CHAPTER lxi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Aboyne and District Ballater and Ellon. [8th July 1914.]

A.D. 1914.

WHEREAS under the authority of the Electric Lighting Acts 1882 to 1909 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act: 45 & 46 Vict. c. 56. 51 & 52 Vict. c. 12. 53 & 54 Vict. c. 13. 2 Edw. 7. c. 35. 9 Edw. 7. c. 34.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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:—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 3) Act 1914. Short title.

2. The several Orders as amended and set out in the schedule to this Act are hereby confirmed and the same shall from and after the passing of this Act have full validity and effect. Orders in schedule confirmed.

A.D. 1914.

SCHEDULE.

LIST OF ORDERS.

1. ABOYNE AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 to 1909 to James Duncan.

2. BALLATER.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 to 1909 to James Duncan.

3. ELLON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 to 1909 to James Duncan.

ABOYNE AND DISTRICT ELECTRIC LIGHTING.

A.D. 1914.

Aboyne and District.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 *to* 1909 *to James Duncan in respect of the Aboyne Special Lighting District and certain parts of the parishes of Birse and Aboyne and Glentanner in the County of Aberdeen.*

Short title.

1. This Order may be cited as the Aboyne and District Electric Lighting Order 1914.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.

Undertaker.

3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is James Duncan Esquire of Tillycorthie Aberdeenshire.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade Provided that in case of difference between the description in the First Schedule and the area as delineated on the said map the latter shall prevail.

Powers not to be exercised unless undertaking transferred to a registered company.

5.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the passing of the Act confirming this Order the Undertaker transfers the undertaking to a company registered under the Companies Acts 1908 and 1913.

(2) Within that period the Undertaker may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board.

(3) On such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

A.D. 1914.

Aboyne and District.

(4) If the transfer has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period.

Power to break up streets.

6. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order.

Compulsory works.

7. The parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Maximum prices.

8. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Deposit.

9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one hundred pounds.

Purchase by local authority.

10.—(1) The local authority may if they think fit on giving twelve months' previous notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order including all lands buildings works materials and plant of the Undertakers suitable to and used by them for the purposes of the undertaking at the periods and on the terms hereinafter mentioned (that is to say):—

(A) At the expiration of six or thirteen years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to fifteen per centum thereon and with the addition also of such sum if any as shall be necessary to increase the net profits earned by the undertaking to five per centum per annum:

(B) At the expiration of sixteen or twenty years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to ten per centum thereon:

(C) At the expiration of twenty-seven years from the commencement of this Order and at the expiration of every subsequent year thereafter and before the expiration of forty-two years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers.

(2) If any question arises with regard to the price to be paid as aforesaid the same shall be determined by arbitration.

(3) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(4) On the date on which the purchase takes effect the undertaking including the said lands buildings works materials and plant shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order shall absolutely cease and determine and shall vest in the local authority.

(5) Nothing in this section shall affect the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

Commencement of Order.

11. Except for the purpose of enabling the said transfer to be made this Order shall not come into force until the day when the transfer takes effect and that day shall be the commencement of this Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

1. The Aboyne Special Lighting District.
2. So much of the parish of Aboyne and Glentanner as is included within a radius of one mile from the public school of Aboyne but is not included in the said Aboyne Special Lighting District.
3. So much of the parish of Birse as is included within the said radius.

SECOND SCHEDULE.

Streets not repairable by the local authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

1. St. Eunans Road leading from back of Church Road to Ladies Park Branch Road.

A.D. 1914.

Aboyne and District.

