



## CHAPTER cvii.

An Act to confer further powers upon the County of London Electric Supply Company Limited with reference to the supply of electricity in the county of Essex and with reference to their existing areas of supply and for other purposes. A.D. 1927.

[29th July 1927.]

**W**HEREAS the County of London Electric Supply Company Limited (hereinafter referred to as "the Company") are a company to which the Companies Acts 1908 to 1917 apply and are authorised by various special Acts and Orders to supply electricity within parts of the administrative county of London and of the counties of Surrey and Essex :

And whereas under powers conferred by the Romford and District Electric Lighting Order 1913 as amended or extended by the County of London Electric Supply Company's Act 1918 and by the County of London Electric Supply Company's Act 1921 and in pursuance of a consent granted by the Electricity Commissioners under the Electricity (Supply) Act 1919 the Company have recently erected a generating station at Barking in the said county of Essex from which a supply of electricity is available for use in that county :

And whereas it is expedient that the powers contained in this Act with respect to the supply of electricity in the said county of Essex should be conferred upon the Company :

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— And whereas it is expedient that the powers and provisions contained in this Act with respect to the existing undertakings of the Company and the areas of supply for the purposes thereof should be conferred and enacted :

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

And whereas the purposes aforesaid 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 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 (that is to say) :—

## PART I.

### PRELIMINARY.

Short title.

1. This Act may be cited as the County of London Electric Supply Company's Act 1927.

Act divided into Parts.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Supply in Essex.

Part III.—General provisions.

Interpretation.

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

“ The Company ” means the County of London Electric Supply Company Limited who shall for the purposes of this Act be the undertakers within the meaning of the principal Acts ;

“ The principal Acts ” means the Electricity (Supply) Acts 1882 to 1926 and the Electric Lighting (Clauses) Act 1899 and any Act amending or extending those Acts or any of them ;

- “The existing area” means all or any of the areas in which the Company are by any Act or Order in force at the date of the passing of this Act authorised to supply electricity; A.D. 1927.  
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- “The added area” means the area of supply for the purposes of Part II. of this Act as defined by that Part;
- “Authorised undertakers” means—
- (a) any local authority company body or person authorised by Act of Parliament licence Provisional Order confirmed by Parliament or Special Order to supply electricity within any part of the added area (in this Act referred to as “authorised distributors”); and
  - (b) any authority authorised by any general or special Act to undertake or contract for the lighting of streets bridges or public places within any part of the added area;
- “The Commissioners” means the Electricity Commissioners established under the provisions of the Electricity (Supply) Act 1919;
- “The joint authority” means the London and Home Counties Joint Electricity Authority;
- “Power” means and includes any purpose other than lighting or general domestic purposes (including office purposes).

## PART II.

### SUPPLY IN ESSEX.

4. This Part of this Act shall be deemed to be a special Act within the meaning of the principal Acts but sections 2 and 3 of the Electric Lighting Act 1888 shall not apply to the undertaking authorised by this Part of this Act or to the Company in respect thereof. Application  
of Electric  
Lighting  
Acts.

5.—(1) The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 (other than the sections and provisions of that schedule which are hereinafter mentioned) so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act are hereby incorporated with and form part of this Part of this Act. Incorporation of provisions of  
Electric  
Lighting  
(Clauses)  
Act 1899.

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(2) The provisions of the said schedule so excepted from incorporation are the following (that is to say):—

Section 2 (2) section 3 section 4 (3) sections 5 and 7 to 9 section 21 (1) sections 63 to 68 and section 81 and any provisions with respect to the revocation of the Special Order;

and the said excepted sections and provisions shall not apply to the undertaking authorised by this Part of this Act or to the Company in respect thereof.

As to rail-ways tram-ways and streets not repairable by the local authority.

6. The provisions of section 13 of the Electric Lighting Act 1882 and of section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to streets not repairable by the local authority and railways and tramways within the added area as if the Company were specially authorised to break up and interfere with the same by special powers inserted in this Act.

Area of supply.

7. The area within which the Company may supply electricity under the powers and for the purposes of this Part of this Act shall subject to the provisions of this Act be the county of Essex except the portions of that county named in the First Schedule to this Act.

Limitation of powers.

