from time to time be prescribed by order made by the Secretary of State whether the same is payable nightly or weekly or at any period not longer than a fortnight; and

(ii) includes all boarding houses for seamen irrespective of the rates charged for lodgings or boarding;

(b) the expression "keeper of a common lodging-house" means and includes the tenant sub-tenant occupier or other person having the care or management of such common lodging-house and who lodges such person; and

(c) the word "lodger" means any person so lodged.

(2) The power of the Secretary of State to make orders increasing the amount of four shillings and sixpence mentioned in subsection (1) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

97. It shall be lawful for the medical officer of health on the occurrence of any case of epidemic endemic or contagious disease in any common lodging-house to require the keeper of such common lodging-house by notice in writing to comply with and carry into

Common
lodging-houses
may be required
to be cleansed.

PART VI
—cont.

effect any directions and regulations for preventing the occurrence of further cases or for mitigating the said disease which the medical officer of health considers expedient and which may be issued to the owner or occupier of a dwelling-house in any district street or court in which the medical officer of health has reported that it appears to him desirable to use special sanitary measures and every such notice may be enforced in the same way and under the same penalty as is provided with respect to the enforcement of similar notices by a sanitary inspector.

Separation
of sexes
in houses
let in
lodgings.

98.—(1) The Corporation as the local authority of the city under the Act of 1897 may make byelaws applicable to houses let in lodgings and persons occupying and using the same requiring that persons of different sexes above the age of ten years (other than husband and wife) shall not occupy the same sleeping apartment.

(2) The power of the Corporation to make byelaws under this section shall be in addition to and not in derogation of their power to make byelaws under section 72 of the Act of 1897.

B—Prevention of overcrowding etc.

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

99. It shall not be lawful for 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 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 of the several windows taken together is or are not of the dimensions hereinafter provided (that is to say):—

- (a) 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;
- (b) 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.

Fixing
minimum cubic
content of
small dwelling-
houses.

100. It shall not be lawful for any owner to let or for any person to take on lease or to use or suffer to be used as a separate dwelling-house any building or part of a building which (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of any recesses in which there is any fixture whatever) is not of the following dimensions (namely):—

- (a) if such dwelling-house consists of one apartment unless it contains at least nine hundred cubic feet of space;
- (b) if such dwelling-house consists of only two apartments unless it contains at least fifteen hundred cubic feet of space;
- (c) if such dwelling-house consists of only three apartments unless it contains at least two thousand six hundred cubic feet of space.

101. Any person who lets or who takes on lease any apartment for the purpose of sleeping in or any dwelling-house which is not in conformity with the provisions of section 99 (Apartments not to be let or used for sleeping in unless they have one or more windows of a proportionate size) and section 100 (Fixing minimum cubic content of small dwelling-houses) respectively of this Order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds and any person who uses or suffers to be used for the said purpose any such apartment or dwelling-house shall be liable to a daily penalty not exceeding forty shillings.

PART VI
—cont.

Penalty for letting or taking on lease or using any apartment or house in contravention of Order.

102. Any person appointed by the Corporation and showing his authority if called upon so to do may at any reasonable time enter any dwelling-house which consists of not more than three apartments for the purpose of computing in accordance with the provisions of section 100 (Fixing minimum cubic content of small dwelling-houses) of this Order the cubic content thereof and if the cubic content thereof does not exceed two thousand six hundred cubic feet (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) may in such position and style as the Corporation see fit mark thereon or affix thereto a ticket on which are marked the number of such cubic feet and the number of persons exceeding the age of eight years who without a breach of the provisions of section 103 (Penalty for overcrowding) of this Order may sleep therein and any person who obliterates defaces removes or alters such marking or ticket shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two pounds.

Power to Corporation to mark on small dwelling-houses their size and number who may live therein.

103. If any dwelling-house is used for the purposes of sleeping in by a greater number of persons than in the proportion of one person of the age of ten years or upwards for every four hundred cubic feet of space or of one person of an age less than ten years for every two hundred cubic feet of space contained therein (exclusive of lobbies and closets and of recesses not perfectly clear from the floor to within two feet of the ceiling and from wall to wall) or by a greater number of persons than is marked thereon in pursuance of the immediately preceding section of this Order every person so using or suffering it to be used shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty shillings for every day or part of a day during which it is so used or suffered to be used.

Penalty for overcrowding.

C—Sanitary provisions

104.—(1) (a) A sanitary inspector or any member of his staff duly authorised by the Corporation for that purpose and exhibiting his authority if called upon so to do may at any reasonable hour in the daytime enter any house building or other premises or the pertinents thereof where he has reason to believe that such house building or premises or the pertinents or any part thereof are not in a cleanly condition and may examine and inspect the same and if he is of opinion that such house building or other premises or the pertinents thereof or any part thereof are not in a cleanly condition he shall give notice in writing to the occupier of such house building or other premises

Purification of houses and clothing.

PART VI
—cont.

or part thereof or to the owner thereof in cases where there is no occupier requiring such occupier or owner as the case may be to cleanse whitewash or purify the same in such manner as he shall direct and if the person to whom such notice is given fails to comply therewith within forty-eight hours after the receipt thereof he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings and to a daily penalty not exceeding ten shillings and the sanitary inspector or such duly authorised member of his staff may if he thinks fit cause such house building or other premises or the pertinents thereof or any part thereof to be cleansed whitewashed or purified and the Corporation may recover the expenses incurred in so doing from the person in default.

(b) Any such occupier or owner to whom such notice has been given who shall within three months after the date of such notice allow any such house building or other premises or the pertinents thereof or any part thereof to be again not in a cleanly condition shall without further notice be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and without notice the sanitary inspector or such duly authorised member of his staff may if he thinks fit cause such house building or other premises or the pertinents thereof or any part thereof to be again cleansed whitewashed or purified and the Corporation may recover the expenses incurred in so doing from the person in default.

(2) (a) A sanitary inspector or any member of his staff duly authorised by the Corporation for that purpose and exhibiting his authority if called upon so to do may at any reasonable hour in the daytime enter any house where he has reason to believe that any articles of bed or body clothing or of furnishing therein or in any part thereof are in a dirty filthy or unwholesome condition and may examine and inspect all such articles and if the sanitary inspector or such duly authorised member of his staff is of opinion that any such articles are in such condition he shall give notice in writing to the occupier of such house or part thereof requiring him to cleanse or purify such articles of bed or body clothing or of furnishing in such manner as he shall direct and if the person to whom such notice is given fails to comply therewith within twenty-four hours after receipt thereof he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings and to a daily penalty not exceeding ten shillings and the sanitary inspector or such duly authorised member of his staff may if he thinks fit cause any such articles of bed or body clothing or of furnishing in any such house or part thereof to be cleansed or purified and the Corporation may recover the expenses incurred in so doing from the person in default.

(b) Any such occupier to whom such notice has been given who shall within three months after the date of such notice allow any articles of bed or body clothing or of furnishing in any house he occupies or in any part thereof to be again in a dirty filthy or unwholesome condition shall without further notice be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and without further notice the sanitary inspector or such duly authorised member of his staff may if he thinks fit cause any such articles of bed or body clothing

or of furnishing in any such house or part thereof to be again cleansed or purified and the Corporation may recover the expenses incurred in so doing from the person in default.

PART VI
—cont.

(3) For the purposes of this section "house" includes any cellar vault or underground room used as a dwelling-house or sleeping apartment and schools stores factories and any buildings in which persons are employed.

105.—(1) Where in the opinion of a sanitary inspector any common stair or staircase or water-closet used in common in any tenement is in such a condition that it should be limewashed or painted he may require the owner of such tenement to limewash or paint the same to such extent as may be specified in the notice. Provided that an owner shall not be required under the provisions 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 or staircase or water-closet.

Painting of
common
passages and
stairs etc.

(2) For the purposes of this section "tenement" means a building constructed in flats or storeys and containing two or more dwelling-houses in separate occupation.

106.—(1) All common stairs common passages private courts yards areas and other places and roofs of outbuildings therein shall be kept clean to the satisfaction of the Corporation by the occupiers of the buildings to which access is obtained by such common stairs or common passages or of such courts yards areas or other places or outbuildings as the case may be and if such common stairs common passages courts yards areas or other places or roofs are not so kept clean the Corporation may cleanse such common stairs common passages courts yards areas or other places or roofs and the expense of so doing shall be recoverable by the Corporation from the said occupiers or such of them as may be in default and such occupiers shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds for every such offence.

Areas etc.
to be cleansed
by occupiers.

(2) For the purposes of this section "occupier" includes all persons having a right to use such common stairs common passages courts yards areas or other places or outbuildings for any purpose whatever.

107. The Corporation may in any case where the buildings to which access is obtained by any common stair or common passage are unoccupied in their sole discretion cleanse such common stair or common passage together with any courts yards areas and other places and roofs of any outbuildings appurtenant to any such unoccupied buildings and the expense incurred by them in so doing shall be recoverable by the Corporation from the owners of the buildings.

Power of
Corporation
as to cleansing
of unoccupied
premises.

108. Any person who throws down or places in any common stair common passage lobby water-closet cellar roof or on the roof of any outhouse any dust ashes filth or refuse shall be guilty of an offence and shall be liable to a fine not exceeding five pounds for each offence.

Dust ashes etc.
not to be
thrown down
in common stairs
etc.

109. The Corporation may make byelaws for or in respect of any of the following purposes or matters (that is to say):—

Byelaws as to
cleansing of
common stairs
etc.

(a) for the cleansing of common stairs common passages lobbies sinks and water-closets in any premises by the tenants of such premises in rotation;

PART VI
—CONT.

Provision of
water-closet
accommodation
etc.

(b) for the cleansing of unoccupied cellars and roofs of out-houses by the owners of the premises.

110.—(1) If and when so required by the Corporation by notice in writing the owner of every house (in which the same has not already been provided) shall install in some window recess or other well-lighted and ventilated place a sink with a sufficient waste-pipe.

(2) If and when so required by the Corporation by notice in writing the owner of every house shall provide to the satisfaction of the Corporation such adequate and suitable water-closet accommodation as may be required by such notice in all cases with proper soil-pipes.

(3) All such sinks waste-pipes soil-pipes and water-closets shall be properly supplied with water trapped and ventilated so as to prevent any leakage or effluvium therefrom and all sinks waste-pipes soil-pipes and water-closets already existing or which may be fitted up under the provisions of this section shall be kept in complete repair.

(4) (a) The Corporation shall from time to time give notice in writing to the owner of any house which is not in conformity with the foregoing provisions of this section requiring such owner within the period specified in the notice to make the necessary alterations.

(b) Any owner of a house who after receipt of such notice as aforesaid fails within a reasonable time to make such alterations as are necessary to comply with the requirements of such notice shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds and to a daily penalty not exceeding two pounds.

Penalty for
damaging or
improperly
fouling water-
closets etc.

111.—(1) If in the opinion of a sanitary inspector any water-closet or other convenience used in common by the occupiers of two or more separate dwelling-houses or by other persons or the walls floors seats or fittings of any such water-closet or other convenience is or are owing to the want of the regular and proper cleansing thereof or through the misuse thereof damaged or improperly fouled or is or are in such a state as to be a nuisance or annoyance to any of the persons using or entitled to use the same a sanitary inspector may serve a notice upon each of such occupiers as aforesaid requiring them to put and keep the same in a proper state of cleanliness and repair to his satisfaction.

(2) If after the service of such notice as aforesaid the requirements thereof are not complied with within a reasonable time such occupiers as aforesaid as may be in default or in the absence of proof satisfactory to the magistrate before whom the case is tried as to which of such occupiers is in default each of such occupiers shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds and to a daily penalty not exceeding two pounds.

Inspection
of drainage of
buildings.

112.—(1) Whenever a sanitary inspector has reasonable grounds for believing that the drainage of any building is so defective as to cause risk to health he may after giving twenty-four hours' notice in writing to the owner and occupier thereof—

(a) inspect and apply such tests as he may consider necessary to the drainage of such building; and

(b) for that purpose—

(i) enter upon any premises with such assistants and workmen as are necessary; and

(ii) cause the ground to be opened where he thinks fit doing as little damage as may be.

PART VI
—cont.

(2) If such drainage is found to be in proper order and condition—

(a) the sanitary inspector shall cause the ground to be closed and made good as soon as practicable; and

(b) the expense of opening closing and making good such drainage shall be defrayed by the Corporation.

(3) Any owner or occupier of a building who after receiving notice from the sanitary inspector in accordance with the provisions of subsection (1) of this section refuses to allow such inspection and tests to be made or to give all reasonable facilities for such tests to be applied shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(4) If the drainage of any building after inspection in accordance with the provisions of this section is found to be defective the Corporation may by notice in writing require the owner of such building to repair or reconstruct such drainage or any part thereof in such manner and to such extent as they may think necessary for the effectual drainage of the building and failing compliance with such notice the Corporation may themselves carry out such repair and reconstruction and recover the expense thereof from the owner of such building.