2. Lane connecting St. Eunans Road with Aberdeen-Braemar Road.
3. Lane connecting back of Church Road with Aberdeen-Braemar Road.
4. Road leading from Aberdeen-Braemar Road to the Pinewood Private Hotel.
5. Lane leading off Road No. 4 above and terminating at Lane No. 2 above.
6. Lane leading off Lane No. 2 above and terminating at Joiner's Shop.
7. Lane connecting Aboyne Bridge Road with back of Church Road.
8. Lane leading off Lane No. 7 above and terminating at its junction with Ladies Park Road.
9. Road leading off Ladywood Road to Entrance Gates of Runahaven.
10. Road leading from Aberdeen-Braemar Road towards Aboyne Castle terminating at (but not including) bridge over railway.
11. Lane leading from Aboyne Bridge Road to Police Station.
12. Lane leading from Aboyne Bridge Road to Hotel farm steading.
13. Lane leading off station access road to Auction Mart and Hotel farm steading.
14. Aboyne Golf Road from Aberdeen-Braemar Road to Aboyne Golf Course.
15. Lane from Aberdeen-Braemar Road to Aboyne Corn Mill.
16. Road leading from Aberdeen-Braemar Road at a point opposite Hospital Road to lane leading off Station Square to Irrigation Farm.
17. Hospital Road from Aberdeen-Braemar Road.
18. Road leading from back of Church Road to St. Eunans Road.
19. Road leading off South Deeside Road at a point near Sawmills extending in a westerly direction crossing Fungall Road and terminating at back entrance to Allt Dunie.
20. Road connecting Road No. 19 above with South Deeside Road.
21. Lane connecting Road No. 19 above with South Deeside Road.

THIRD SCHEDULE.

Parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order.

Aboyne Bridge Road from Huntly Arms Hotel to the Suspension Bridge.

Aberdeen-Braemar Road from Huntly Arms Hotel to a point opposite the road leading to the East Lodge to Aboyne Castle.

FOURTH SCHEDULE.

Maximum Prices.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electromotive force of one volt during one hour.

Section 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

Section 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

BALLATER ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 *to* 1909 *to James Duncan in respect of the Burgh of Ballater in the County of Aberdeen.* *Ballater.*

1. This Order may be cited as the Ballater Electric Lighting Order 1914. Short title.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.

3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is James Duncan Esquire of Tillycorthie Aberdeenshire. Undertaker.

A.D. 1914.

Ballater.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade.

Powers not to be exercised unless undertaking transferred to a registered company.

5.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the passing of the Act confirming this Order the Undertaker transfers the undertaking to a company registered under the Companies Acts 1908 and 1913.

(2) Within that period the Undertaker may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board.

(3) On such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

(4) If the transfer has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period.

Power to break up streets.

6. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in the Second Schedule to this Order.

Compulsory work.

7. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Maximum prices.

8. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Deposit.

9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one hundred pounds.

Purchase by local authority.

10.—(1) The local authority may if they think fit on giving twelve months' previous notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order including all lands buildings works materials and plant of the Undertakers suitable to and used by them for the purposes of the undertaking at the periods and on the terms hereinafter mentioned (that is to say):—

(A) At the expiration of six or thirteen years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to fifteen per centum thereon and with the addition also of such sum if any as shall be necessary to increase the net profits earned by the undertaking to five per centum per annum:

(B) At the expiration of sixteen or twenty years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to ten per centum thereon:

(C) At the expiration of twenty-seven years from the commencement of this Order and at the expiration of every subsequent year thereafter and before the expiration of forty-two years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers.

(2) If any question arises with regard to the price to be paid as aforesaid the same shall be determined by arbitration.

(3) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(4) On the date on which the purchase takes effect the undertaking including the said lands buildings works materials and plant shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall absolutely cease and determine and shall vest in the local authority.

(5) Nothing in this section shall affect the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

Commencement of Order.

11. Except for the purpose of enabling the said transfer to be made this Order shall not come into force until the day when the transfer takes effect and that day shall be the commencement of this Order.

A.D. 1914.

Ballater.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The burgh of Ballater as constituted at the commencement of this Order.

SECOND SCHEDULE.

Streets and parts of streets not repairable by the local authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Salisbury Road.
Golf Road from Salisbury Road to Old Golf Pavilion.
Deebank Road from Salisbury Road to Brackley Road.
Dundarroch Road leading from Invercauld Road.
Station Square, Monaltrie Road } except so far as the same belong to the Great North of Scotland Railway Company.