8.—(1) The powers of the Company for the supply of electricity under this Part of this Act shall be subject to the following restrictions (that is to say):—

Electricity shall be supplied by the Company only—

- (a) to authorised Undertakers; and
- (b) to persons requiring a supply for power or for lighting or general domestic purposes (including office purposes) in any part of the added area which at the date of the passing of this Act does not form part of the area of supply of any authorised distributors.

(2) For the purposes of this section—

- (a) the area of supply under any Special Order which comes into operation after the passing of this Act and for which application was made not later than the twentieth day of November one thousand nine hundred and twenty-six; and

(b) any area which may be added to the area of supply of the mayor aldermen and burgesses of the borough of Colchester or of the mayor aldermen and burgesses of the borough of Southend-on-Sea or of the Clacton Urban District Council by any Special Order made confirmed and approved in pursuance of the applications made by them respectively to the Electricity Commissioners in the months of December one thousand nine hundred and twenty-six and March one thousand nine hundred and twenty-seven; A.D. 1927.

shall be deemed to have been at the date of the passing of this Act the areas of supply of the authorised distributors to whom such Orders were respectively granted :

Provided that notwithstanding anything contained in this Act the Company shall be entitled to oppose the making confirmation or approval of the Special Orders referred to in the foregoing paragraph (b) or of any of those Orders.

9. The Company shall upon being required to do so by any authorised undertakers give and continue to give at such point or points within the added area as the authorised undertakers may reasonably require a supply of electricity and shall furnish and lay such electric lines as may be necessary for the purpose of supplying to such authorised undertakers at such point or points the maximum power with which such authorised undertakers may be entitled to be supplied under this Part of this Act subject to the conditions following (that is to say) :—

Company to furnish supply of electricity to authorised undertakers.

Any such authorised undertakers requiring a supply of electricity shall—

(a) serve a notice upon the Company specifying the point or points at which such electricity is required to be supplied and the maximum power required to be supplied and the day upon which such supply is required to commence (not being an earlier day than a reasonable time after the date of the service of such notice having regard to the situation of the point at which such supply is required to be given and to the

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length of electric line required to be laid and plant required to be provided for affording such supply); and

(b) enter into a written contract with the Company (if required by them so to do) to continue to receive and pay for a supply of electricity for a period of at least seven years of such an amount that the payment to be made for the same shall not be less than twenty per centum per annum on the outlay (excluding expenditure on any generating plant then provided and any electric line then laid) incurred by the Company in making provision for such supply :

Provided that any authorised undertakers so requiring a supply of electricity shall give to the Company (if required by them to do so) security for the payment of all moneys which may become due to the Company under such contract :

Provided further that the Company shall grant to any authorised undertakers as favourable terms and conditions for the supply of electricity as those granted by the Company to any other authorised undertakers whose circumstances are similar.

If any difference arises under this section such difference shall be determined by the Commissioners or by a single arbitrator to be appointed by them.

Penalty for failure to supply to authorised undertakers.

**10.** Whenever the Company make default in supplying electricity to any authorised undertakers to whom they may be and are required to supply electricity in accordance with the provisions of this Part of this Act they shall be liable in respect of each default to a penalty not exceeding ten pounds and to a further penalty not exceeding ten pounds for each day on which the default occurs after conviction thereof Provided that the penalties to be inflicted on the Company under this section shall not exceed in respect of any one default not being a wilful default on the part of the Company the sum of five hundred pounds and provided also that in no case shall any penalty be inflicted in respect of any default if the court are of opinion that the default was caused by accidents which could not have been avoided by reasonable foresight or care or owing to fire flood

storm tempest breakdown of machinery or other casualty or force majeure or labour disputes whether between employers and workmen or otherwise or any other cause for which the Company cannot reasonably be held to be responsible or was of so slight or unimportant a character as not materially to affect the value of the supply. A.D. 1927.  
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11. The prices to be charged by the Company for electricity supplied by them under the powers of this Part of this Act shall not exceed those stated in the Second Schedule to this Act. Stated prices.

