



CHAPTER cxvii.

An Act to confirm a Provisional Order by the Secretary for Scotland relating to the Burgh of Borrowstounness. A.D. 1899.

[13th July 1899.]

WHEREAS the Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Housing of the Working Classes Act 1890 and it is necessary that the said Order should be confirmed by Parliament: 53 & 54 Vict.
c. 70.

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 shall be and the same is hereby confirmed. Confirma-
tion of Order
in schedule.

2. This Act may be cited as the Borrowstounness Improvement Order Confirmation Act 1899. Short title.

A.D. 1899.

SCHEDULE.

BURGH OF BORROWSTOUNNESS.

Provisional Order for confirming an Improvement Scheme under Part I. of the Housing of the Working Classes Act 1890 relating to the Burgh of Borrowstounness.

WHEREAS the Provost Magistrates and Council of the Burgh of Borrowstounness as Commissioners of the said Burgh under the Burgh Police (Scotland) Act 1892 being the local authority therein under the Public Health (Scotland) Act 1897 and under the Housing of the Working Classes Act 1890 presented to me the Right Honourable Alexander Hugh Lord Balfour of Burleigh Her Majesty's Secretary for Scotland a petition praying that an order might be made confirming a scheme prepared by the said local authority under Part I. of the said Act for the improvement of a certain area within the said burgh:

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

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

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

And whereas before commencing such inquiry the said Frederick Bailey made public by advertisement his intention to make such inquiry and stated the time and place at which he would be prepared to hear all the persons desirous of being heard on the subject thereof in accordance with the provisions of section 18 of the said Act:

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

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

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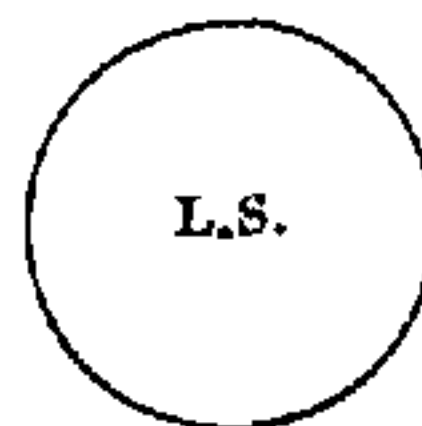
Now therefore in pursuance of the powers vested in me by the said Act I do hereby confirm the said scheme and authorise the same to be carried into execution subject to the following modifications:—

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- (1) The property numbered 12 on the map shall notwithstanding anything shown on the map be held to be coloured blue thereon instead of red;
- (2) The Commissioners shall not eject or displace within any period of six months in the area any number of persons of the labouring classes exceeding fifty without having first obtained a joint report from the Burgh Surveyor and the Medical Officer of Health of the Burgh that suitable accommodation is available for such persons to be so displaced.

BALFOUR OF BURLEIGH.

Scottish Office Whitehall
29th April 1899.



BURGH OF BORROWSTOUNNESS.

SCHEME made by the Provost Magistrates and Council of the Burgh of Borrowstounness as Commissioners of the said Burgh under the Burgh Police (Scotland) Act 1892 and Local Authority therein under the Public Health (Scotland) Act 1897 and under the Housing of the Working Classes Act 1890.

1.—This Scheme may be cited as the Borrowstounness (Housing of the Working Classes Act) Improvement Scheme 1899.

2.—In this Scheme the following expressions shall have the meanings hereby assigned to them “The burgh” means the burgh of Borrowstounness “the Commissioners” mean the Commissioners of the burgh of Borrowstounness “the town clerk” and “burgh surveyor” mean the town clerk and burgh surveyor respectively of the burgh of Borrowstounness “the map” means the map which accompanies this Scheme “the area” means the area as coloured in sections red blue and green respectively on the map.

3.—The unhealthy area included in this Scheme is the area delineated and coloured red on the map The sections coloured blue on the map are included in the Scheme as necessary in the opinion of the Commissioners to make it efficient for sanitary purposes and the sections A1 and A2 delineated and coloured green on the map are necessary in the opinion of the Commissioners for providing and widening the existing approaches to and through the unhealthy area or for opening out the same for the purposes of ventilation or health.

The area and sections herein-before referred to are respectively delineated and indicated on the map and lie within the burgh of Borrowstounness parish of Borrowstounness and Carriden and county of Linlithgow.

A duplicate of the map is deposited at the office of the town clerk and a copy of the map or any part or parts thereof certified by the burgh surveyor shall be received in all courts of justice or elsewhere as evidence of the contents thereof respectively.

4.—The Commissioners may for the purposes of this Scheme and from time to time enter upon purchase take compulsorily and deal with all or any of the lands houses and

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A.D. 1899. buildings within the area and take down and clear away the materials of all such houses and buildings.