THIRD SCHEDULE.

Streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order.

Bridge Street Netherley Place Viewfield Road Victoria Road (from Bridge Street to Brackley Road) Golf Road (from Bridge Street to Brackley Road).

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electromotive force of one volt during one hour.

Section 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

Section 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

ELLON ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 *to* 1909 *to James Duncan in respect of the Burgh of Ellon in the County of Aberdeen.*

Short title.

1. This Order may be cited as the Ellon Electric Lighting Order 1914.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.

Undertaker.

3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is James Duncan Esquire of Tillycorthie Aberdeenshire.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade.

Powers not to be exercised unless undertaking

5.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the

A.D. 1914.

Ellon.

transferred to a registered company.

passing of the Act confirming this Order the Undertaker transfers the undertaking to a company registered under the Companies Acts 1908 and 1913.

(2) Within that period the Undertaker may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board.

(3) On such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

(4) If the transfer has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period.

Power to break up streets.

6. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in the Second Schedule to this Order.

Compulsory works.

7. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Maximum prices.

8. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Deposit.

9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one hundred pounds.

Purchase by local authority.

10.—(1) The local authority may if they think fit on giving twelve months' previous notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order including all lands buildings works materials and plant of the Undertakers suitable to and used by them for the purposes of

the undertaking at the periods and on the terms hereinafter mentioned (that is to say):—

(A) At the expiration of six or thirteen years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to fifteen per centum thereon and with the addition also of such sum if any as shall be necessary to increase the net profits earned by the undertaking to five per centum per annum:

(B) At the expiration of sixteen or twenty years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers with the addition of an amount equal to ten per centum thereon:

(C) At the expiration of twenty-seven years from the commencement of this Order and at the expiration of every subsequent year thereafter and before the expiration of forty-two years from the commencement of this Order at a price equal to the amount of capital properly expended by the Undertakers.

(2) If any question arises with regard to the price to be paid as aforesaid the same shall be determined by arbitration.

(3) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(4) On the date on which the purchase takes effect the undertaking including the said lands buildings works materials and plant shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order shall absolutely cease and determine and shall vest in the local authority.

(5) Nothing in this section shall affect the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

Commencement of Order.

11. Except for the purpose of enabling the said transfer to be made this Order shall not come into force until the day when the transfer takes effect and that day shall be the commencement of this Order.

A.D. 1914.

Ellon.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The burgh of Ellon as constituted at the commencement of this Order.

SECOND SCHEDULE.

Streets and parts of streets not repairable by the local authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Lane leading from Castle Road to River Ythan lane leading from the Square to River Ythan lane leading from Market Street to River Ythan New Inn Close from Market Street to Station Road Long Close from New Inn Close to Square Feu Cottage Road from School Hill to Station Road lane leading from Station Road between Police Station and backs of Bridge Street houses Kirk Lane leading from Station Road to Ythan Terrace Water Lane leading from Station Road to Ythan Terrace Union Lane leading from Station Road to Ythan Terrace lane leading from Ythan Terrace to field at back of Tennis Court lane from Union Street leading past U.F. Church then in front of Schoolhill Gardens and then past Public School to Union Street lane from Station Road past Poor's Lodging House to Gordon Public Park lane from Station Road past Longley to Gordon Public Park road from Station Road to Torlundie House road past the Station Hotel from the east side of the said hotel to Commercial Road West Lane from Station Road to Ythanside Auction Mart lane from Station Road to Foresters Terrace iane from Commercial Road in front of Anderson's Buildings lane from Commercial Road to Beachlea and thence to Burgh Boundary lane from Station Road to Ogston's Croft road leading from Bridge Street past the back of the Public School and Schoolhill.

THIRD SCHEDULE.

Streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order.

Market Street west side of the Square Bridge Street from Market Street to Station Road Station Road from the Railway Bridge to the Square.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electromotive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

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