12. The Company may upon the application of the owner or occupier of any premises within the added area abutting on or being erected in any street laid out but not dedicated to public use or if so dedicated not repairable by the inhabitants at large supply such premises with electricity for any purpose for which they are authorised to give such a supply in those areas respectively and may lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the enactments which relate to the exercise by the Company of similar powers in the area in which any such supply is furnished or proposed to be furnished shall so far as they are applicable for the purposes of this section extend and apply mutatis mutandis to and for the purposes of this section and to any works constructed or executed by the Company under the powers of this section. Power to lay electric mains in private streets.

13. For the purposes of section 39 of the Electricity (Supply) Act 1926 this Act shall be deemed to be a Special Order made after the commencement of that Act and the times at which the purchasing authority under that section may give such notices as are referred to in paragraph (a) of subsection (1) of the said section shall be within six months after the expiration of a period of fifty years from the date of the passing of this Act and within six months after the expiration of every subsequent period of ten years : As to purchase of undertaking authorised by this Part of Act.

Provided that nothing in this section shall prejudice or affect the rights of purchase referred to in the section of this Act of which the marginal note is "As to existing purchase rights of certain local authorities."

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Commis-  
sioners may  
make  
Special  
Order  
providing  
for relation  
between  
charges and  
divisible  
profits.

**14.** Notwithstanding the provisions of subsection (2) of section 32 of the Electricity (Supply) Act 1926 the powers conferred by that section upon the Commissioners shall extend to enable the Commissioners at any time after the expiration of seven years from the date of the passing of this Act by a Special Order under section 26 of the Electricity (Supply) Act 1919 to make provision as to the relation between the charges to be made by the Company for electricity supplied under the powers of this Part of this Act and the divisible profits on the capital of the Company attributable to the undertaking authorised by this Part of this Act and subsection (1) of the said section 32 shall accordingly apply and have effect as if the Company were a company with respect to which the Commissioners are by that subsection empowered to make such a Special Order.

Company to  
submit to  
Commis-  
sioners  
proposals  
for supply.

**15.**—(1) The Company shall within a period of twelve months from the date of the passing of this Act and (so long as any part of the added area requires such a supply as is hereinafter referred to and remains without such a supply) within each succeeding period of twelve months from the said date submit to the Commissioners for their approval a proposal for a comprehensive scheme for the supply of electricity in all parts of the added area (being parts within which the Company are not precluded under the provisions of this Part of this Act from supplying) in which there is at the date of the submission of such proposal a demand for a supply of electricity and there are no other authorised distributors empowered to provide a supply.

(2) The said proposals shall subject to the provisions of this Part of this Act be carried into effect within two years from the respective dates of approval thereof by the Commissioners or such longer time as the Commissioners may when giving their approval prescribe or within any extended period which may at any time thereafter be allowed by the Commissioners.

(3) If within the time prescribed or allowed by the Commissioners for carrying out any proposals approved by them the Company have not in the opinion of the Commissioners substantially carried such proposals into effect the Minister of Transport may order that the powers of the Company under this Part of this Act



shall cease as to the whole or any part of the added area  
comprised in those approved proposals. A.D. 1927.

**16.** In relation to any area in which the Company are or shall be authorised by a Provisional Order or Special Order under the Electricity (Supply) Acts 1882 to 1926 or any Act amending or repealing the same to supply electricity (being within the added area) the provisions of that Order and of the sections of the schedule to the Electric Lighting (Clauses) Act 1899 incorporated therewith shall have effect in lieu of any provisions of this Part of this Act which shall be inconsistent therewith.

Provisions of Company's Orders to prevail over inconsistent provisions of Act.

**17.** Nothing in this Part of this Act shall entitle the Company to oppose any application made or supported by the local authority of any district within any part of the added area in which the Company are not for the time being supplying electricity for a Special Order under the Electricity (Supply) Acts 1882 to 1926 authorising such local authority or other the applicants for such Order to supply electricity within an area of supply consisting of their district unless the Order applied for includes a power to erect acquire or use a generating station or to acquire or use any lands for the purposes of a generating station.

As to applications by local authorities for Special Orders.

**18.** Notwithstanding anything contained in the sections of this Act of which the marginal notes are respectively "Application of Electric Lighting Acts" and "As to purchase of undertaking authorised by this Part of Act"—

As to existing purchase rights of certain local authorities.