D—Miscellaneous

113.—(1) As from the coming into operation of this section a person shall not carry on the business of a hairdresser or barber in any premises unless such premises are registered by the Corporation. Hairdressers
and barbers.

(2) Subject to the provisions of this section any premises in respect of which an application is made and in respect of which particulars are furnished to the Corporation shall be registered by the Corporation in a register kept for the purpose and on such premises being so registered the Corporation shall issue a certificate of registration in respect of such premises to the person by whom the application was made.

(3) The Corporation may charge a fee not exceeding ten shillings in respect of each certificate of registration issued by them.

(4) The following provisions shall apply and have effect in relation to any premises registered in pursuance of this section (that is to say):—

(a) due cleanliness shall be observed by persons working or employed in such premises both in regard to such premises and the instruments towels materials and equipment used therein and in regard to themselves and their clothing;

(b) there shall be provided in or within a reasonable distance of the premises suitable washing facilities including a sufficient supply of soap clean towels and clean water both hot and cold for the use of persons working or employed therein.

(5) A person shall not work or be employed in such premises if he is suffering from an infectious disease which is likely by reason of such person so working or being employed to cause any other person to be infected with such disease.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART VI
—cont.

(6) The Corporation may make byelaws for the regulation of any premises used or to be used for the purpose of carrying on the business of a hairdresser or barber and the securing of cleanliness therein provided that nothing in any such byelaws shall affect the operation of any of the provisions of subsection (4) of this section.

(7) If any person contravenes or fails to comply with any of the provisions of this section or of any byelaw made thereunder or obstructs any officer in the execution of his duty under this section such person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds and in any such case the sheriff or magistrate may in lieu of or in addition to imposing a penalty order the suspension of the registration of the premises in respect of which the contravention has occurred for such period not exceeding twelve months as the sheriff or magistrate thinks fit.

(8) Applications for registration in pursuance of this section may be made and such registration effected before the provisions of this section come into operation.

(9) (a) The provisions of this section shall come into operation on such date as may be fixed by a resolution of the Corporation of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the city.

(b) Every such advertisement shall also state the effect of the provisions of this section and the date specified therein as the date on which such provisions shall come into operation shall be not less than one month after the date of publication of the advertisement. Provided that applications for registration under this section may be made and determined before the provisions of this section come into operation.

(10) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

Regulation of
tents vans etc.

114.—(1) It shall not be lawful for any person without the consent of the Corporation acting as the local authority for the city under the Act of 1897—

(a) to let or use or permit to be used any land situated within the city for occupation by any tent van shed or similar structure used or intended to be used for human habitation; or

(b) to place or keep on any land situated within the city any such tent van shed or similar structure;

and such consent may be given for such period and on such conditions as the Corporation think fit:

Provided that consent shall not be required by any person in respect of—

(i) any tent van shed or similar structure placed or kept by the occupier of a dwelling-house upon any land connected therewith and used by him or members of his household;

- (ii) any tent van shed or similar structure which is only used or intended to be used in the city for human habitation by the occupier for a period of not more than fourteen days at any one time and is not his sole or principal means of habitation; or
- (iii) any tent van shed or similar structure used or intended to be used for human habitation by a person whose regular employment or occupation is that of a roundabout proprietor or travelling showman (not being a pedlar or hawker) provided that the period during which such tent van shed or similar structure is so used in the city shall not exceed a period of six months in any period of twelve months and such tent van shed or similar structure is only used in connection with his employment or occupation.

(2) Any person aggrieved by the withholding by the Corporation of consent under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to the sheriff and the sheriff may make such order and on such terms and conditions as to the sheriff may seem just.

(3) If any person offend against any of the foregoing provisions of this section he shall be liable on summary conviction to a fine not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) Section 73 (Tents and vans used for human habitation) of the Act of 1897 shall in its application to the city be extended so as to authorise the Corporation to make byelaws with respect to—

- (a) the number of tents vans sheds or similar structures used or intended to be used for human habitation to be permitted on any land;
- (b) the area to be allotted to each such tent van shed or similar structure;
- (c) securing sanitary conditions in such tents vans sheds or similar structures and on any such land;
- (d) securing a sufficient supply of wholesome water for such tents vans sheds or similar structures;
- (e) securing the good and orderly conduct of persons frequenting any such land and of the occupiers of the tents vans sheds or similar structures situated thereon; and
- (f) the provision of adequate lighting of such land or area and precautions against fire.

(5) Nothing in this section or in any byelaws made thereunder shall apply to any tent van shed or similar structure belonging to any statutory undertakers if and so long as such tent van shed or similar structure is used by those undertakers for the purposes of their undertaking.

(6) Nothing in this section shall prejudice or affect the powers and jurisdiction of the dean of guild under the city Acts.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART VI
—cont.

Penalty for
creating
annoyance
caused in
carrying on
trade etc.

115. Any person who—

- (a) carries on any trade or business so as to occasion annoyance to the neighbourhood or inhabitants unless he proves that he has used the best means for preventing or counteracting such annoyance; or
- (b) does not regularly and effectually keep clean and in working order any rhone sink or pipe attached to or used in connection with any building or part of a building occupied by him; or
- (c) keeps any cow except in a place licensed by the magistrates committee for that purpose;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds and to a fine of five pounds in respect of every day or part of a day during which such act or omission continues after the imposition of the said first-mentioned penalty or in respect of every act or omission of a like nature which occurs within one month after the imposition.

Byelaws in
respect of
fried fish shops.

116. The provisions of section 32 of the Act of 1897 so far as relating to byelaws as to offensive businesses shall within the city 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 Act of 1897.

Tipping of
spoil and
refuse.

117.—(1) The Corporation may make byelaws for regulating the tipping of spoil and refuse and for prohibiting the use of any spoil or refuse tip so as to be a nuisance to the occupiers of premises in the neighbourhood thereof.

(2) Byelaws made by virtue of this section may—

- (a) contain provisions for imposing on persons offending against the byelaws fines not exceeding fifty pounds for each offence and for a daily penalty not exceeding ten pounds;
- (b) provide that any spoil or refuse tip placed kept or used in breach of the byelaws shall be a nuisance for the purpose of Part II of the Act of 1897.

(3) A byelaw under this section shall not extend to regulating or controlling the tipping of spoil or refuse—

- (a) by railway canal or inland navigation undertakers for the purpose of constructing altering or maintaining any railway canal inland navigation dock or wharf works; or
- (b) by the National Coal Board for or in connection with colliery activities and for the purposes of this subsection “colliery activities” has the same meaning as in the Coal Industry Nationalisation Act 1946.

(4) (a) No byelaw under this section shall extend to regulate or control the tipping of hardcore by or on behalf of any person on land during building works thereon or in the course of preparation for such works.

(b) In this subsection—

the expression “hardcore” means bricks stone or other hard material free from dust and dirt to such an extent as not to cause a nuisance;

the expression "building works" includes engineering works
road making and other constructional works.

PART VI
—cont.

118.—(1) A noise or vibration nuisance shall be liable to be dealt with summarily in the manner provided in Part II of the Act of 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 or vibration nuisance which a local authority has with reference to a nuisance under the said Act.

Noise or
vibration
nuisance.

(2) For the purpose of this section a noise or vibration 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 or vibration and where such noise or vibration (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 or vibration 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 the transport commission or their servants exercising statutory powers in relation to any railway vested in them.

119.—(1) A person shall not carry or convey through any street the carcase or part of the carcase of any animal—

Conveyance of
carcasses etc.

(a) which is intended for sale for human consumption or in course of delivery to a purchaser except in a covered or closed vehicle which is so designed as to be suitable for that purpose and is in a clean condition; or

(b) in any other case unless the same is so covered as to be wholly hidden from view.

(2) Any person acting in contravention of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

120. No two or more dwelling-houses which contain less than two thousand cubic feet of air space each shall have access from an inside lobby or vestibule which is separated from the common stair landing by an outside door and if the owner of any such dwelling on receiving a notice in writing from a sanitary inspector to remove the outside door thereof fails within a reasonable time to remove the same the Corporation may themselves remove the same and recover the expense of so doing from the said owner.

Removal of
lobby doors.

121. In any proceeding arising under this Part of this Order or under any byelaws made under this Part of this Order any summons complaint citation warrant or notice against or to any person whether as a party witness or haver may be served and executed by a sanitary inspector or any of his assistants who (being in uniform or exhibiting evidence of his office) shall for the purpose of such service and execution be empowered to act in the same manner and to the same effect as if he was a constable.

Sanitary
inspectors to
serve
summonses
etc.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART VI
—cont.

Corporation may remit expenses under this Part of Order on ground of poverty.

122. It shall be lawful for the Corporation to defray the expense of any of the sanitary operations which under any of the provisions of this Part of this Order an owner or occupier of a private dwelling-house may be required to perform if from the poverty of such owner or occupier it shall appear expedient so to do.

PART VII

ESTABLISHMENTS FOR MASSAGE AND SPECIAL TREATMENT

Definition of "establishment for massage or special treatment".

123. In this Part of this Order the expression "establishment for massage or special treatment" means any premises used or represented as being or intended to be used for the reception or treatment of persons requiring—

- (a) massage or manicure or chiropody; or
- (b) electric treatment or radiant heat or light electric vapour or other baths for therapeutic treatment; or
- (c) other similar treatment;

and the expression "massage or special treatment" shall be construed accordingly.

Establishments for massage or special treatment to be licensed.

124. As from the coming into operation of this Part of this Order a person shall not carry on an establishment for massage or special treatment without a licence from the Corporation authorising him so to do.

Application for licences.

125.—(1) A person requiring a licence or the renewal of a licence under this Part of this Order shall make application in writing to the Corporation and shall in the application state—

- (a) his full name;
- (b) his age and nationality;
- (c) his technical qualifications;
- (d) his private address or if the application be made by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the directors or other persons directly or indirectly responsible for the management of such company society association or body;
- (e) the name under which and the address at which the establishment is carried on or proposed to be carried on;
- (f) the nature of the establishment and of the business carried on or proposed to be carried on thereat;
- (g) whether and if so to what extent he is or has been interested in any other establishment for massage or special treatment; and
- (h) such further information (if any) as the Corporation may reasonably require with respect to him or the establishment carried on or proposed to be carried on by him.

(2) The person making an application under this section shall when making the application pay to the Corporation such fee as the Corporation may fix not exceeding—

	£	s.	d.
(a) in respect of an application for the grant of a licence	2	2	0
(b) in respect of an application for the renewal of a licence	1	1	0

and the fees paid on any application for the grant or renewal of a licence may be retained by the Corporation whether such licence is or is not granted or renewed.

(3) Subject to the foregoing provisions of this section the Corporation may prescribe the manner in which and the dates at which applications for a licence or the renewal of a licence under this Part of this Order shall be made.

126.—(1) The Corporation shall as soon as reasonably practicable after the receipt of an application under this Part of this Order grant or renew a licence to the applicant to carry on an establishment for massage or special treatment of the description and in the name and at the address specified in the application and may attach such conditions thereto as they may consider reasonably necessary for securing the due notification to them of any change in the name or private address of the licensee or in the treatment afforded or the nature of the business carried on at the establishment and generally for securing the proper conduct of the establishment:

Grant of licences for establishments for massage or special treatment.

Provided that the Corporation may refuse to grant or renew a licence or may revoke a licence granted—

- (a) to any person under the age of twenty-one years; or
- (b) to any person who may be unsuitable to hold such a licence; or
- (c) in respect of any premises which are unsuitable for the purposes of an establishment for massage or special treatment or in which the accommodation or provision for such treatment is not reasonably adequate or suitable; or
- (d) in respect of any establishment which has been or is being improperly conducted; or
- (e) in respect of any establishment in which massage or special treatment is or may be administered by any person who does not possess such technical qualifications as may be reasonably necessary; or
- (f) in respect of any establishment which is being carried on in contravention of the provisions of this Part of this Order or any byelaw made thereunder.

(2) If the Corporation refuse to grant or renew a licence or revoke a licence under this Part of this Order they shall if required by the applicant or holder (as the case may be) send or deliver to him within seven days of the receipt of such requirement particulars in writing of the grounds for such refusal or revocation.

(3) (a) Where an application is made for the renewal of a licence and it is proposed to refuse such renewal or when it is proposed to

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART VII
—cont.

revoke a licence notice in writing to that effect shall at least seven days before the question of renewal or revocation is considered be given to the applicant or holder of the licence and if within three days after the receipt of this notice the applicant or holder requires to be heard the application shall not be refused or the licence revoked unless the Corporation have afforded him an opportunity of being heard against the refusal or revocation.