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

- (1) A widening extension and improvement of the close or lane known as the "Vennel" running between North Street and South Street of the burgh;
- (2) A widening extension and improvement of the lane or close known as "Society Wynd" extending also from the North Street to the South Street of the burgh;
- (3) A widening extension and improvement of South Street on the north side thereof for a distance of eighty-five yards or thereby and such other streets courts approaches communications alterations of levels stopping up widening or diverting of existing streets lanes and closes and otherwise as may hereafter be determined by the Commissioners to be necessary or proper for the purposes of this Scheme.

All these street improvements and widenings will lie and be within the burgh of Borrowstounness parish of Borrowstounness and Carriden and county of Linlithgow.

6.—In laying out the widened and extended streets and executing the approaches and communications shown on the map the Commissioners may deviate from the lines shown on the map to any extent within the limits of the area and beyond those limits with the consent of the owners lessees and occupiers of the lands through which a deviation is made but not otherwise.

7.—The Commissioners may from time to time appropriate any part of the area and also any lands for the time being belonging to them or of which they may have power to acquire for the erection of suitable dwellings for the accommodation of persons of the working classes who will be from time to time displaced within the area.

8.—The Commissioners may sell feu or lease any surplus land with the buildings and erections thereon which may not be required by them for the purposes of this Scheme to any person or persons and that at such rate rent feu duty or price as may be agreed upon between the parties and failing agreement then the same may be disposed of by public sale.

9.—All dwelling-houses or buildings to be erected in accordance with this Scheme shall be well and substantially built and shall be so situated and constructed so as to secure efficient ventilation and shall be furnished with a proper water supply and with proper drainage and other sanitary appliances and apparatus all to the satisfaction of the Commissioners and shall be subject to the provisions of the said Public Health (Scotland) Act 1897 of the said Housing of the Working Classes Act 1890 and of the Burgh Police (Scotland) Act 1892 or other Police Act in force for the time and the Commissioners may enforce the execution and maintenance of all other proper sanitary arrangements.

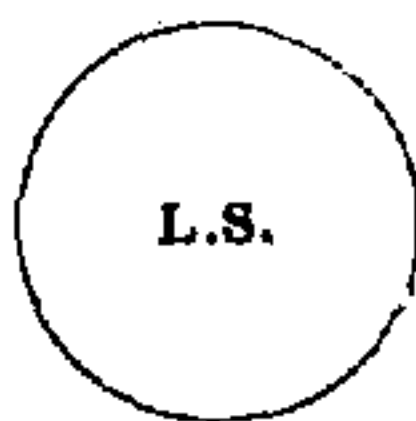
10.—The Commissioners shall as soon as practicable after the passing of the Act authorising this Scheme proceed to carry the same into execution but they may from time to time purchase and deal with parts and portions of the lands within the area without being required to purchase and deal with the whole of the lands within the area.

11.—The Commissioners may in carrying out any of the purposes of this Scheme form any part or parts of the area as they may consider necessary into and may maintain or require the same to be maintained as open spaces or they may sell or dispose of the

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lands or property herein-before authorised to be dealt with by them or any part of the same. A.D. 1899.

12.—The costs charges and expenses of and incident to the preparation of this Scheme and the obtaining of the relative Provisional Order and confirmation by Parliament and the expenses of the execution of this Scheme so far as not defrayed out of moneys received by the Commissioners pursuant to the Housing of the Working Classes Act 1890 shall be paid by the Commissioners out of the local rate defined in the said Act to be imposed by them under the provisions of the said Public Health (Scotland) Act 1897 or out of moneys borrowed for the purposes of the said Housing of the Working Classes Act or out of any other moneys which the Commissioners may have under their control Provided always that in repaying moneys so borrowed for the purposes of this Scheme the Commissioners shall set apart as a sinking fund for the repayment of the same not less than one-fiftieth part each year of the sum borrowed.



Dated at Borrowstounness in the county of Linlithgow Scotland and the Seal of the Burgh hereunto affixed this Eighth day of November One thousand eight hundred and ninety-eight.

ROBT. J. JAMIESON
 Town Clerk.

ESTIMATE of Cost of the Scheme made by the Provost Magistrates and Council of the Burgh of Borrowstounness as Commissioners of the said burgh under the Burgh Police (Scotland) Act 1892 and Local Authority therein under the Public Health (Scotland) Act 1897 and under the Housing of the Working Classes Act 1890 :—

	<i>£</i>	<i>s.</i>	<i>d.</i>
Cost of acquiring the lands and buildings for the purposes of the Scheme clearing the sites and incidental works including the cost of widening extending paving and improving the streets making sewers and laying water pipes	8,000	0	0
Estimated value of surplus lands available for re-sale feu or rent-charge (exclusive of cost of Scheme Provisional Order and confirming Act)	4,000	0	0
Net cost of Scheme	4,000	0	0

JOHN P. LAWRIE
 Burgh Surveyor.

Borrowstounness
 8th November 1898.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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