(1) The rights of purchase exerciseable—

(a) by the local authorities of districts comprised in the respective areas of supply under the Romford and District Electric Lighting Order 1913 and the Woodford and District Electricity Special Order 1924 pursuant to the Electric Lighting Act 1888; and

(b) by the Romford Urban District Council pursuant to section 21 (Power of purchase by Romford Urban District Council) of the said Romford and District Electric Lighting Order 1913;

shall subject as hereinafter provided continue to be exerciseable notwithstanding the passing of this Act:

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(2) Any supplies of electricity which the Company may give in any of the districts referred to in subsection (1) (a) of this section (other than supplies in bulk) shall be deemed to be given by them as undertakers under the said Orders respectively.

For protection of Port of London Authority.

19. Nothing in this Act shall authorise the Company except with the consent of the Port of London Authority to interfere in any manner with the bed soil banks and shores of the River Thames or the navigation thereof or any property of the Port of London Authority within the limits of the Port of London as defined by the Port of London (Consolidation) Act 1920 or affect in any manner the rights powers or privileges of the Port of London Authority.

Map of added area to be deposited with Commissioners.

20. As soon as practicable after the passing of this Act the Company shall deposit with the Commissioners a map showing the boundaries of the added area.

### PART III.

#### GENERAL PROVISIONS.

Power to lay connecting lines.

21.—(1) For the purpose of conveying a supply of electricity from any part of the added area or of the existing area to any other part thereof or from either of the said areas to the other of the said areas or of giving or taking a supply of electricity to or from any local authority company body or person to whom the Company are or may be authorised to supply or from whom the Company are or may be authorised to take a supply of electricity and of placing and maintaining electric lines and works for any such purpose the Company—

(a) with respect to streets in any area in which they are or may be authorised to supply electricity shall have the powers and be subject to the provisions of the Acts and Orders relating to their powers of supply in that area; and

(b) with respect to streets not within any area in which they are or may be authorised to supply electricity shall have the powers and be subject to the provisions of the principal Acts and those provisions so far as applicable but subject to

the provisions of this section shall for the purposes of this section be incorporated with this Act and shall have effect and the Company shall be deemed to be the undertakers. A.D. 1927.

(2) Any electric line laid down under the powers of this section elsewhere than in any area in which the Company are or may be authorised to supply electricity shall be laid in such line or route and in a trench of such dimensions and in such a position as may be agreed between the Company and the local authority of the district through which the electric line is to be laid or as failing agreement shall be settled by an arbitrator to be appointed by the Commissioners and where any local authority object to any proposed line or route on the ground that it would traverse the principal thoroughfares or busy streets of the area over which they have jurisdiction and indicate an alternative route or deviation which in the opinion of the arbitrator is both reasonably practicable and does not involve undue increase of expenditure such alternative route or deviation shall be adopted.

The reasonable and proper costs charges and expenses incurred by any local authority in relation to any arbitration under this subsection shall unless the arbitrator shall certify that the action of the local authority in the matter has been unreasonable be paid by the Company.

The provisions of this subsection so far as they relate to any electric line laid down in the administrative county of London shall extend and apply to the London County Council as if they were a local authority :

Provided that nothing in this section contained shall take away or prejudicially affect the rights of the Postmaster-General under section 14 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply in respect of such alternative route or deviation.

(3) An electric line laid under the provisions of this section shall not be used for supplying electrical energy except within an area in which the Company are or may be authorised to supply electricity.

(4) The map which the Company are required to make in accordance with section 60 of the schedule to the

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For protection of London County Council.

**22.** In the exercise of the powers of this Act the following provisions for the protection of the London County Council (hereinafter in this section called "the council") shall apply and have effect (that is to say):—

- (1) Nothing in this Act shall authorise the Company to break up or otherwise interfere with any park open space or embankment vested in the council except so far as any part of such park open space or embankment forms part of a street or to break up alter the position of interfere with or make use of any tramway bridge tunnel subway sewer drain watercourse defence or other work vested in or under the control or jurisdiction of the council except with the consent in writing of the council and subject to such terms and conditions as they may impose:
- (2) The provisions of the section of this Act of which the marginal note is "Power to lay electric mains in private streets" shall not apply to any street belonging to the council except with the consent of the council first being obtained and subject to such terms and conditions as they may reasonably impose but such consent shall not be unreasonably withheld nor shall the Company in carrying out the works authorised by the said section unreasonably obstruct or interfere with the convenient access to any such street:

Any difference between the council and the Company arising under the provisions of this subsection shall be referred to an arbitrator to be appointed (failing agreement) by the Minister of Transport on the application of either party after notice to the other:

- (3) For the purpose of section 13 of the schedule to the Electric Lighting (Clauses) Act 1899 the council shall be substituted for the local authority in regard to prescribing the hours at which the Company may have access to boxes provided under this Act in any street repairable by the council : A.D. 1927.  
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- (4) So far as concerns the electric mains provided by the Company under this Act in the administrative county of London the council shall have the same rights powers and privileges as the Postmaster-General under section 60 of the schedule to the Electric Lighting (Clauses) Act 1899 :
- (5) In relation to any works executed in the said county under the powers of this Act the council shall for the purpose of section 14 of the schedule to the Electric Lighting (Clauses) Act 1899 have in addition to any powers rights and privileges possessed by them under the said section the same rights powers and privileges as if they were the local authority for the said county :
- (6) Where the Company desire to lay or may be required to lay any electric line in or under the carriageway or footway of any street in which there is a subway vested in the Council—
- (a) The Company may lay such electric line in such subway subject to the consent of the council;
- (b) If the council serve a notice upon the Company requiring them to lay such electric line in such subway then notwithstanding anything in this Act or the principal Acts contained the powers conferred thereby with respect to the breaking up of and interference with such street shall not be exercised by the Company in that portion of the street under which the subway extends in any part of the width of such street except for the purpose of laying down repairing renewing or removing any service line;
- (c) Subject to the provisions of this section any electric line to be laid in such subway

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shall be laid in such manner as the council shall direct or approve and the Company shall have access to such subway at all reasonable times and subject to such conditions as the council may determine and the Company shall pay to the council such reasonable rent in respect of the use of any such subway as may be settled by agreement or in case of difference by arbitration;

(d) If any question arises as to whether the Company can be required to place their electric lines in any such subway such question failing agreement shall be determined by the Commissioners who shall take into account all the circumstances of the case:

Provided that nothing in this section shall enable the council to require that any service line of the Company or any part thereof shall be laid in any such subway but the Company shall be entitled to lay any service line or part of a service line in any such subway so as to form a connection with any main laid in that subway and the consent of the council shall not be required to the formation of any such connection:

- (7) The provisions of sections 21 and 22 of the London County Council (Subways) Act 1893 shall apply in relation to any electric line laid or proposed to be laid in a subway under the provisions of this section as if such electric line were required to be placed in a subway and as if the Company were "the Company" under and within the meaning of the said Act.

**23.** For the protection of the county council of the administrative county of Middlesex (in this section referred to as "the council") the following provisions shall apply and have effect (that is to say):—

Subsection (2) of the section of this Act of which the marginal note is "Power to lay connecting lines" shall as respects any road or county or main road bridge in the county of Middlesex which is vested in or repairable by the council and in along or across which the Company

For protection of Middlesex County Council.

propose to lay down an electric line under the powers of that section extend and apply to the council as if they were a local authority. A.D. 1927.  
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**24.** For the protection of the county council of the administrative county of Surrey (in this section referred to as "the council") the following provisions shall apply and have effect (that is to say):— For protection of Surrey County Council.

Subsection (2) of the section of this Act of which the marginal note is "Power to lay connecting lines" shall as respects any road or county or main road bridge in the county of Surrey which is vested in or repairable by the council and in along or across which the Company propose to lay down an electric line under the powers of that section extend and apply to the council as if they were a local authority.

**25.—(1)** Nothing in this Act shall take away or abridge any power to repair open or break up any road along or across which any pipe wire cable or main of the Company is laid or any other power vested in the county council of the administrative county of Hertford (in this section referred to as "the council") for any of the purposes for which the council are constituted but before commencing any work pursuant to such powers whereby any such pipe wire cable or main will be interfered with the council shall (except in emergency when no notice shall be necessary) give to the Company notice of their intention to commence such work specifying the time at which they will begin to do so (such notice to be given five days at least before the commencement of the work) and shall always complete such work with all reasonable expedition and cause as little damage or inconvenience to the Company as circumstances admit. For protection of Hertfordshire County Council.