(b) Any notice served under this subsection shall state the grounds on which such refusal or revocation is proposed and shall notify the aforesaid right of being heard and also the effect of subsection (2) of this section and the right of appeal conferred by this section and the time within which such appeal may be brought.

(4) Any person aggrieved by the refusal or revocation of a licence under this section may appeal to the sheriff within fourteen days of the notice intimating such refusal or revocation and the sheriff shall have power to make such order as he may think fit.

(5) Every such licence as aforesaid shall (unless revoked) be valid until the date of the next annual meeting fixed for the purpose of considering applications under this Part of this Order and no longer.

Byelaws
as to
establishments
for massage
etc.

127.—(1) The Corporation may make byelaws—

- (a) prescribing the keeping by every person holding a licence under this Part of this Order of books or cards or forms showing the business conducted by him so far as it relates to his establishment for massage or special treatment;
- (b) prescribing the entries to be made in connection with such business in such books or cards or forms;
- (c) prescribing the technical qualifications to be possessed by any person who administers massage or special treatment at any establishment licensed under this Part of this Order;

Provided that any byelaw made under this paragraph shall not apply to a person—

(a) for the time being qualified for employment by an employing authority as a medical auxiliary under the National Health Service (Medical Auxiliaries) (Scotland) Regulations 1954 or any regulations modifying extending or amending the same; or

(b) registered under any statutory scheme of registration for medical auxiliaries;

in so far as such person administers massage or special treatment appropriate to his class of auxiliary;

- (d) for preventing fraud and immorality in the conduct of establishments so licensed; and
- (e) generally regulating any premises used for the purposes of or in connection with any such establishment.

(2) Every person holding a licence under this Part of this Order shall keep exhibited in a suitable place (to be approved by the Corporation) in the premises to which the licence relates a copy of the byelaws made by the Corporation under this section.

128. Any officer of the Corporation duly authorised by them in that behalf and showing his authority if required may inspect any premises used as an establishment for massage or special treatment and the books or cards or forms kept in connection with the establishment carried on at those premises.

PART VII
—cont.
Powers of entry and inspection.

129.—(1) Subject to the provisions of this Order every person who—

- (a) carries on an establishment for massage or special treatment without a licence under this Part of this Order; or
- (b) carries on an establishment otherwise than in accordance with the terms and conditions of the licence granted to him; or
- (c) obtains a licence or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give such particulars as are required by this Part of this Order to be given;

Penalties for offences in respect of establishments for massage etc.

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a fine impose any term of imprisonment not exceeding three months.

(2) Subject as aforesaid every person who issues publishes or displays or causes to be issued published or displayed any advertisement relating to an establishment for massage or special treatment which is not licensed in accordance with the provisions of this Part of this Order after the expiration of a period of seven days from the receipt of notice in writing from the Corporation that the licence relating to such establishment has expired or has been refused or revoked under the provisions of this Part of this Order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds and to a daily penalty not exceeding two pounds.

130. Where an offence punishable under this Part of this Order which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director manager secretary or other similar officer of the body corporate or any person purporting to act in any such capacity he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Provisions as to offences by corporations.

131. Notwithstanding anything in this Part of this Order the provisions thereof shall not apply to—

Saving for certain premises.

- (a) any hospital provided by the Secretary of State for Scotland; or
- (b) any nursing home which is for the time being registered or exempted from registration in pursuance of any enactment in force for the time being and at which the persons administering massage or special treatment have such technical qualifications as may be reasonably necessary; or
- (c) any premises being an establishment for massage or special treatment merely by reason of face or scalp massage being administered in those premises.

132. The provisions of this Part of this Order shall not apply to an establishment for massage or special treatment carried on by a duly registered medical practitioner.

Saving for establishments carried on by medical practitioners.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART VII
—cont.

Saving for
qualified
medical
auxiliaries.

133.—(1) Subject as hereinafter provided the provisions of this Part of this Order prohibiting a person from carrying on an establishment for massage or special treatment without a licence from the Corporation authorising him so to do shall not apply to a person—

- (a) for the time being qualified for employment by an employing authority as a medical auxiliary under the National Health Service (Medical Auxiliaries) (Scotland) Regulations 1954 or any regulations modifying amending or extending the same; or
- (b) registered under any statutory scheme of registration for medical auxiliaries;

in so far as such person is carrying on or proposing to carry on an establishment for treatment appropriate to his class of auxiliary and the establishment is one with respect to which there has been lodged with the Corporation a certificate in a form to be approved by the Corporation and signed by two registered medical practitioners not being in partnership with each other and not having any financial or other interest in such establishment to the effect that the person carrying on or proposing to carry on such establishment is a suitable person to carry on the same at the premises used or to be used therefor:

Provided that any such certificate shall not be valid—

- (a) with respect to any person or premises other than the person or premises specified therein; or
- (b) for a period extending beyond the expiration of one month after the date of the annual meeting fixed for the purpose of considering applications under this Part of this Order.

(2) During the validity of any such certificate the provisions of this Part of this Order (other than section 124 (Establishments for massage or special treatment to be licensed) section 125 (Application for licences) and section 126 (Grant of licences for establishments for massage or special treatment)) shall apply to a person so qualified or registered as aforesaid and to the establishment carried on by him to which such certificate relates—

- (a) as if he held a licence under this Part of this Order; and
- (b) as if the premises with respect to which the certificate has been given were the premises specified in the licence:

Provided that no person other than the medical officer of health or a registered medical practitioner shall be entitled for the purpose of this Part of this Order to inspect the premises at which the establishment is carried on or the books cards or forms kept in connection with such establishment.

Commencement
of Part VII of
Order.

134.—(1) (a) The provisions of this Part of this Order shall come into operation on such date as may be fixed by a resolution of the Corporation of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the city.

(b) Every such advertisement shall also state the effect of the provisions of this Part of this Order and the date specified therein as the date on which such provisions shall come into operation shall not be less than one month after the date of publication of the advertisement:

Provided that applications for licences under this Part of this Order may be made and determined before the provisions of this Part of this Order come into operation.

PART VII
—cont.

(2) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

(3) As respects any of the provisions of this Part of this Order which require the licensing of persons carrying on any business or of premises used for any purpose it shall be lawful for any person who when such provisions came into operation—

(a) was carrying on any such business or using any premises for any such purpose; and

(b) had made application in accordance with the provisions of this Part of this Order for such licence as is required by this Part of this Order;

to continue to carry on such business and to use such premises for such purpose until such time as he has been informed of the decision with regard to his application and if the decision is adverse during such further time as is provided under subsection (4) of section 126 (Grant of licences for establishments for massage or special treatment) of this Order.

PART VIII FARMED-OUT HOUSES

135. For the purposes of this Part of this Order—

Definitions for
Part VIII of
Order.

“farmed-out house” means any premises which the Corporation have declared by resolution under this Part of this Order to be a farmed-out house.

“keeper of a farmed-out house” means the owner tenant sub-tenant or other person who has or acts in the care or management of a farmed-out house.

“premises” means any building or dwelling-house or any part thereof or any apartment therein (not being a common lodging-house or a bona fide hotel).

136. The Corporation may by resolution declare any premises to be a farmed-out house if the medical officer and a sanitary inspector of the city give to the Corporation a certificate that such premises—

Power to
declare house to
be a
farmed-out
house.

(1) are used or let or rented as one or more separate furnished or unfurnished dwelling-houses or apartments; and

(2) either from their construction or condition or the manner in which they are or are proposed to be used require special supervision in the interests of public health and sanitation.

137.—(1) The Corporation shall not pass any resolution declaring any premises to be a farmed-out house until the owner and the tenant of such premises have had after one week's notice in writing from the Corporation an opportunity of being heard by the Corporation and showing cause against such resolution being passed.

Notice to be
sent.

(2) The Corporation shall give notice in writing of the passing of any such resolution to the owner and the tenant and the keeper of the farmed-out house to which the resolution applies.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART VIII
—cont.

Recall of
resolution.

138.—(1) The Corporation may at any time voluntarily or on the application of the owner or tenant of a farmed-out house recall any resolution passed under this Part of this Order and any such application shall be disposed of by the Corporation forthwith.

(2) In the event of the Corporation refusing an application by the owner or tenant of a farmed-out house for recall of any such resolution the applicant may within ten days from the date of such refusal appeal to the sheriff against such refusal and the sheriff shall with all reasonable dispatch and if practicable within ten days of the lodging of such appeal hear parties and after such summary procedure including inquiry as he thinks necessary may either dismiss the appeal or grant the application and recall the resolution.

Power of entry.

139. The medical officer and any sanitary inspector of the city or any one of them may at all reasonable times enter any premises which he has reason to believe are liable to be declared a farmed-out house under section 136 (Power to declare house to be a farmed-out house) of this Order and the owner tenant sub-tenant or occupier of such premises shall give him free access thereto and to every part thereof.

Registration of
farmed-out
houses.

140. The Corporation shall cause a register of farmed-out houses to be kept and shall enter therein the situation of every farmed-out house the names and residences of the owner factor tenant sub-tenant and keeper of such farmed-out house the number of apartments therein the maximum number of persons who may occupy such house and any other particulars which they may deem necessary.

Renewal of
registration.

141.—(1) Application shall be made to the Corporation for the renewal of registration of every farmed-out house as from the fifteenth day of May in every year and every such application for renewal shall be signed by the owner the tenant the sub-tenant (if any) and the keeper of the farmed-out house and together with a certificate as to the character and qualification of the said keeper in such form as the Corporation may direct shall be lodged with the Corporation not later than the fifteenth day of March in each year.

(2) On any application for the renewal of registration of any farmed-out house the Corporation may when granting the same attach a condition prescribing the maximum charge that may be made in respect of the occupancy of such house and the use of the fittings furnishings and furniture therein.

(3) The Corporation may refuse to grant such application if—

(a) they consider that the premises to which the application relates are not suitable for the purposes of a farmed-out house; or

(b) notwithstanding the certificate referred to in subsection (1) of this section they are after inquiry satisfied that the keeper is not qualified to be a keeper of a farmed-out house; or

(c) in the meantime the sheriff has granted an order under section 145 (Removal from register) of this Order for the removal from the register of the farmed-out house or the keeper thereof.

(4) The Corporation shall give notice in writing—

(a) of their refusal to grant any application under this section; and

(b) of the maximum charge prescribed by them under this section on the grant of renewal of registration of any farmed-out house

PART VIII
—cont.

to the owner the tenant the sub-tenant (if any) and the keeper of the farmed-out house to which the refusal to grant applies.

142. Any owner or tenant of any premises aggrieved by—

Appeals in relation to farmed-out houses.

(a) any resolution of the Corporation passed under this Part of this Order declaring such premises to be a farmed-out house; or

(b) any refusal of an application for the renewal of registration of a farmed-out house; or

(c) any condition attached to the renewal of registration;

may within a period of fourteen days (i) from the date of the notice of the passing of such resolution or (ii) from the date of notice of such refusal or of the attachment of any such condition as the case may be appeal to the sheriff against such resolution or refusal or such condition and the sheriff shall with all reasonable dispatch and if practicable within ten days after the lodging of such appeal hear parties and after such summary procedure including inquiry as he thinks necessary may either dismiss the appeal or sustain the appeal and recall the resolution or grant the application for renewal with or without such condition:

Provided that the Corporation may if they think fit after the expiry of one year from the date of any decision sustaining such appeal pass another resolution declaring the premises to which such decision applied to be a farmed-out house and the provisions of this Part of this Order as to the giving of notices to persons interested and appeals to the sheriff shall apply with respect to any such resolution.

143. A person who is under the age of twenty-one years shall not be the keeper of a farmed-out house.

Age of keeper of farmed-out house.

144. Where any premises have been finally declared to be a farmed-out house under the provisions of this Part of this Order the owner tenant sub-tenant or keeper thereof shall not receive retain house or lodge any person therein if any application for renewal of registration required to be made pursuant to section 141 (Renewal of registration) of this Order has not been made or having been duly made has been finally refused:

House not to be used for reception of lodgers etc. in certain events.

Provided that an application for recall of the resolution declaring such premises to be a farmed-out house may thereon be made in accordance with the provisions of this Part of this Order.

145.—(1) The Corporation may at any time apply to the sheriff for an order of removal from the register of any farmed-out house or of the keeper thereof on the ground that the owner tenant sub-tenant or keeper of such house has been convicted of any contravention of any of the provisions of this Part of this Order or of the byelaws made thereunder and the sheriff after hearing parties and if he thinks fit after inquiry may grant or refuse such order as he thinks fit.

Removal from register.

