
STATUTORY INSTRUMENTS

1992 No. 900 (S.94)

HOUSING, SCOTLAND

**The Clackmannan District Council (Vesting of Central
Regional Council Land) (Scotland) Order 1991**

Approved by both Houses of Parliament

<i>Made</i>	- - - -	<i>19th November 1991</i>
<i>Laid before Parliament</i>		<i>28th November 1991</i>
<i>Coming into force</i>	- -	<i>19th December 1991</i>

The Secretary of State, in exercise of the powers conferred on him by section 77 of the Housing (Scotland) Act 1987⁽¹⁾ and of all other powers enabling him in that behalf, being of the opinion after consultation with Central Regional Council and with Clackmannan District Council that this Order is necessary if the right to purchase of tenants of Clackmannan District Council is to come into being, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Clackmannan District Council (Vesting of Central Regional Council Land) (Scotland) Order 1991 and shall come into force on the day after the day on which it is approved by resolution of each House of Parliament.

Interpretation

2. In this Order—

“the Act” means the Housing (Scotland) Act 1987;

“Central Regional Council” means the local authority of that name referred to in Part I of Schedule 1 to the Local Government (Scotland) Act 1973⁽²⁾ being a body referred to in sub-paragraph (a) of Section 61(2) of the Act and as statutory successor to Stirling and Clackmannan Joint Police Board heritable proprietor of the land referred to in the Schedule to this Order;

“Clackmannan District Council” means the local authority of that name referred to in Part III of Schedule 1 to the Local Government (Scotland) Act 1973 being a body referred to in sub-paragraph (a) of section 61(2) of the Act;

(1) 1987 c. 26.
(2) 1973 c. 65.

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“deposited plan” means the plan prepared in duplicate, sealed with the Seal of the Secretary of State for Scotland, and marked with reference to the particular land described in the Schedule hereto to which it relates, and one copy of each of which plans is deposited, and available for inspection, at the office of the Scottish Office Environment Department, St Andrew’s House, Edinburgh and at the office of the Department of Administration and Legal Services Central Regional Council, Viewforth, Stirling; and

“recorded G.R.S. Clackmannan” means recorded in the Division of the General Register of Sasines for the County of Clackmannan.

Vesting of Land

3. The whole of Central Regional Council’s interest in the land described in the Schedule to this Order is hereby vested in Clackmannan District Council.

St. Andrew’s House,
Edinburgh
19th November 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

SCHEDULE

Article 3

LAND VESTED IN CLACKMANNAN DISTRICT COUNCIL

1. Land at 1 and 2 Kilncraigs Road, Alloa

ALL and WHOLE those subjects extending to 0.24 of an acre or thereby known as 1 and 2 Kilncraigs Road, Alloa lying in the Burgh of Alloa and County of Clackmannan with the whole rights of property effecting thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by and shown delineated and coloured pink on the plan annexed and signed as relative to Disposition by the Provost, Magistrates and Councillors of the Burgh of Alloa in favour of Stirling and Clackmannan Joint Police Board dated 12th December 1966 and recorded G.R.S. Clackmannan 30th December 1966;

2. Land at 60 and 62 Scott Crescent, Alloa

ALL and WHOLE those subjects extending to 0.198 of an acre or thereby known as 60 and 62 Scott Crescent, Alloa lying in the Burgh of Alloa and County of Clackmannan with the whole rights of property effecting thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by and shown coloured pink within red boundary lines on the plan annexed and signed as relative to Disposition by the Provost, Magistrates and Councillors of the Burgh of Alloa in favour of Stirling and Clackmannan Joint Police Board dated 8th September 1958 and recorded G.R.S. Clackmannan 17th September 1958;

3. Land at 70 and 70A Claremont, Alloa

ALL and WHOLE those subjects known as 70 and 70A Claremont, Alloa lying in the Burgh of Alloa and County of Clackmannan with the garden ground, if any, and the whole rights common, mutual and sole effecting thereto and the parts, privileges and pertinents thereof which subjects form part and portion of ALL and WHOLE the subjects lying in the said Burgh and County extending to 0.40 of an acre or thereby described in and disposed by and shown coloured pink within red boundary lines on the plan annexed and signed as relative to Disposition by the Right Honourable John Francis Hervey Erskine, Earl of Mar and Kellie in favour of Stirling and Clackmannan Joint Police Board dated 21st September 1957 and recorded G.R.S. Clackmannan 9th October 1957;

4. Land at 25 and 27 Gordon Drive, Alloa

ALL and WHOLE those subjects extending to 0.22 of an acre or thereby known as 25 Gordon Drive, Alloa and 27 Gordon Drive, Alloa with the whole rights of property effecting thereto and the parts, privileges and pertinents thereof lying in the Burgh of Alloa and County of Clackmannan being the subjects described in and disposed by Disposition by the Provost, Magistrates and Councillors of the Burgh of Alloa in favour of Stirling and Clackmannan Joint Police Board dated 10th December 1962 and recorded G.R.S. Clackmannan 16th February 1963;

5. Land at 3 and 5 Alloa Road, Clackmannan

(First) ALL and WHOLE those subjects extending to 229 square yards or thereby known as 3 Alloa Road, Clackmannan lying in the Parish of Clackmannan and County of Clackmannan with the whole rights of property effecting thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed In the First Place and In the Second Place by and delineated and coloured pink, blue, yellow and green on the plan annexed and signed as relative to Disposition by the Trustees of John Forsyth and Mrs Christina Paterson or Forsyth in favour of Stirling and Clackmannan Joint Police Board dated 10th and 15th May and 4th June 1961 and recorded G.R.S. Clackmannan 19th July 1961; (Second) ALL and WHOLE those subjects extending to 253 square yards or thereby known as 5 Alloa Road, Clackmannan lying in the Parish of Clackmannan and County of Clackmannan with the whole rights of property effecting thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed In the First Place and In the Second Place by and delineated and coloured pink, blue, yellow and green on the plan annexed

