CHAPTER xciv.

An Act to empower the Saint James' and Pall Mall Electric Light Company Limited to acquire lands and erect generating stations and for other purposes. A.D. 1899.

[13th July 1899.]

WHEREAS the Saint James' and Pall Mall Electric Light Company Limited (herein-after called "the Company") are by the Saint James' Electric Lighting Order 1890 authorised to supply electricity within the parish of Saint James Westminster in the county of London and under the provisions of that Order are now supplying electricity accordingly:

And whereas the demand for electricity within the area of supply of the Company has largely increased and is increasing:

And whereas in order to enable the Company to meet the increasing demand for electricity within their area of supply it is expedient that power be conferred upon the Company to purchase acquire and hold and erect generating and transforming stations on the lands described in the schedule to this Act:

And whereas a plan showing the said lands and a book of reference to such plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the county of London and are herein-after referred to as the deposited plan and book of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it 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. This Act may be cited as the Saint James' and Pall Mall Electric Light Company's Act 1899. Short title.

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Incorporation of Acts.

2. The Lands Clauses Acts are except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Power to take lands and erect generating stations thereon.

4. The Company may enter upon take hold and use the lands delineated on the deposited plan and described in the deposited book of reference and in the schedule to this Act annexed and may thereon or on any part thereof erect maintain work and use a station or stations for generating transforming transmitting and distributing electrical energy with all necessary dynamos batteries accumulators engines plant machinery works and conveniences for that purpose and may on such lands generate transform transmit and distribute such energy accordingly for the purpose of supply within their area of supply as for the time being existing.

Power to stop up streets.

5. The Company may stop up and discontinue for public use the street known as Marlborough Row and the passage leading from Carnaby Street to Marlborough Row in the parish of Saint James Westminster in the county of London and upon the stopping up and discontinuance for use of the said street and passage respectively the sites and soil thereof shall be by this Act vested in the Company freed from all public and other rights of way or passage or other rights in over or affecting the same Provided that the Company shall not stop up or discontinue the said street or passage unless and until they are owners in possession of the houses and lands on both sides thereof.

As to widening of Ganton Street.

6. Before stopping up Marlborough Row under the powers of this Act the Company shall set back the buildings on the south-east side of Ganton Street between Marlborough Row and Marshall Street so as to make that part of Ganton Street of the width of thirty-five feet and shall also pay to the vestry the value of so much of the land on the north-west side of Ganton Street as shall be required to widen that street between West Street and Carnaby Street to the width of twenty-five feet and the cost of the works necessary for making Ganton Street of such respective widths between the aforesaid points respectively in conformity with the remainder of the said street such value and cost if not agreed upon to be settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Surveyors.

As to unloading coals &c.

7. The Company shall not at any time hereafter unload coal or stores or permit their carts or vehicles to remain standing anywhere in Ganton Street between West Street and Carnaby Street.

Correction of errors &c. in deposited plan and book of reference.

8. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Company may after ten days notice to the owners lessees and occupiers of the lands in question apply to a metropolitan police magistrate for the correction thereof and if it appear to such magistrate that the omission misstatement or wrong description arose from mistake he shall certify the same accordingly and he shall in such certificate state the particulars of any such omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of London and such certificate shall be kept by such clerk of the peace along with the other documents to which the same relates and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and the Company may take the lands and execute the works in accordance with such certificate.

Restrictions on displacing persons of labouring class.

9.—(1) The Company shall not under the powers of this Act purchase or acquire twenty or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(A) They shall have obtained the approval of the Secretary of State for the Home Department to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the said Secretary of State shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) They shall have given security to the satisfaction of the said Secretary of State for the carrying out of the scheme.

(2) The approval of the said Secretary of State to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State has approved of any such scheme

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he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the said Secretary of State may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State may have approved of any scheme or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State out of the High Court.

(5) If the Company acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require.

(7) The Company may on any lands belonging to them or purchased or acquired under this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys being in their hands or which they have power to raise :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such

scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the said Secretary of State may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he may see fit.

(8) All buildings erected or provided by the Company for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 and the Metropolis Management Act 1855 and any Act or Acts amending those Acts respectively.

(9) The said Secretary of State may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and may appoint or employ inspectors and the inspectors so appointed or employed shall for the purpose of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries by that Board under the Public Health Act 1875.

(10) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(11) Any houses on any of the lands shown on the deposited plans occupied on the fifteenth day of December last or since that day by persons of the labouring class which may be acquired by or on behalf of the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act.

(12) For the purposes of this section the expression "labouring class" in this section means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Power to take easements &c. by agreement.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and

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the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Period for compulsory purchase of lands.

11. The powers by this Act conferred upon the Company for the compulsory purchase of lands shall cease after the expiration of three years after the passing of this Act.

As to flanks of houses demolished.

12. The Company shall not where any house or building has been demolished by them leave the flanks thereof or of any adjoining structures in an unsightly condition after the completion of the works authorised by this Act.

Company not exempt from provisions of London Building Act.

13. Nothing in this Act shall be deemed to exempt the Company or any buildings on the lands by this Act authorised to be acquired by the Company from any of the provisions of the Metropolis Management Acts for the time being in force or from any of the provisions of the London Building Act 1894 and any Act amending the same.

Act not to affect rights of county council.

14. Nothing in this Act shall affect the powers given to the London County Council under the Saint James' Electric Lighting Order 1890.

Copy of Act to be registered.

15. The Company shall deliver to the registrar of joint stock companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

Expenses of Act.

16. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

Certain lands houses and buildings containing three roods eleven perches or thereabouts bounded by Marshall Street on the north-east Ganton Street on the north-west Carnaby Street on the south-west and on the south-east in part by the house known as No. 8 Carnaby Street and in other part by the yard and passage on the north-west side of the house known as Marshall House Marshall Street.

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