(2) In the event of the sheriff granting such order he may in his discretion declare that the registration of such farmed-out house to

Ch. iii *Glasgow Corporation Consolidation 8 & 9 ELIZ. 2*
(*General Powers*) *Order Confirmation Act, 1960*

PART VIII
—cont.

which his order applies shall not be renewed until the expiry of such period not exceeding three years as he may determine and during such period it shall not be lawful for the owner tenant sub-tenant or keeper to receive retain house or lodge any person therein unless and until the resolution of the Corporation declaring the same to be a farmed-out house has first been recalled under the provisions of this Part of this Order.

Copy of
register to be
evidence.

146. A copy of an entry made in the register of farmed-out houses kept under this Part of this Order purporting to be certified by the person having the charge of such register to be a true copy shall be received in all courts and on all occasions whatsoever as evidence and shall be prima facie proof of all matters therein registered without the production of the register or of any document on which the entry is founded or proof of any signature and every person applying at a reasonable time shall be furnished by the person having charge of such register with a certified copy of any entry on payment of one shilling.

Byelaws with
respect to
farmed-out
houses.

147. The Corporation may make byelaws respecting farmed-out houses for all or any of the following purposes (that is to say)—

- (1) prescribing the procedure to be adopted in making application for the renewal of registration the particulars to be furnished by applicants for such renewal and any other matter necessary for the execution of this Part of this Order;
- (2) the keeping and well ordering of such houses;
- (3) fixing the number of persons who may occupy each such house or each apartment therein;
- (4) securing the provision of sufficient drainage water-closet accommodation sinks and water supplies and of other appliances and means of cleanliness and of ashbins for such houses;
- (5) securing sufficient lighting and ventilation of such houses and the cleanliness of the walls ceilings and floors thereof and all fittings and furnishings including bedding therein;
- (6) securing by the keepers of such houses the sweeping and washing of the common stairs lobbies and passages leading thereto and the cleansing of the water-closets for the common use of the persons occupying the same;
- (7) prohibiting the placing of gates or other obstructions in or on the common stairs lobbies and passages leading to any such house;
- (8) requiring the supply and maintenance by the keepers of such houses of necessary fittings and fixtures therefor;
- (9) requiring the keeper of any such house which is let or rented as a furnished house or where furniture is supplied for use therein to furnish such house with sufficient furniture bedding bed-clothes and kitchen utensils as to secure a reasonable standard of domestic comfort and to keep the same at that standard;
- (10) fixing the hours for letting purposes and the minimum period for which such houses may be let;

- (11) prohibiting the keepers of such houses from permitting any person to occupy any apartment or room to which entry can only be had from or through another apartment or room let to a different family or person;
- (12) requiring that persons of different sexes above the age of ten years (other than husband and wife) shall not occupy the same sleeping apartment;
- (13) prohibiting persons under eighteen years of age residing in such houses unless they so reside with their parents or guardians;
- (14) requiring the keepers of such houses to keep a register of the names and occupations of the persons occupying each apartment therein and to keep such register open to inspection by the medical officer of health a sanitary inspector of the city or any officer duly authorised by the Corporation for the purpose;
- (15) making provision in respect of the inspection of such houses and the conditions and restrictions under which such inspection may be made.

PART VIII
—cont.

148.—(1) Every keeper of a farmed-out house shall when a person in such house suffers from any infectious disease give immediate notice thereof either to the medical officer of health or to a sanitary inspector of the city who shall forthwith inform the medical officer of health and if the medical officer of health is satisfied that the person is suffering from an infectious disease he shall cause such person to be removed without delay and the premises to be disinfected.

Removal of
infected
persons from
farmed-out
house.

(2) When a person in a farmed-out house suffers from any infectious disease the Corporation may without further warrant than this Part of this Order cause such person to be removed to hospital on the certificate of the medical officer of health or of any registered medical practitioner that the disease is infectious and that such person may be safely removed but if removal be considered dangerous to life by the medical officer of health or such medical practitioner and is so certified none other than such person and any others necessarily attending on him shall be admitted to or occupy such farmed-out house until it is certified by the medical officer of health to be free from infection and the Corporation may so far as they think requisite for preventing the spread of the disease cause any clothes or bedding used in such house to be disinfected or destroyed and shall pay to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof.

149.—(1) Every keeper of a farmed-out house shall at all times when required by the medical officer of health a sanitary inspector of the city or any officer duly authorised by the Corporation for the purpose give free access to such house and to every part thereof.

Free access to
be given.

(2) Any constable not below the rank of inspector may by virtue of his office at any time enter any farmed-out house and every keeper of a farmed-out house who shall not admit such constable when required shall be guilty of an offence.

PART VIII
—cont.
Penalties for
contraventions
of Part VIII of
Order.

Keeper of
farmed-out
house
convicted of
offences.

150. If any person contravenes any of the provisions of this Part of this Order he shall except where otherwise specially provided by this Part of this Order be guilty of an offence and shall be liable to a fine not exceeding ten pounds and to a daily penalty not exceeding five pounds.

151. Where a keeper of a farmed-out house is convicted of a third or any subsequent contravention of the provisions of this Part of this Order or of any byelaws made thereunder or condition attached to the renewal of registration of such house it may be adjudged as the punishment or part of the punishment for such offence that he shall not at any time within three years or any shorter period after such conviction as may be determined by the magistrate keep or have or act in the care or management of a farmed-out house.

PART IX

OFFENCES AND PENALTIES

Penalties for
certain
offences.

152. Any person who is guilty of any of the following acts or omissions shall in respect thereof be guilty of an offence and shall be liable on summary conviction to penalties not exceeding those hereinafter respectively mentioned (that is to say):—

To a fine of twenty pounds or to imprisonment without the option of a fine for sixty days every person who—

(1) behaves in a riotous disorderly violent or indecent manner;

(2) occupies a building or part of a building and suffers any breach of the peace or riotous or disorderly conduct within the same;

(3) occupies a building or part of a building or other place of public resort for the sale or consumption of provisions or refreshments of any kind and knowingly harbours prostitutes or suffers persons of notoriously bad fame or dissolute boys or girls to assemble therein;

(4) publishes makes prints or offers for sale or distribution or sells distributes or publicly exhibits any profane indecent or obscene article book paper print photograph drawing painting or representation;

To a fine of ten pounds or to imprisonment without the option of a fine for thirty days every person who—

(5) alters or defaces the name or address or the distinctive mark or inscription on any barrel box bag plank or other article which does not belong to him without the authority of the owner;

(6) wilfully prevents obstructs or hinders any officer of the Corporation in the performance of his duty or aids or incites any other person to do so;

(7) wilfully sets or causes to be set on fire any chimney of any building;

(8) uses any words or behaviour with intent to provoke a breach of the peace or whereby a breach of the peace may be occasioned;

(9) without proper cause sets on or urges any dog or other animal to attack worry or put in fear any person or animal:

To a fine of ten pounds every person who—

(10) finds any goods or any parcel bank note money or other article of value and does not either return the same to the owner or deliver it to a constable on duty at a police office within forty-eight hours thereafter Provided that this paragraph shall not apply to any property found in or on any railway property or in or on any public service vehicles tramcars trolley vehicles or any subway carriage used on the subway railway of the Corporation;

(11) keeps any dog or other animal or any poultry which has been found by the magistrate to be an annoyance to the neighbourhood and has been ordered to be removed;

(12) occupies a building or part of a building or other place of public resort for the sale or consumption of provisions or refreshments of any kind and knowingly suffers to remain in his premises any constable on duty unless for the purpose of quelling any disturbance or restoring order or directly or indirectly supplies such constable with liquor:

To a fine of five pounds every person who—

(13) occupies a building or part of a building or other place of public resort for the sale or consumption of provisions or refreshments of any kind and opens his premises for business before five o'clock in the morning or keeps them open or does business therein after midnight unless specially allowed by the chief constable;

(14) suffers any chimney in any building of which he is occupier to catch or to take fire unless he proves to the satisfaction of the magistrate that such fire was not owing to any omission neglect or carelessness on the part of himself or his servant;

(15) bathes in the river Clyde above Albert Bridge or in the river Kelvin except at such times and places and subject to such regulations as may from time to time be fixed by the magistrates or bathes in the river Clyde below Albert Bridge or bathes in any canal.

153. Any person who in any public place or from door to door begs or acts in any way for the purpose of inducing the giving of alms shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds or to imprisonment without the option of a fine for thirty days: Penalty for begging.

Provided that nothing in this section shall make it an offence to take part in any collection licensed under or deemed to be licensed under or authorised by any enactment.

154. Any person who is found wandering abroad or lodging in any unoccupied building or in the open air or under a tent or in any cart or waggon or on any common stair or common passage shall unless he proves that he has a fixed place of residence and a lawful means of getting his livelihood be guilty of vagrancy and shall be liable on Penalty for vagrancy.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART IX
—cont.

summary conviction to a fine of ten pounds or to imprisonment without the option of a fine for thirty days.

Offences by
vagrants known
thieves etc.

155.—(1) (a) Any person who is found in or on any building or in any enclosed space for any unlawful purpose shall be guilty of an offence.

(b) Any person who having been convicted of vagrancy or of any of the crimes specified in the next following subsection or any known thief or associate of a known thief who—

- (i) has in his possession any picklock key crowbar jack bit or other implement usually employed in house-breaking;
- (ii) is found in or on any premises or in any public place or in any vehicle with intent to commit any of the crimes specified in the next following subsection; or
- (iii) has in his possession any money or article without being able to give a satisfactory account of his possession thereof;

shall be guilty of an offence.

(c) Any person found guilty of an offence under this subsection shall be liable on summary conviction to imprisonment for sixty days and without prejudice to the provisions of any enactment dealing with the forfeiture of implements shall be liable to forfeit any article or money forming the subject matter of the offence.

(2) The crimes referred to in the last foregoing subsection are robbery theft reset of theft house-breaking with intent to steal fraud and any other crime inferring dishonest appropriation of property and any attempt to commit any of these crimes.

(3) It shall not be necessary for the purpose of proving the commission of an offence under sub-paragraph (ii) of paragraph (b) of subsection (1) of this section to show that the accused did any particular act tending to indicate his intention and he may be convicted of such offence if from the circumstances of the case and from his known character as proved to the court it appears to the court that his intention was to commit any of the crimes specified in subsection (2) of this section.

(4) Any article or money forfeited in pursuance of this section shall if not claimed within six months by the owner thereof be vested in the Corporation and be applied for police purposes.

(5) Any constable may take into custody without warrant any person who has committed or whom he believes with reasonable cause to have committed an offence under this section or under the two immediately preceding sections of this Order.

Gaming and
betting houses.

156.—(1) Any constable having good grounds for believing that any house room or place is kept or used as a gaming or betting house may—

- (a) enter such house room or place;
- (b) if needful use force for the purpose of effecting such entry;
- (c) take into custody all persons who are found therein; and
- (d) seize all tables for and instruments of gaming and all lists cards or other documents relating to betting found in such house room or place and all moneys and securities for money found therein.

(2) The owner or keeper of any house room or place kept or used as a gaming or betting house or other person having the care or management thereof and also any person who acts in any manner in conducting gaming or betting in any such house room or place shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds.

PART IX
—cont.

(3) Upon conviction of any such offender all tables for and instruments of gaming and all lists cards or other documents relating to betting found in any such house room or place shall be destroyed and all the moneys and securities for money which have been seized as aforesaid shall be paid and applied in the same way and manner as penalties under this Order are directed to be paid and applied.

(4) Any person found within a gaming or betting house without lawful excuse shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

(5) Nothing in this section shall be in derogation of the provisions of the Small Lotteries and Gaming Act 1956.

157. It shall not be necessary in support of any prosecution under the provisions of this Order in respect of gaming in or suffering any game or gaming in any gaming or betting house or keeping or using or being concerned in the management or conduct of such house to prove that any person found playing therein at any game was playing for any money wager or stake.

Proof of gaming for money not necessary in support of prosecution.

158.—(1) If any two or more persons assemble together in any street or public place for the purpose of engaging in lotteries betting or gaming each of such persons shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for betting in streets etc.

(2) If any person who conducts business of any kind in lotteries betting or gaming engages in any street or public place in lotteries betting or gaming or does any act for the purpose of inducing or enabling any other person to engage in any lottery betting or gaming he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) Any constable may take into custody without warrant any person who commits an offence under this section in view of such constable.

159.—(1) Every person who in any street commits any of the following offences shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds (that is to say)—

Penalty for soliciting etc.

- (a) being a common prostitute or street-walker loiters about or importunes passengers for the purpose of prostitution;
- (b) habitually or persistently importunes or solicits or loiters about for the purpose of importuning or soliciting women or children for immoral purposes.