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and signed as relative to Disposition by the Trustees of John Forsyth and Mrs Christina Paterson or Forsyth in favour of Stirling and Clackmannan Joint Police Board dated 4th June, 25th July and 11th August 1961 and recorded G.R.S. Clackmannan 2nd September 1961;

6. Land at Main Street, Coalsnaughton

ALL and WHOLE those subjects extending to 0.102 of an acre or thereby known as the Police House, Main Street, Coalsnaughton lying in the Parish of Tillicoultry and County of Clackmannan with the whole rights of property effeiring thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by and delineated and coloured red on the plan annexed and signed as relative to Disposition by the National Coal Board in favour of Stirling and Clackmannan Joint Police Board dated 29th March 1956 and recorded G.R.S. Clackmannan 20th April 1956;

7. Land at 31 Holbourne Place, Menstrie

ALL and WHOLE the dominium utile and the dominium directum of those subjects extending to 0.122 of an acre or thereby known as 31 Holbourne Place, Menstrie lying in the Parish of Alva and County of Clackmannan with the whole rights of property effeiring thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by (a) Disposition by the County Council of the County of Clackmannan in favour of Stirling and Clackmannan Joint Police Board dated 24th March 1954 and recorded G.R.S. Clackmannan 9th April 1954 (Book 353 Folio 187) (in respect of the dominium utile) and (b) Disposition by the Trustees of William McLaren in favour of Stirling and Clackmannan Joint Police Board dated 19th, 23rd and 28th September 1961 and recorded G.R.S. Clackmannan 10th October 1961 (in respect of the dominium directum);

8. Land at 1 Branshill Road and 30 Parkhead Road, Sauchie

ALL and WHOLE the dominium utile and the dominium directum of those subjects extending to 0.18 of an acre or thereby lying in the Parish of Alloa and County of Clackmannan known as 1 Branshill Road and 30 Parkhead Road, Sauchie with the whole rights of property effeiring thereto and the parts, privileges and pertinents thereof being the subjects described (In the Second Place) in and delineated in red and marked II on the plan annexed and signed as relative to Minute of Waiver by the Right Honourable Walter John Francis Erskine in favour of the County Council of the County of Clackmannan dated 22nd March and recorded G.R.S. Clackmannan 6th May 1954 (Book 353 Folio 244);

9. Land at 8A and 8B Devonvale Crescent, Tillicoultry

ALL and WHOLE those subjects extending to 0.11 of an acre or thereby known as 8A and 8B Devonvale Crescent, Tillicoultry in the County of Clackmannan with the garden ground and the whole rights common mutual and sole effeiring thereto and the parts, privileges and pertinents thereof which subjects comprise the area of ground delineated in red on deposited plan A and which subjects form part and portion of ALL and WHOLE the subjects lying in the said County described in and disposed by Feu Charter by Robert George Wardlaw Ramsay in favour of the County Council of the County of Clackmannan dated 3rd July 1900 and recorded G.R.S. Clackmannan 15th August 1900 (Book 135 Folios 25-32);

10. Land at 3 and 5 Stirling Road, Tullibody

ALL and WHOLE those subjects extending to 0.184 of an acre or thereby known as 3 and 5 Stirling Road, Tullibody in the Parish of Alloa and County of Clackmannan with the whole rights of property effeiring thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by and delineated and coloured red on the plan annexed and signed as relative to Disposition by the County Council of the County of Clackmannan in favour of Stirling and Clackmannan Joint Police Board dated 29th November 1961 and recorded G.R.S. Clackmannan 20th December 1961;

11. Land at 126 and 128 Stirling Road, Tullibody

ALL and WHOLE those subjects extending to 0.178 of an acre or thereby known as 126 and 128 Stirling Road, Tullibody in the Parish of Alloa and County of Clackmannan with the whole rights of property effering thereto and the parts, privileges and pertinents thereof being the subjects described in and disposed by and delineated and shown within boundaries coloured red on the plan annexed and signed as relative to Disposition by the Scottish Special Housing Association Limited in favour of Stirling and Clackmannan Joint Police Board dated 1st April 1952 and recorded GRS Clackmannan 26th April 1952;

12. Land at 18 Schaw Court, Sauchie

ALL and WHOLE those subjects extending to 0.149 of an acre or thereby known as 18 Schaw Court, Sauchie in the Parish of Alloa and County of Clackmannan with the whole rights common, mutual and sole effering thereto and the parts, privileges and pertinents thereof which subjects comprise the area of ground delineated in red on deposited plan B and which subjects form part and portion of ALL and WHOLE the subjects lying in the said Parish and County extending to 0.24 acres or thereby described in and disposed by and delineated and coloured pink on the plan annexed and signed as relative to Disposition by the County Council of the County of Clackmannan in favour of Stirling and Clackmannan Joint Police Board dated 30th December 1964 and recorded G.R.S. Clackmannan 23rd January 1965.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 77 of the Housing (Scotland) Act 1987 provides for the making of an Order vesting in public sector landlords land of which such landlords are not the heritable proprietors, where such vesting is necessary to enable tenants to exercise their rights to purchase their dwellinghouses. This Order vests in Clackmannan District Council as landlords certain land in the County of Clackmannan belonging to Central Regional Council in order to enable the District Council's tenants to exercise their rights to purchase their dwelling houses.