



CHAPTER i

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1936, relating to Glasgow Corporation (Parking Meters).

[20th December 1961.]

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 (Parking Meters) Order Confirmation Act, 1961. Short title.

SCHEDULE

GLASGOW CORPORATION (PARKING METERS)

Provisional Order to make provision as to the installation by the Corporation of the city of Glasgow of parking meters on the footpaths of public streets in the said city and for purposes connected therewith.

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

And whereas by the Road Traffic Act, 1960 (hereinafter referred to as "the Act of 1960"), as extended by the Road Traffic and Roads Improvement Act, 1960, provision is made whereby, subject to the making of an order by the Secretary of State pursuant to subsection (9) of section 85 of the Act of 1960 applying subsection (1) of the said section 85 to such area in Scotland as may be specified in any such order, orders (hereinafter referred to as "designation orders") may be made designating parking places on highways in any such area as may be specified as aforesaid and the local authority are authorised to make charges for vehicles left in any parking place so designated:

And whereas it is also enacted by the Act of 1960 that, if it is so provided in any such designation order, there shall be apparatus (hereinafter referred to as "parking meters") whereby the charges payable for vehicles left in the spaces provided in parking places shall be collected:

And whereas it is expedient, in the event of subsection (1) of section 85 of the Act of 1960 being made applicable to the city or any part thereof and of any designation order being made thereunder relative to the city or any part thereof, that provision should be made for the installation, operation and maintenance by the Corporation in accordance with the provisions of this Order of parking meters whereby the charges payable in respect of vehicles left in the spaces provided in the parking places specified in any such designation order may be collected:

And whereas the purposes aforesaid cannot be effected without an order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act, 1936:

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

Short and collective titles. 1. This Order may be cited as the Glasgow Corporation (Parking Meters) Order 1961 and this Order shall be included among the Acts and Orders which may be cited together as the Glasgow Corporation Acts 1855 to 1961.

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

“ Act of 1960 ” means the Road Traffic Act, 1960;

“ city ” means the city and royal burgh of Glasgow;

“ Corporation ” means the Corporation of the city of Glasgow;

“ designation order ” means any order designating parking places in the city made by the Secretary of State on the application of the Corporation pursuant to subsection (1) of section 85 of the Act of 1960 or (in the event of the Secretary of State by order under subsection (7) of section 5 of the Road Traffic and Roads Improvement Act, 1960, making provision for enabling designation orders being made by the local authority instead of by the Secretary of State) by the Corporation;

“ designated parking place ” means any area designated as a parking place in a designation order;

“ footpath ” in relation to a public street means the footway or foot pavement adjoining or abutting on the carriageway of such public street;

“ parking meter ” means apparatus of the description mentioned in subsections (4) and (6) of section 86 of the Act of 1960;

“ public street ” means a street entered in the register of public streets kept in pursuance of the provisions of the Glasgow Streets Sewers and Buildings Consolidation Order 1937.

3. In the event of an order being made by the Secretary of State under the provisions of subsection (9) of section 85 of the Act of 1960 (which relates to the provision on highways of parking places where charges are made) applying to the city or any part thereof subsection (1) of the said section, the term “ highway ” in the said subsection (1) shall, for the purposes of—

As to provision of parking meters on footpaths.

(a) the application to the city or to any such part thereof of the said subsection (1) and the provisions of the Act of 1960 mentioned therein as extended and amended by the Road Traffic and Roads Improvement Act, 1960; and

(b) any designation order;

include, in addition to the carriageway of every public street in the city or in any part thereof to which the said subsection (1) is made applicable as aforesaid and of every public street or part thereof specified in any designation order, the footpath or footpaths adjoining or abutting on the same and the Corporation may, accordingly, (subject to the provisions of any designation order and subject to the provisions of section 4 (Power to break open footpaths for installation etc., of parking meters) of this Order) instal, maintain and operate parking meters on the footpath or footpaths adjoining or abutting on every public street or part thereof specified as aforesaid.

4.—(1) The Corporation may, for the purpose of installing and maintaining parking meters on so much of any footpath as forms part of a designated parking place, break open such part of such footpath and any cellar or vault below or sewer, drain or tunnel in or under the same and may remove the soil or other materials in or under any such part of any such footpath.

Power to break open footpaths for installation etc. of parking meters.

(2) The provisions of Part I of the Third Schedule to the Water (Scotland) Act, 1946, with respect to the breaking open of streets shall with any necessary adaptations and modifications extend and apply to the Corporation in respect of the exercise of the powers conferred upon them by this section.

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Costs of Order.

5. 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 charged against the highways department of the Corporation.

Table of Statutes referred to in this Act

Short title	Session and chapter
Private Legislation Procedure (Scotland) Act, 1936	26 Geo. 5 & 1 Edw. 8 c. 52.
Water (Scotland) Act, 1946	9 & 10 Geo. 6 c. 42.
Road Traffic Act, 1960	8 & 9 Eliz. 2 c. 16.
Road Traffic and Roads Improvement Act, 1960	8 & 9 Eliz. 2 c. 63.

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ARRANGEMENT OF SECTIONS

Section

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

SCHEDULE

GLASGOW CORPORATION (PARKING METERS)

1. Short and collective titles.
2. Interpretation.
3. As to provision of parking meters on footpaths.
4. Power to break open footpaths for installation etc. of parking meters.
5. Costs of Order.

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