Ch. iii *Glasgow Corporation Consolidated 8 & 9 ELIZ. 2*
(General Powers) Order Confirmation Act, 1960

PART IX
—cont.

(2) For the purposes of this section "street" includes any harbour railway station or depot of any operators of public service vehicles canal depot wharf towing-path public park common or open area or space and any other public place.

Offences in
streets and
other places.

160. Any person who is guilty of any of the following acts or omissions on or in any street or on the outside of any building adjoining the same or in any public place shall be guilty of an offence and shall be liable on summary conviction to penalties not exceeding those hereinafter respectively mentioned (that is to say):—

To a fine of ten pounds every person who—

(1) rides any horse or other animal or rides drives or propels any vehicle not being a vehicle to which sections 11 and 12 of the Road Traffic Act 1930 (which relate respectively to reckless or dangerous driving and careless driving) apply recklessly or in a manner which is dangerous to the public having regard to all the circumstances of the case or without due care and attention or without reasonable consideration for other persons;

(2) fails to protect by means of a sufficient iron grating or other covering any opening in the foot pavement which he is authorised to make or use or who fails to protect by means of a sufficient fence any area pit or sewer of which he has charge or who leaves such area pit or sewer without a sufficient light during the hours of darkness;

To a fine of five pounds every person who—

(3) writes or draws any indecent or obscene word figure or representation on any wall fence or building or sings or recites any profane or obscene song or ballad or uses any profane indecent or obscene language;

(4) rides on or hangs on or from the back of any vehicle without authority from the owner or person in charge thereof;

(5) being the owner the hirer or the person in charge of any horse-drawn vehicle permits the same to be driven by or be in charge of any person who is under the age of fifteen years;

(6) conveys or causes to be conveyed in any vehicle—

(a) any dung refuse or other offensive matter or liquid in such a manner as to allow the same or any part thereof to fall or to run out on to any street; or

(b) any other matter or liquid in such a manner as to allow the same or any part thereof to fall or to run out and to damage or be likely to damage any street or to cause or be likely to cause a danger or nuisance to persons or traffic using the same;

(7) conveys or causes to be conveyed any load on a vehicle so that any part of the load projects more than

one foot laterally beyond the wheels thereof or more than twelve feet before the front axle or behind the rear axle thereof unless it is guided by some qualified person in addition to the person having charge of the vehicle:

Provided that this provision shall not apply—

(a) where the load is carried on a specially constructed vehicle in such a manner as not to cause any danger; or

(b) to any vehicle to which the Motor Vehicles (Construction and Use) Regulations 1955 apply;

(8) in raising or lowering or causing to be raised or lowered any article to or from any building by means of a chain or rope does not sufficiently secure such article and provide and use means for protecting the public against the risk of injury;

(9) rolls or carries any cask tub hoop or wheel or any ladder plank pole timber log of wood bar of iron metal pipe or tube or any sharp-edged or pointed tool or instrument or any vehicle or other article likely to cause danger or annoyance to any person;

(10) suffers to be at large and unattended any horse or other animal of burden or draught whether carrying a load or harnessed to a vehicle or not;

(11) leaves unattended on any street or does not immediately remove therefrom any furniture goods or other articles or places or uses on any foot pavement any standing place stool bench stall or showboard;

(12) places over or along any foot pavement any blind shade covering awning lamp lamp reflector or other projection unless such blind shade covering awning lamp lamp reflector or other projection is eight feet in height at least in every part thereof from the ground;

(13) places hangs up or otherwise exposes to sale any goods wares merchandise or articles whatsoever so that the same project into or over any foot pavement or beyond the line of any house shop or building at which the same are so exposed;

(14) affixes or causes to be affixed to any building any sign or signboard without the consent of the proprietor and occupier;

(15) writes upon soils defaces or marks any wall fence hoarding or building with chalk or paint or in any other way;

(16) without authority affixes or causes to be affixed to any church chapel or schoolhouse or without the consent of the proprietor and occupier to any other building or to any wall fence or hoarding any bill or other notice;

PART IX
—cont.

(17) places any line cord or pole across or over any street which is a thoroughfare or hangs or places any clothes thereon;

(18) wantonly discharges any firearm or throws or discharges any stone or other missile or sets off any fire balloon or throws or sets fire to any firework on any street or public place or from any building or other place adjoining the same or suffers any building or place adjoining the same to be used for that purpose;

(19) deposits material for makes or sets alight any bonfire in such a position as to cause or be likely to cause danger or annoyance to any person or damage to property;

(20) without authority extinguishes the light of any lamp;

(21) makes or uses any slide;

(22) throws any snowball or flies any kite to the danger obstruction or annoyance of the lieges;

(23) makes any hole or opening or throws or lays down or causes to be thrown or laid down any building materials or slakes sifts or screens or causes to be slaked sifted or screened any lime in any street except under the powers of any enactment or by the authority of the dean of guild or with the written consent of the master of works or in compliance with a notice given by him or does not hoard or fence and light such hole or materials in the same way as the portion of a street used by the authority of the dean of guild during the erection or alteration of any building is directed by the city Acts to be hoarded fenced and lighted or suffers such hole or materials to remain a longer period than is necessary;

(24) throws or lays down or causes to be thrown or laid down on any street any article (other than building materials) except for the purpose of housing or removing the same or suffers such articles to be or to remain for a longer period than is necessary;

(25) cleans hoops fires washes or scalds any cask or tub or hews saws bores or cuts any timber or stone;

(26) beats or shakes any carpet rug or mat except between the hours of eight in the morning and twelve noon or the hours of six and eight in the afternoon;

(27) fixes or places any flower-pot box or other article on any upper window without sufficiently guarding the same against being blown or thrown down;

(28) unnecessarily or without taking due precaution to prevent accidents throws or causes to be thrown from the roof or any part of any house or other building any slate brick wood rubbish snow water or other thing;

(29) being the occupier of any building or part of a building causes or suffers any female to stand on the sill of any window in order to clean paint or perform any

operation upon the outside of such window or upon any other building unless such window be in the sunk or basement storey;

PART IX
—cont.

(30) wilfully or wantonly continues by loud calls or noises whether by the voice or by horns bells or other instruments and whether for the purpose of proclaiming sales or of hawking or collecting articles or otherwise to cause annoyance or disturbance to any of the lieges after having been requested by a constable to cease;

(31) wilfully or wantonly continues to play any instrument of music or to sing opposite or near any building to the annoyance or disturbance of the owner or occupier of any part of such building after having been requested by him personally or through his servant or a constable to cease;

(32) occasions any kind of obstruction nuisance or annoyance in any street public place or doorway or obstructs or incommodes hinders or prevents free passage along or through the same or prejudices or annoys in any manner whatsoever any other person using the same;

(33) plays at any game of football cricket or other sport or game to the obstruction or annoyance of the lieges.

161.—(1) Where—

- (a) any demonstration or display in any shop window;
- (b) any notice placard advertisement or announcement;
- (c) the playing of any musical instrument; or
- (d) the use of a loudspeaker in any premises;

Prevention of
assemblies
causing
obstruction.

causes persons to assemble and obstruct the free passage in any street common stair or common passage any constable not below the rank of sergeant may require the owner or occupier of the premises in or upon which such demonstration or display is taking place or such notice placard or announcement is exhibited or such musical instrument is being played or loudspeaker is situated to—

- (i) discontinue such demonstration or display;
- (ii) remove or at the option of the owner or occupier screen from public view such notice placard advertisement or announcement; or
- (iii) discontinue the playing of such musical instrument or the use of such loudspeaker.

(2) Any such owner or occupier who fails to comply forthwith with any such requirement shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

162.—(1) Any magistrate may on a complaint by the procurator fiscal grant warrant to any constable not under the rank of inspector to enter into and search from time to time during any period not exceeding thirty days from the date of such warrant any house shop room building part of a building or other place in which the magistrate has reasonable ground for believing that any profane indecent or obscene article book paper print photograph drawing painting or representation is kept for sale or for lending on hire or for publication

Pernicious
literature
etc.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART IX
—cont.

for purposes of gain Such warrant may if the magistrate thinks fit include power to search—

- (a) the occupier of any such house shop room building part of a building or other place; and
- (b) any person found therein engaged or assisting the management thereof.

(2) Any such constable acting under the authority of such warrant may enter (using if necessary force for the purpose) such house shop room building part of a building or other place and may seize and carry away all profane indecent or obscene articles books papers prints photographs drawings paintings or representations as aforesaid found therein and may apprehend and convey to the police office any of the persons mentioned in the immediately preceding subsection of this section.

(3) In the event of any profane indecent or obscene articles books papers prints photographs drawings paintings or representations being found in such house shop room building part of a building or other place or on any occupier or person hereinbefore in this section mentioned such occupier or person shall on its being proved to the satisfaction of the magistrate that such occupier or person has kept such articles books papers prints photographs drawings paintings or representations for sale or for lending on hire or for publication for purposes of gain be guilty of an offence and shall be liable to a fine not exceeding twenty pounds or to imprisonment for sixty days.

(4) Upon the conviction of such occupier or person the magistrate shall order all such articles books papers prints photographs drawings paintings or representations so seized as aforesaid to be destroyed unless it shall be necessary to preserve the same for some further or other proceedings and if the magistrate is satisfied that the same or any of them are not of the character stated in the warrant or have not been kept for any of the purposes aforesaid he shall forthwith direct them to be restored to the said occupier or person.

(5) Nothing in this section shall apply to any premises in respect of which a licence under the Cinematograph Acts 1909 and 1952 is for the time being in force.

Nuisance by dogs.

163. Any person in charge of a dog in any street who allows or permits such dog to deposit its excrement upon the foot pavement shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for wilfully damaging etc. street apparatus.

164.—(1) Any person who—

- (a) takes away or wilfully breaks or throws down or damages any street apparatus belonging to or set up by the Corporation; or
- (b) wilfully damages the appurtenances of any street apparatus; or
- (c) without lawful authority extinguishes any light thereof;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

(2) Any person so convicted shall in addition pay such further sum as the sheriff or magistrate may assess as the amount of the damage done by him and the payment of such further sum shall be enforced in the same way as if it were an additional penalty.

(3) For the purposes of this and the next following section of this Order "street apparatus" means and includes any police box police telephone-pillar street-refuge shelter direction sign sign-post pole regulation or control of traffic tramway or trolley vehicle standard or other apparatus forming part of the tramway undertaking of the Corporation air pipe ventilator or other apparatus forming part of the water undertaking of the Corporation or connected with any sewer or any receptacle for the temporary deposit and collection of dust ashes or rubbish or any sand-bin belonging to or set up by the Corporation.

PART IX
---cont.

165. Any person who through negligence or accident breaks or throws down or damages any street apparatus and does not upon demand make satisfaction for such damage shall upon complaint thereof being established in a court of summary jurisdiction be ordered to pay such sum of money as is proved to be the amount of such damage which sum shall be recoverable as a debt.

Procedure where street apparatus etc. accidentally broken.

PART X

MISCELLANEOUS AND GENERAL

166. 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 proximity to the places where they are employed whether within or without the city.

Dwelling-houses for persons in Corporation's employment.

167. The Corporation may provide erect maintain repair and light public clocks and may repair maintain and light any other clocks in the city which have been dedicated to public purposes or as to them shall seem proper.

Power to provide and light clocks.

168.—(1) The Corporation may in on over or in proximity to any of their parks or any building or premises belonging to them or (with the consent of the owner) any other building or premises provide or arrange on such terms and conditions as they may think fit for the provision of floodlights flashlights or other illuminations and may for such purposes provide fit up maintain and operate all such lamps fittings and apparatus and appurtenances and do all such things as may be necessary or requisite in connection therewith.

Power to provide illuminations floodlighting etc.

(2) The Corporation shall consult with the transport commission and with the Clyde trustees respectively before providing or arranging for the provision of any floodlights flashlights or other illuminations under the powers of this section which may affect the safe operation of any railway of the transport commission or the safe navigation of the river Clyde.

(3) Any floodlights flashlights lamps fittings apparatus or appurtenances provided fitted up maintained or operated under the powers of subsection (1) of this section shall be so provided or fitted up and so maintained and operated as to prevent interference with any telegraphic line (as defined in the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART X
—cont.

Means of
escape from
nursing homes
in case of fire.

169.—(1) If on a report by the master of works and the firemaster the Corporation are of opinion that any nursing home is not provided with proper and sufficient means of escape for the persons therein in case of fire the master of works may serve on the proprietor of such nursing home a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the proprietor shall thereupon provide the means of escape so required.

(2) Where on a report of the master of works and the firemaster the Corporation are of opinion that the means of escape in case of fire provided in connection with any nursing home have become inadequate in consequence of any alteration in the circumstances or conditions affecting such nursing home the proprietor shall upon notice from the master of works make such alterations in the means of escape as may reasonably be necessary and shall if so required by such notice provide further or other means of escape.

