CHAPTER xiv.

An Act to authorise the Ascot District Gas and Electricity Company to acquire certain lands compulsorily and for other purposes. [27th July 1944.]

WHEREAS the Ascot District Gas and Electricity Company (hereinafter referred to as " the Company ") were by the Ascot District Gas Act 1882 incorporated by the name of the Ascot District Gas Company and authorised to supply gas in certain parishes in the counties of Berks and Surrey: 45 & 46 Vict. c. cli.

And whereas by the Ascot District Gas and Electricity Act 1906 the limits within which the Company were authorised to supply gas were extended and the Company were authorised to supply electricity in certain parishes in the said counties and the name of the Company was changed to their present name: 6 Edw. 7. c. cxlvi.

And whereas by the Ascot District Electricity (Extension) Special Order 1933 the limits within which the Company were authorised to supply electricity were extended:

And whereas the Company were authorised by the said Ascot District Gas Act 1882 to manufacture and store gas and to manufacture and convert residual products resulting from the manufacture of gas upon certain lands comprising about three acres in the parish of Sunninghill in the rural district of Windsor in the county of Berks and no further powers of using lands for the said purposes have been conferred upon the Company since the passing of the said Act:

And whereas under powers conferred by the said Ascot District Gas and Electricity Act 1906 the Company have appropriated and used part of the said lands for the erection of a generating station and other purposes of their electricity undertaking:

And whereas for many years before as well as during the period subsequent to the outbreak of the present war the demands for the supply of gas and electricity by the Company have substantially increased:

And whereas the said lands in the parish of Sunninghill have been fully utilised for the purposes of the gas and electricity undertakings of the Company and the space available on those lands for the manufacture and storage of gas the storage of coal and coke for the purposes of those undertakings and the carrying on of essential processes in connection with the manufacture of gas and residual products and the supply of electricity is insufficient for the existing requirements of the Company and is so limited as to prevent the Company from meeting efficiently and economically any future increase in the demand for supplies of gas and electricity:

And whereas the only land available for an extension of the existing works of the Company adjoins the site of those works on the south-western and south-eastern sides thereof but the Company have been unable to acquire the said adjoining land by agreement:

And whereas it is expedient that the Company should be empowered as provided by this Act to acquire the said adjoining land and to utilise the same for the purposes of their gas and electricity undertakings:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas a plan showing the lands authorised by this Act to be acquired or used and a book of reference to the said plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerk of the county council of the administrative county of Berks which plan and book of reference are in this Act respectively referred to as the deposited plan and book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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:—

Short and collective titles.

1. This Act may be cited as the Ascot District Gas and Electricity Act 1944 and the Ascot District Gas and Electricity Acts and Orders 1882 to 1935 and this Act may be cited together as the Ascot District Gas and Electricity Acts and Orders 1882 to 1944.

2. The following Acts and parts of Acts (that is to say):— Incorporation of Acts.

The Companies Clauses Consolidation Act 1845;

The Lands Clauses Acts with the following exception and modification:— 8 & 9 Vict. c. 16.

(*a*) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act; 8 & 9 Vict. c. 18.

(*b*) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the Company and shall be sufficient without the addition of the sureties mentioned in that section;

The Gasworks Clauses Act 1847 except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit; 10 & 11 Vict. c. 15.

The Gasworks Clauses Act 1871 except section 6 thereof; 34 & 35 Vict. c. 41.

so far as they are applicable for the purposes of and are not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

3. In this Act unless the subject or context otherwise requires terms to which meanings are assigned by the Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act (unless varied thereby) the same respective meanings And— Interpretation.

"the Company" means the Ascot District Gas and Electricity Company;

"the gas undertaking" means the gas undertaking of the Company as authorised from time to time;

"the electricity undertaking" means the electricity undertaking of the Company as authorised from time to time;

"the undertaking" means the gas undertaking and the electricity undertaking;

"the scheduled lands" means the lands described in the schedule to this Act.

4. Subject to the provisions of this Act the Company may for the purposes of the undertaking enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference. Power to acquire lands.

5. For the protection of Frank Parkinson or other the owner or owners for the time being of the lands delineated on the For protection of Mr. F. Parkinson.

deposited plan the following provisions shall have effect (that is to say):—

The area of land which the Company may acquire compulsorily under the powers of this Act shall be reduced by the exclusion from the limits of land to be acquired as shown on the deposited plan of—

(*a*) a strip of land having a uniform width of nine feet along the south-western boundary; and

(*b*) a strip of land having a uniform width of twenty-five feet along the south-eastern boundary.

Construction and maintenance of gasworks.

6. The Company may on the scheduled lands so long as they are possessed of those lands erect alter improve renew and maintain gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making storing and supplying gas and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them or purchased by them under the powers conferred by section 4 of the Gas Undertakings Act 1929 and for this purpose the Company may purchase from any source and use such material as is required to work up and convert any such residual products.

19 & 20 Geo. 5. c. 24.

As to application of Town and Country Planning Acts &c.

22 & 23 Geo. 5. c. 8.

6 & 7 Geo. 6. c. 29.

7. The provisions of the Town and Country Planning Act 1932 (in this section referred to as "the Act of 1932") the Town and Country Planning (Interim Development) Act 1943 and any interim development order or scheme made under either of those Acts or under any enactment repealed by the Act of 1932 and for the time being in force in the rural district of Windsor shall have effect with reference to the scheduled lands as if this Act had been passed and those lands had been acquired by the Company before the commencement of the Act of 1932.

Consent of Electricity Commissioners

9 & 10 Geo. 5. c. 100.

8. Nothing in this Act shall relieve the Company from the necessity for obtaining the consent of the Electricity Commissioners under section 11 of the Electricity (Supply) Act 1919 to the erection or construction of any new or the extension of any existing generating station.

Costs of Act.

9. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be charged against revenue.

The SCHEDULE referred to in the foregoing Act.

GAS LANDS.

Lands in the parish of Sunninghill in the rural district of Windsor in the county of Berks comprising an area of 3.08 acres or thereabouts and consisting of the enclosure numbered 706 and parts of the enclosures numbered 706a and 746a on the 1/2500 Ordnance map (revision of 1937) Berkshire sheet XLVII.4 such lands being bounded on the north-east in part by land belonging or reputed to belong to the Company and in other part by land belonging or reputed to belong to the Southern Railway Company on the north-west in part by the south-eastern boundary of land belonging or reputed to belong to the rural district council of Windsor and forming part of the enclosure numbered 704 on the said Ordnance map and in other part by an imaginary straight line drawn in continuation of the last-mentioned boundary in a south-westerly direction through the said enclosure numbered 706a to the south-western boundary of that enclosure on the south-west by the south-western boundaries of the said enclosures numbered 706 and 706a and an imaginary line in continuation thereof to the south-eastern boundary of the said enclosure numbered 746a and on the south-east by the south-eastern boundary of the said enclosure numbered 746a.

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