(3) (a) Any person aggrieved by any notice under this section may appeal to the sheriff within fourteen days after the receipt of such notice and the sheriff shall have power to make such order as he may think fit.

(b) Notice of the right to appeal shall be endorsed on every notice under this section.

(4) The proprietor of a nursing home shall notwithstanding any agreement with the tenant or occupier thereof have power to enter the nursing home and take such steps as are necessary for complying with any notice under this section.

(5) If the proprietor of a nursing home alleges that the tenant or occupier of such nursing home ought to bear or contribute to the expenses of complying with any notice under this section he may apply to the sheriff and thereupon the sheriff after giving the tenant or occupier an opportunity of being heard may make such order as appears to him just and equitable in all the circumstances of the case.

(6) The means of escape in case of fire provided as aforesaid in connection with any nursing home shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the nursing home in good and efficient condition and free from obstruction.

(7) For the purposes of this section the master of works the firemaster and any other officer of the Corporation or fireman designated by the Corporation may on producing if required some duly authenticated document showing his authority enter and inspect any nursing home and any person who obstructs or interferes with them or either of them or refuses to give all reasonable facilities for the purposes of such inspection shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(8) Any person who contravenes the provisions of this section or fails to comply with such provisions or with any notice given thereunder shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(9) For the purposes of this section "nursing home" has the same meaning as in the Nursing Homes Registration (Scotland) Act 1938 and includes a "maternity home" within the meaning of the said Act.

PART X
—cont.

170.—(1) If on a report by the master of works after consultation with the firemaster the Corporation are of opinion that a building used for housing any horses cattle sheep swine dogs cats or other animals or poultry (all or any of which are hereinafter in this section referred to as "animals") is not provided with proper and sufficient means of escape for the animals therein in case of fire or that the nature of the building is such or that the materials of which the building is constructed are such as to involve an undue risk to the animals housed therein in the event of fire the master of works may serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape or to take such steps or carry out such works to minimise the risk to the animals housed in the building in the event of fire as in the circumstances of the case can reasonably be required and the owner shall thereupon provide the means of escape so required or take such steps or carry out such works as may be specified in the notice.

Fire precautions in buildings in which animals are housed.

(2) Where on a report by the master of works after consultation with the firemaster the Corporation are of opinion that the means of escape in case of fire provided in connection with a building used for housing animals or that any precautions against the risk in the event of fire to animals housed in such building have become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner shall upon notice from the master of works make such alterations in the means of escape or take such steps or carry out such works as may reasonably be necessary in the circumstances of the case and shall if so required by such notice provide further or other means of escape.

(3) Where any building used for housing animals is also used for the storage of combustible materials whether for the feeding or bedding of such animals or otherwise and the Corporation on a report by the master of works after consultation with the firemaster are of opinion that the provision construction or erection of fire resisting walls doors fire-fighting appliances and other preventive or protective works or apparatus is necessary and reasonable with a view to minimising the risk of danger to the animals housed in such building in the event of fire the master of works may by notice require the owner of the building to provide construct or erect such fire resisting walls doors fire-fighting appliances and other preventive or protective works or apparatus as may be specified in the notice.

(4) (a) Any person aggrieved by any notice under this section may appeal to the sheriff within fourteen days after the receipt of such notice and the sheriff shall have power to make such order as he may think fit.

(b) Notice of the right to appeal shall be endorsed on every notice under this section.

(5) The owner of a building used for housing animals shall notwithstanding any agreement with the tenant or occupier thereof

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

PART X
—cont.

have power to enter such building and take such steps as are necessary for complying with any notice under this section.

(6) If the owner of a building used for housing animals alleges that the tenant or occupier of such building ought to bear or contribute to the expenses of complying with any notice under this section he may apply to the sheriff and thereupon the sheriff after giving the tenant or occupier an opportunity of being heard may make such order as appears to him just and equitable in all the circumstances of the case.

(7) All works carried out or apparatus provided under the provisions of this section shall at all times be maintained and kept by the occupier of the building in good and efficient condition to the satisfaction of the master of works.

(8) For the purposes of this section the master of works the firemaster and any other officer of the Corporation or fireman designated by the Corporation may on producing if required some duly authenticated document showing his authority enter and inspect any building used for housing animals and any person who obstructs or interferes with the master of works or any such other officer or fireman or refuses to give all reasonable facilities for the purposes of such inspection shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(9) Any person who contravenes the provisions of this section or who without lawful cause (the onus of showing such cause being on such person) fails to comply with such provisions or with any notice given thereunder shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

Storage
of
combustible
materials
in buildings
in which
animals are
housed.

171.—(1) Where in the opinion of the master of works after consultation with the firemaster the storage of combustible materials whether for the feeding or bedding of animals or otherwise in any building used for housing animals constitutes or is likely to constitute a danger to such animals in the event of fire the master of works may serve on the occupier of such building a notice requiring him to comply with such requirements as to the storage of such materials as the notice may prescribe.

(2) The provisions of subsection (4) of section 170 (Fire precautions in buildings in which animals are housed) of this Order shall extend and apply with respect to any notice given by the master of works in pursuance of this section.

(3) Any person who fails to comply with any notice given under the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(4) For the purposes of this section "animals" has the same meaning as in section 170 (Fire precautions in buildings in which animals are housed) of this Order.

Byelaws as to
loudspeakers.

172.—(1) The Corporation may make byelaws for regulating and controlling the use of loudspeakers gramophones and any other devices for the reproduction and amplification of sound for advertising purposes in such a manner as to be audible in any street or in any other premises or if they think fit for prohibiting such use.

(2) Nothing in this section or in any byelaws made thereunder shall apply to the use of a loudspeaker by the transport commission or by any operators of public service vehicles for the purpose of announcements to their passengers or staff at any station or depot.

PART X
—cont.

173. The Corporation may make byelaws for the regulation of cemeteries and crematoria.

Byelaws as to
cemeteries and
crematoria.

174. All expenditure incurred by or on behalf of the Corporation in the exercise of the powers conferred and the performance of the duties imposed on them by this Order or the byelaws made thereunder (or under any corresponding provisions of the repealed Acts) and not otherwise recovered as provided in this Order shall be defrayed out of the burgh fund and shall be deemed to be expenditure payable out of the city rate under the appropriate head.

As to
expenditure for
purposes of
Order.

175. Subject to the provisions of this Order the Corporation may from time to time (in addition to any moneys they are now authorised to borrow) borrow or raise—

Borrowing for
purposes of
Order.

(a) for the several purposes of this Order; and

(b) for paying the costs charges and expenses of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto;

such money as may be necessary for those purposes respectively in the same way and manner as if the said purposes were included among the purposes mentioned in subsection (1) of section 258 of the Act of 1947 and the provisions of Part XII of the Act of 1947 shall extend and apply with respect to the borrowing of money under this section. Provided that notwithstanding anything contained in section 262 of the Act of 1947 any money borrowed for the purposes (a) above mentioned shall be repaid within forty years from the date or dates of borrowing the same and any money borrowed for the purpose (b) above mentioned shall be repaid within five years from the commencement of this Order.

176. 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 any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act 1946 or of section 259 of the Act of 1947.

Saving for
control on
borrowing.

177.—(1) Any authorised officer of the Corporation shall on producing (if required) his authorisation have a right at all reasonable hours to enter any premises—

Power to enter
premises.

(a) for the purpose of ascertaining whether there is or has been on or in connection with the premises any contravention of the provisions of this Order or of any byelaws made thereunder (or under any corresponding provisions of the repealed Acts) or of any condition subject to which any licence consent permit approval or certificate of registration has been granted under this Order;

(b) for the purpose of ascertaining whether or not circumstances exist which would authorise or require the Corporation to take any action or execute any work under this Order or any such byelaws;

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART X
—cont.

(c) for the purpose of taking any action or executing any work authorised or required by this Order or any such byelaws or any order made or notice given under this Order to be taken or executed by the Corporation; and

(d) generally for the purpose of the performance by the Corporation of their functions under this Order and any such byelaws:

Provided that admission to any premises not being a factory workshop or workplace shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier.

(2) A magistrate on the application of the procurator fiscal may grant warrant to any authorised officer to enter any premises if need be by force on being satisfied—

(a) that admission to such premises has been refused or that refusal is apprehended or that the premises are unoccupied or the occupier is temporarily absent or that the case is one of urgency or that an application for admission would defeat the object of the entry; and

(b) that there is reasonable ground for entry into the premises for any such purpose as aforesaid:

Provided that such a warrant shall not be granted unless the magistrate is satisfied either that notice of the intention to apply for a warrant has been given to the occupier or that the premises are unoccupied or that the occupier is temporarily absent or that the case is one of urgency or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any premises by virtue of this section or of a warrant issued thereunder may take with him such other persons as may be necessary and on leaving any unoccupied premises which he has entered by virtue of such a warrant shall leave them as effectually secured against trespassers as he found them.

(4) If any person who in compliance with the provisions of this section or with a warrant issued thereunder is admitted into any premises makes use of or discloses to any person any information obtained by him there with regard to any manufacturing process or trade secret he shall unless such use or disclosure was made in the performance of his duty be liable in respect of each offence—

(a) on summary conviction in the sheriff court to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment;

(b) on conviction on indictment to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

(5) Every warrant granted under this section shall continue in force for a period of one month or until the purpose for which the entry is necessary has been satisfied whichever is the shorter.

(6) Every person who wilfully obstructs any person in the exercise of any powers conferred on him by this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.

(7) Nothing contained in this section shall empower any authorised officer of the Corporation to enter any premises used only for the purposes of a private dwelling.

PART X
—cont.

(8) Nothing in this section shall derogate from any powers of entering premises contained in any of the other provisions of this Order.

178.—(1) Any constable—

(a) in uniform; or

(b) not being in uniform on production of evidence of his being a constable;

Power to constables to enter premises retailing fireworks.

may at any time enter any premises registered under the Explosives Act 1875 in which fireworks are sold by retail and may inspect the stock of fireworks kept in such premises.

(2) Any person who does not admit a constable acting in pursuance of this section or who wilfully obstructs any constable in the exercise of the powers conferred by this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

179.—(1) Any constable—

(a) in uniform; or

(b) not being in uniform on production of evidence of his being a constable;

Constables may enter certain premises.

may at any time enter any premises or other place of the description hereinafter mentioned or any part thereof on hearing any disorderly noise therein or having reason to believe or suspect that a breach of the law is being committed therein or that any person accused or reasonably suspected of having committed any penal or any other offence under this Order or that any article known or suspected to have been stolen or fraudulently obtained is to be found therein (that is to say):—

(a) any oyster store fish shop eating house coffee house or other such place;

(b) any victualling house public house or house in which wines spirits beer cider or other fermented or distilled liquors are sold whether licensed or not;

(c) any common brothel or house for the reception of prostitutes or any house usually frequented by thieves or loose and disorderly persons;

(d) any ship or other vessel not being employed in Her Majesty's service.

180. Any constable—

(a) in uniform; or

(b) not being in uniform on production of evidence of his being a constable;

Constables may enter licensed etc. premises.

may at any time enter—

(a) any building or premises or other place licensed or registered under the provisions of this Order; and

(b) any common lodging house.

PART X
—cont.

Penalty for refusing admission to constables.

181. Every occupier of any building premises dwelling-house or other place to which either of the two preceding sections of this Order applies or any person having the charge thereof who shall not admit a constable acting in pursuance of either of the said sections shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

Granting of warrants to enter certain premises.

182.—(1) A magistrate may on a complaint by the procurator fiscal if satisfied that there is reasonable ground for believing any premises to be kept or managed or to be ordinarily used or suffered to be used for any of the purposes to which this section relates grant a warrant authorising any constable to enter into and search such premises from time to time during any period not exceeding thirty days from the date of such warrant.

(2) Any constable authorised by any such warrant may take into custody and convey to the police office in order to be brought before a magistrate all persons found in such premises and may seize impound and convey to the police office any article or thing therein calculated to prove that such premises have been ordinarily or were at or shortly before the date of the entry of the constable thereon used as aforesaid.

(3) This section relates to the following purposes (in the next three succeeding sections of this Order referred to as "prescribed purposes") (namely):—

- (a) any purpose for which a licence is required or in respect of which premises require to be registered under the provisions of this Order and for which purposes a licence has not been granted or which premises have not been so registered;
- (b) the purpose of fighting baiting or worrying any animal; and
- (c) the purpose of playing at any unlawful game.

Penalty for keeping premises for certain purposes or being found thereon.

183.—(1) The owner and occupier of any premises who keeps manages uses or knowingly suffers such premises or any part thereof to be used for any of the prescribed purposes and every person who aids or assists or takes any part in the management thereof or in the business conducted therein shall be guilty of an offence and shall be liable on summary conviction in respect of each such offence to a fine not exceeding ten pounds or to imprisonment for a period not exceeding sixty days.

(2) Every other person who is found in any of such premises for either of the prescribed purposes mentioned in paragraphs (b) and (c) of section 182 (Granting of warrants to enter certain premises) of this Order shall unless such person was not in such premises for or in relation to any of such purposes or in consequence of its being kept managed used or suffered to be used for any of such purposes be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings or to imprisonment for a period not exceeding fourteen days.

Penalty for re-letting premises to convicted persons or knowingly suffering same to be used after notice.

184.—(1) If the occupier of any premises is convicted of keeping managing using or knowingly suffering such premises to be used for any of the prescribed purposes it shall be lawful for the procurator fiscal to give notice of such conviction to the owner of such premises.

(2) If the owner of any premises within twelve months after having been himself convicted of such offence as aforesaid or having received such notice as aforesaid—

- (a) grants a new lease of the said premises to the person so convicted; or
- (b) suffers such person after the expiry of the current lease to occupy the same; or
- (c) knowingly suffers any other person to use the said premises for the like purpose;

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds or to imprisonment for a period not exceeding thirty days and shall also forfeit his claim to rent in respect of such premises.

185.—(1) If any person is twice convicted of keeping managing using or suffering any premises to be used for any of the prescribed purposes it shall be lawful for the procurator fiscal or for the owner thereof or for any two owners or occupiers of lands and heritages in the neighbourhood to apply summarily to the sheriff or to a magistrate for a warrant to close shut up and secure the said premises during the period for which the person so convicted has right thereto and to eject all persons therefrom and the sheriff or the magistrate shall on proof of the said convictions grant warrant for such closure and ejection:

Power to sheriff or magistrates to close such premises after second conviction.

Provided that the sheriff or the magistrate may at any time after the grant of such warrant if he sees cause on the motion or application of the owner of the said premises grant warrant to him to let the said premises to some person other than the person so convicted as aforesaid on satisfactory security that such premises will not be used for any of the said purposes and may award expenses to or against either of the parties.

(2) A warrant granted under the provisions of this section shall not prejudice or affect the claim of the owner of such premises for rent against any person so ejected thereunder or his right of hypothec.

186. It shall be lawful for any constable without any other authority than this Order to search for take into custody and convey to a police station any person who is either accused or reasonably suspected of having committed any offence under the provisions of this Order in respect of which imprisonment may be awarded without the alternative of a fine or any other offence under the provisions of this Order where the name and residence of such person are unknown to such constable and cannot be readily ascertained by him.

Power of police constables to take certain offenders into custody.

187. Where a person is convicted of an offence under section 70 of the Licensing (Scotland) Act 1903 and such person has within the twelve months preceding been three times previously convicted of a like offence he shall on the previous convictions being admitted or proved be liable to an additional penalty of a fine not exceeding five pounds or of imprisonment without the option of a fine for fourteen days.

Habitual drunkards.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

PART X
—cont.

Additional penalty in case of certain previous convictions.

188. Where a person is convicted of an offence under or a contravention of any of the city Acts or any byelaws orders rules or regulations made under or by virtue of any of the city Acts and such person has within the three years preceding been previously convicted of a like offence he shall on the previous conviction being admitted or proved be liable to an additional penalty of a fine not exceeding ten pounds or of imprisonment without the option of a fine for thirty days.

Form mode of service etc. of notices.

189.—(1) Every notice given in pursuance of this Order may be in writing or partly in writing and partly in print and shall have the written or lithographed or printed signature of the person giving the same affixed thereto and any person who counterfeits such signature or who without authority gives any such notice shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds or to imprisonment for a period not exceeding sixty days.

(2) Every such notice may be given by handing the same to such person personally or leaving the same at or sending it through the post office to his usual place of business or to his residence or usual place of abode and where the place of business or the residence or place of abode of such person is unknown to the address of such person as appearing in the valuation roll or by leaving such notice at the land or heritage to which it relates or in case of a person employed in any ship or vessel by leaving the same in the hands of a person on board thereof and connected therewith.

(3) The person sending any such notice may cancel it or give a new notice to the same or to any other person in respect of the matter or for the enforcement of the obligation referred to in it.

Jurisdiction of magistrates.

190.—(1) Subject to the provisions of the Act of 1954 and of this Order the magistrates or any one or more of such magistrates including any stipendiary magistrate and any sheriff acting in the police court shall within the city have jurisdiction and power to take cognizance of all crimes and offences specified or referred to in this Order or in any byelaws made in pursuance of this Order or in any other enactment applicable to the city and of all other crimes and offences and all jurisdiction to try offences and award punishment conferred on any justice of the peace or two justices of the peace or any magistrate by any enactment in force or to be in force in the city.

(2) Notwithstanding the provisions of the foregoing subsection such jurisdiction shall not extend to the trial of offences against any of the Inland Revenue or Customs Acts.

(3) The sheriff shall have power to sit and act in the police court on any special occasion or under any continuing arrangement at the request of the magistrates or any one of them or if no magistrate is available of the town clerk.

Offences under Criminal Law Amendment Acts may be tried by magistrates.

191. All offences committed under the Criminal Law Amendment Acts 1885 to 1912 in so far as these Acts relate to the suppression of brothels may be tried by a magistrate.

Power to magistrate to grant warrants.

192. A magistrate may carry into effect every other provision of this Order with reference to offences or with reference to any thing which by this Order he is directed or enabled to do and for that purpose issue all necessary orders and warrants and he shall have

with reference to such objects and purposes in addition to the powers conferred on him by the city acts all such and the like jurisdiction as the magistrates of any royal burgh have by the law of Scotland within such burgh.

PART X
 —cont.

193. Any person who contravenes any byelaw made under this Order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding (unless otherwise expressly provided) ten pounds.

Penalty for breach of byelaws.

194. Where under this Order the Corporation—

Breach of conditions of consent.

- (a) give their consent to the execution of any work or the doing of any act; or
- (b) grant any licence certificate of registration or permit or other authorisation;

subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall as regards liability to a penalty and other consequences be deemed to be equivalent to the execution of the work or the doing of the act without the required consent or acting without the necessary licence certificate or permit or other authorisation as the case may be.

195. The provisions of the *Cattle Sheds in Burghs (Scotland) Act 1866* may be carried into effect and enforced in the city by the magistrates committee and all proceedings in respect of offences committed within the city against the same shall be instituted and conducted under and in conformity with the Act of 1954.

Offences under *Cattle Sheds in Burghs Act*.

—196. All proceedings for the recovery of penalties imposed or authorised to be imposed by or under the provisions of this Order or any byelaws made under this Order shall be instituted and conducted under and in conformity with the Act of 1954.

As to penalties and recovery thereof.

197. Any power conferred on the Corporation by this Order to provide buildings or other premises for any purpose includes power to equip them with such furniture conveniences apparatus and instruments as may be reasonably necessary to enable them to be used for that purpose.

Interpretation of "provide".

198. All powers and duties conferred or imposed by this Order shall be deemed to be in addition to and not in derogation of any other powers and duties conferred or imposed by statute law or custom and subject to any repeal effected by or other express provision of this Order all such other powers and duties may be exercised and shall be performed in the same manner as if the Act confirming this Order had not been passed.

Powers of Order to be cumulative.

199. As respects 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 Third Schedule to this Order the confirming authority for the purposes of section 301 (Procedure etc. for making byelaws) of the Act of 1947 shall be the authority designated in the second column of the said schedule opposite such sections respectively.

Confirming authority for byelaws.

Ch. iii *Glasgow Corporation Consolidation 8 & 9 ELIZ. 2*
(*General Powers*) *Order Confirmation Act, 1960*

PART X
—cont.

Decisions of
sheriff or
sheriff-
substitute to
be final.

200. Every decision of the sheriff or of the sheriff-substitute who hears any appeal under the after mentioned sections of this Order shall be final and effect shall be given thereto by the Corporation or the magistrates committee as the case may be:—

Section 94 (Restriction on power of magistrates committee to refuse revoke or suspend licences);

Section 138 (Recall of resolution);

Section 145 (Removal from register).

Amendment of
section 48 of
Glasgow Police
Act 1866.

201. Section 48 (As to lighting and cleansing of Quays, &c. by Clyde Trustees) of the Glasgow Police Act 1866 shall be read and have effect as if for the words "as heretofore light and cleanse their quays wharves sheds and streets and in respect of the cost thereof the Trustees shall" there were substituted the words "in respect of the cost of cleansing and lighting their quays wharves sheds and streets".

Rescission of
adoption of
certain
provisions of
Burgh Police
(Scotland) Act
1892.

202. The adoption by the Corporation before the commencement of this Order of the provisions of the Burgh Police (Scotland) Act 1892 hereinafter mentioned shall from the commencement of this Order be deemed to be rescinded and such provisions shall not in virtue of such adoption apply to the city (that is to say):—

Section 381 (Penalties for certain police offences) (Paragraphs (22) and (23));

Section 382 (Habitual drunkards);

Section 403 (Suppression of brothels).

Repeal of Acts.

203. Subject to the provisions of this Order the Acts and Orders specified in the Fourth Schedule to this Order are (so far as not already repealed) hereby repealed to the extent mentioned in the third column of that schedule and on and after the commencement of this Order all references to the repealed Acts or any of them in any Acts and Orders shall be read and have effect as if this Order or this Order as amended by any subsequent Act or Order were mentioned therein instead of the repealed Acts or any of them.

General saving
from effect of
repeal.

204. Subject to the provisions of this Order and notwithstanding the repeal of the repealed Acts—

(1) all existing agreements made by the Corporation or their predecessors being agreements made under or confirmed by any of the repealed Acts shall so far as subsisting and in force at the commencement of this Order be and continue valid and available for all purposes and for and against all parties as if the Act confirming this Order had not been passed;

(2) all property vested in the Corporation at the commencement of this Order shall continue vested in the Corporation to the same effect and extent and all acts works matters and things done or commenced under the powers of the repealed Acts or any of them which were at the commencement of this Order valid and available or in progress and all existing notices notices to treat agreements awards conveyances contracts titles covenants deeds instruments feus leases wayleaves obligations rights and remedies shall be and continue valid and available for all purposes and for and against all parties and may be continued enforced and com-

pleted as if the Act confirming this Order had not been passed;

PART X
—cont.

- (3) all actions arbitrations submissions prosecutions and proceedings by with or against the Corporation by reason of any matters or things done before the commencement of this Order in execution of or in relation to any of the repealed Acts may be continued commenced or prosecuted by with or against the Corporation as if the Act confirming this Order had not been passed;
- (4) all existing byelaws rules regulations orders licences registrations consents sanctions permissions and approvals and things done in execution of or in relation to or granted in pursuance of the repealed Acts shall continue in force until repealed altered or revoked under the provisions of this Order or otherwise or until their expiration and may be enforced in like manner and with the same penalties as if made for like purposes respectively under the provisions of this Order;
- (5) all charges and other sums at the commencement of this Order due to the Corporation under or in respect of any of the repealed Acts may be collected and recovered by the Corporation as if the Act confirming this Order had not been passed;
- (6) all books registers deeds plans documents and writings which under any of the repealed Acts or otherwise would have been receivable in evidence shall be admitted in evidence in all courts and proceedings as if the Act confirming this Order had not been passed.

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

Crown rights.

206. This Order shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning (Scotland) Act 1947 for the purposes of subsection (4) of section 11 and subsection (1) of section 112 of that Act.

Saving for town and country planning.

207. The costs charges and expenses of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation and shall be allocated among the several undertakings and services of the Corporation in such proportions as the Corporation may deem expedient.

Costs of Order.

SCHEDULES

FIRST SCHEDULE

(Referred to in section 59 (Definitions for Head E of Part V of Order) and section 67 (Power to enter premises of brokers and metal refiners))

PART I

3 cwts. of lead or any composite the principal ingredient of which is lead.

2 cwts. of copper or any composite the principal ingredient of which is copper.

2 cwts. of brass or any composite the principal ingredient of which is brass.

1 cwt. of tin or any composite the principal ingredient of which is tin.

1 cwt. of pewter or any composite the principal ingredient of which is pewter.

1 cwt. of spelter or zinc or any composite the principal ingredient of which is spelter or zinc.

1 cwt. of german silver or nickel silver or any composite the principal ingredient of which is german silver or nickel silver.

PART II

FORM OF APPLICATION

Unto the magistrates of the city of Glasgow.

I, _____ chief constable (or as the case may be) of the Glasgow Police Force hereby declare that I have reason to believe that a stolen article is concealed in the premises situated at _____ Glasgow occupied by

and I hereby crave a warrant to enter and search the said premises as provided by the Glasgow Corporation Consolidation (General Powers) Order 1960.

Dated this _____ day of _____ 19 .

(Signature of applicant).

PART III

FORM OF WARRANT

I the undersigned one of the magistrates of the city of Glasgow in respect of the foregoing application hereby grant warrant to any constable of the Glasgow Police Force to enter the premises set forth in the said application and to search the same for stolen articles and for the purpose of carrying out this warrant I hereby authorise any constable of the said police force to break open all shut and lockfast places.

Dated this _____ day of _____ 19 .

(Signature of magistrate).

SECOND SCHEDULE

(Referred to in section 90 (Fees for licences))

MAXIMUM FEES CHARGEABLE FOR GRANT OF LICENCES

<i>Nature of licence</i>	<i>Maximum fee</i>					
	<i>For grant of licence</i>			<i>For renewal of licence</i>		
	£	s.	d.	£	s.	d.
1. Cab-driver's licence	10	0		10	0	
2. Theatre or public show	5	0	0	5	0	0
3. Billiard room	5	0	0	5	0	0
4. Domestic servants registry ..	10	0		10	0	
5. Theatrical training or business agency	10	0		10	0	
6. Chimney sweep or window cleaner..	10	0		10	0	
7. Broker	1	0	0	10	0	
8. Street trader	10	0		10	0	

THIRD SCHEDULE

(Referred to in section 199 (Confirming authority for byelaws))

CONFIRMING AUTHORITY FOR BYELAWS

1 Number and marginal note of section	2 Confirming authority
Section 19 (Cleansing byelaws)	The Secretary of State.
Section 27 (Byelaws as to and charges for public conveniences)	The Sheriff.
Section 47 (Byelaws with respect to cabs and drivers of cabs)	The Sheriff.
Section 51 (Byelaws with respect to theatres public shows and billiard rooms)	The Sheriff.
Section 54 (Byelaws with respect to registries for servants)	The Sheriff.
Section 56 (Byelaws with respect to theatrical agencies etc.)	The Sheriff.
Section 58 (Power to make byelaws in respect of chimney sweeps and window cleaners)	The Sheriff.
Section 70 (Byelaws as to street trading)	The Sheriff.
Section 76 (Byelaws as to stables)	The Secretary of State.
Section 90 (Fees for licences)	The Secretary of State.
Section 98 (Separation of sexes in houses let in lodgings)	The Secretary of State.
Section 109 (Byelaws as to cleansing of common stairs etc.)	The Secretary of State.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(General Powers) Order Confirmation Act, 1960

3RD SCH.
—cont.

1 Number and marginal note of section	2 Confirming authority
Section 113 (Hairdressers and barbers)	The Secretary of State.
Section 114 (Regulation of tents vans etc.)	The Secretary of State.
Section 116 (Byelaws in respect of fried fish shops)	The Secretary of State.
Section 117 (Tipping of spoil and refuse)	The Secretary of State.
Section 127 (Byelaws as to establishments for massage etc.)	The Secretary of State.
Section 147 (Byelaws with respect to farmed-out houses)	The Secretary of State.
Section 172 (Byelaws as to loudspeakers)	The Secretary of State.
Section 173 (Byelaws as to cemeteries and crematoria)	The Secretary of State.

FOURTH SCHEDULE

(Referred to in section 203 (Repeal of Acts))

Session and chapter	Title of Act or Order	Extent of repeal
29 & 30 Vict. c.cclxxiii	The Glasgow Police Act 1866	In section 88 the paragraphs commencing with the words " They may search for, take into custody " and with the words " They may at any time enter any building " sections 108 111 123 to 125 inclusive 129 135 to 141 inclusive 144 145 147 149 151 153 169 170 to 186 inclusive 200 to 218 inclusive 221 to 272 inclusive 304 344 to 348 inclusive 350 353 to 363 inclusive 375 to 378 inclusive and 393.
29 & 30 Vict. c.cccxxvii	Glasgow Bridges Consolidation Act 1866	In section 29 the words " and from Time to Time " to the end of the section and sections 30 to 32 inclusive.
53 & 54 Vict. c.ccxix	Glasgow Police (Amendment) Act 1890	Sections 5 6 9 to 28 inclusive 30 to 39 inclusive and section 44.
54 Vict. c.xxxvii	Glasgow Police (Sewage &c.) Act 1891	In section 3 the words " 'city manure' means the city manure as defined by the Glasgow Police Act 1890 " and section 17.
55 & 56 Vict. c.cx	Glasgow Bridge Act 1892	Section 22.
55 & 56 Vict. c.clxv	Glasgow Police (Further Powers) Act 1892	Sections 5 to 17 inclusive 19 to 22 inclusive 24 25 27 30 31 and 37.

Session and chapter	Title of Act or Order	Extent of repeal
58 & 59 Vict. c.cxliii	Glasgow Corporation and Police Act 1895	Section 25 (so far as relating to the incorporation of so much of section 88 of the Glasgow Police Act 1866 as is repealed by this Order and to sections 108 123 124 125 129 and 181 of the said Act) in section 29 the words "lavatories water-closets urinals" and sections 33 34 37 and 38.
1 Edw. 7 c.clxiii	Glasgow Police Order Confirmation Act 1901	Sections 14 15 17 and 19 of the Order scheduled thereto.
4 Edw. 7 c.clxxi	Glasgow Corporation (Police) Order Confirmation Act 1904	Section 4 (so far as relating to the incorporation of sections 108 123 124 125 and 129 of the Glasgow Police Act 1866) and sections 10 11 12 and 15 of the Order scheduled thereto.
5 Edw. 7 c.cxxvii	Glasgow Corporation Order Confirmation Act 1905	Sections 57 to 72 inclusive of the Order scheduled thereto.
7 Edw. 7 c.cxlvi	Glasgow Corporation Act 1907	Section 73.
2 & 3 Geo. 5 c.cxlix	Glasgow Corporation Order Confirmation Act 1912	Sections 23 24 and 28 of the Order scheduled thereto.
4 & 5 Geo. 5 c.clxxviii	Glasgow Corporation Order Confirmation Act 1914	Section 3 (so far as it defines the expression "metal refiner") section 4 (so far as relating to the incorporation of so much of section 88 of the Glasgow Police Act 1866 as is repealed by this Order and to sections 108 123 124 125 and 129 of the said Act of 1866) and sections 6 to 9 inclusive 12 to 16 inclusive 19 to 21 inclusive 32 of and the First Schedule to the Order scheduled thereto.
8 & 9 Geo. 5 c.xxv	Glasgow Corporation Order Confirmation Act 1918	Section 3 (so far as it defines the expression "common lodging house") and sections 5 to 23 inclusive of the Order scheduled thereto.
9 & 10 Geo. 5 c.xcvi	Glasgow Corporation Order Confirmation Act 1919	Section 35 of the Order scheduled thereto.
11 & 12 Geo. 5 c.xv	Glasgow Corporation Order Confirmation Act 1921	Section 24 of the Order scheduled thereto.
13 & 14 Geo. 5 c.lii	Glasgow Corporation Order Confirmation Act 1923	Section 46 of the Order scheduled thereto.

4TH SCH.
—cont.

Ch. iii *Glasgow Corporation Consolidation 8 & 9 ELIZ. 2*
(General Powers) Order Confirmation Act, 1960

4TH SCH.
—cont.

Session and chapter	Title of Act or Order	Extent of repeal
15 Geo. 5 c.iv	Glasgow Corporation Order Confirmation Act 1924	Sections 36 and 37 of the Order scheduled thereto.
15 & 16 Geo. 5 c.lxvii	Glasgow Corporation Order Confirmation Act 1925	Section 31 of the Order scheduled thereto.
17 & 18 Geo. 5 c.lix	Glasgow Corporation Order Confirmation Act 1927	Section 70 of the Order scheduled thereto.
19 Geo. 5 c.ix	Glasgow Corporation Order Confirmation Act 1929	Sections 33 to 36 inclusive of the Order scheduled thereto.
20 Geo. 5 c.xxxvii	Glasgow Corporation Act 1929	Sections 18 and 19.
24 & 25 Geo. 5 c.lxix	Glasgow Corporation Order Confirmation Act 1934	Sections 28 to 30 inclusive 32 36 to 38 inclusive and 48 of the Order scheduled thereto.
25 & 26 Geo. 5 c.xxxv	Glasgow Corporation Order Confirmation Act 1935	Section 5 of the Order scheduled thereto.
26 Geo. 5 & 1 Edw. 8 c.xxi	Glasgow Corporation Order Confirmation Act 1936	Section 11 of the Order scheduled thereto.
1 Edw. 8 & 1 Geo. 6 c.xxvi	Glasgow Corporation Order Confirmation Act 1937	Sections 7 and 8 of the Order scheduled thereto.
1 Edw. 8 & 1 Geo. 6 c. xliii	Glasgow Streets Sewers and Buildings Consolidation Order Confirmation Act 1937	Section 172 of the Order scheduled thereto.
2 & 3 Geo. 6 c.i	Glasgow Corporation Order Confirmation Act 1938	Sections 4 and 5 of the Order scheduled thereto.
9 & 10 Geo. 6 c.xxvi	Glasgow Corporation Order Confirmation Act 1946	Sections 13 to 20 inclusive of the Order scheduled thereto.
9 & 10 Geo. 6 c.lxi	Glasgow Corporation Act 1946	Section 5.
12 & 13 Geo. 6 c.xix	Glasgow Corporation Order Confirmation Act 1949	Sections 12 13 and 18 of the Order scheduled thereto.
15 & 16 Geo. 6 & 1 Eliz. 2 c.i	Glasgow Corporation Order Confirmation Act 1952	Sections 18 to 28 inclusive and 30 of the Order scheduled thereto.
2 Eliz. 2 c.i	Glasgow Corporation (Water &c.) Order Confirmation Act 1953	Section 11 of the Order scheduled thereto.
4 & 5 Eliz. 2 c.lviii	Glasgow Corporation Order Confirmation Act 1956	Section 3 of the Order scheduled thereto.

Table of Statutes referred to in this Act
(other than those set out in the Fourth Schedule)

Short title	Session and chapter
Theatres Act 1843	6 & 7 Vict. c. 68.
Lands Clauses Consolidation (Scotland) Act 1845	8 & 9 Vict. c. 19.
Cattle Sheds in Burghs (Scotland) Act 1866 ..	29 & 30 Vict. c. 18.
Pawnbrokers Act 1872	35 & 36 Vict. c. 93.
Explosives Act 1875	38 Vict. c. 17.
Telegraph Act 1878.. .. .	41 & 42 Vict. c. 76.
Hawkers Act 1888	51 & 52 Vict. c. 33.
Infectious Diseases (Notification) Act 1889 ..	52 & 53 Vict. c. 72.
Burgh Police (Scotland) Act 1892	55 & 56 Vict. c. 55.
Public Health (Scotland) Act 1897	60 & 61 Vict. c. 38.
Licensing (Scotland) Act 1903	3 Edw. 7 c. 25.
Acquisition of Land (Assessment of Compensation) Act 1919	9 & 10 Geo. 5 c. 57.
Road Traffic Act 1930	20 & 21 Geo. 5 c. 43.
Private Legislation Procedure (Scotland) Act 1936	26 Geo. 5 & 1 Edw. 8 c. 52.
Children and Young Persons (Scotland) Act 1937	1 Edw. 8 & 1 Geo. 6 c. 37.
Nursing Homes Registration (Scotland) Act 1938	1 & 2 Geo. 6 c. 73.
Borrowing (Control and Guarantees) Act 1946..	9 & 10 Geo. 6 c. 58.
Coal Industry Nationalisation Act 1946 ..	9 & 10 Geo. 6 c. 59.
Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947	10 & 11 Geo. 6 c. 42.
Local Government (Scotland) Act 1947	10 & 11 Geo. 6 c. 43.
Town and Country Planning (Scotland) Act 1947	10 & 11 Geo. 6 c. 53.
Companies Act 1948	11 & 12 Geo. 6 c. 38.
Diseases of Animals Act 1950	14 Geo. 6 c. 36.
Public Utilities (Street Works) Act 1950 ..	14 Geo. 6 c. 39.
Summary Jurisdiction (Scotland) Act 1954 ..	2 & 3 Eliz. 2 c. 48.
Small Lotteries and Gaming Act 1956	4 & 5 Eliz. 2 c. 45.
Road Traffic Act 1956	4 & 5 Eliz. 2 c. 67.

Ch. iii *Glasgow Corporation Consolidation* 8 & 9 ELIZ. 2
(*General Powers*) *Order Confirmation Act, 1960*

LONDON : PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 4s 6d net

PRINTED IN GREAT BRITAIN