(2) The council shall not except in case of negligence be liable to pay to the Company any compensation for injury done to any pipe wire cable or main of the Company by the execution of such works or for loss occasioned thereby or by the reasonable exercise of the powers so vested in them as aforesaid.

(3) The council shall not execute any such work so far as it immediately affects any pipe wire cable or main of the Company except under the superintendence of the Company unless they refuse or neglect to give such

A.D. 1927. — superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work and the council shall execute such work at their own expense and to the reasonable satisfaction of the Company Provided that any additional expense imposed upon the council by reason of the existence of any pipe wire cable or main of the Company in any road or place shall be borne by the Company.

(4) The Company shall at the same time as they give notice to the local authority under paragraph (a) of section 14 (1) of the schedule to the Electric Lighting (Clauses) Act 1899 with respect to any main road or county or main road bridge in the county of Hertford which is not repairable by the council deliver to the council a copy of such notice together with a copy of the plan referred to in that paragraph and if the local authority make any objection or requisition in respect of any such notice the Company shall within seven days after receipt thereof and before commencing any of the works to which such objection or requisition relates deliver to the council a copy of such objection or requisition.

(5) Where the consent of the Minister of Transport has been obtained to the placing of any electric line above ground any standard pole or other structure for carrying the electric line shall be placed in or upon any highway or bridge so as to interfere as little as may be with the statutory powers and duties of the council in reference to such highway or bridge and so as not to be or be likely to become an obstruction to traffic or dangerous to the public.

(6) Any difference which may arise between the Company and the council under the foregoing provisions of this section shall be determined by arbitration.

Power to Company to transfer undertakings to other companies. **26.**—(1) The Company may with the approval of the Commissioners by deed to be approved by the Commissioners transfer to any other company or companies formed or to be formed under the Companies Acts 1908 to 1917 or to which those Acts apply the undertaking authorised by Part II (Supply in Essex) of this Act and all or any of the undertakings of the Company authorised or to be authorised by Provisional Orders or Special Orders under the principal Acts



(other than any undertaking or part of an undertaking which by virtue of the London Electricity (No. 1) Act 1925 is to be transferred to the joint authority including in this exception the undertaking referred to in section 8 of the said Act as "the Barking supply") together with the powers rights authorities and privileges of the Company in respect of such undertakings or parts of undertakings subject to such exceptions and modifications (if any) and upon such terms as may be specified in the deed. A.D. 1927.  
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(2) In the event of the Company transferring to any such other company as aforesaid any undertaking or part of an undertaking of the Company under the powers of this section and the powers rights authorities and privileges of the Company in respect of such undertaking or part of an undertaking the company to whom the same is transferred shall subject to such exceptions and modifications (if any) as aforesaid be deemed to be the undertakers for all the purposes of any Act or Order relating to such undertaking or part of an undertaking and shall be allowed to charge for electricity supplied under such Act or Order such prices as may be prescribed by or under such Act or Order.

(3) The powers conferred by this section may be exercised in respect of a part only of any such undertaking as aforesaid.

(4) The consideration payable to the Company in respect of the transfer by them of any such undertaking powers rights authorities and privileges or part thereof may if the Company and the company or companies to whom the same are transferred so agree be discharged wholly or in part by the allotment and issue to the Company of fully paid up shares or stock or debentures or debenture stock of the company to whom the same are transferred and all shares or stock allotted and issued for the purposes of this section shall for all purposes be deemed to be fully paid up and the Company may accept hold and dispose of such shares stock debentures or debenture stock.

(5) Nothing in this section or done thereunder shall alter or affect any right of any local authority to purchase compulsorily the whole or part of any of the undertakings of the Company.

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(6) If and whenever the Company apply to the Commissioners for their approval of the transfer under the powers of this section of any undertaking or part of an undertaking wholly or partly within the London and Home Counties Electricity District the Company shall contemporaneously with such application give notice thereof in writing to the joint authority and the Company shall also contemporaneously with the submission to the Commissioners of any proposed deed of transfer of any such undertaking or part of an undertaking send to the joint authority a copy of such proposed deed.

Power to  
Company to  
supply  
electricity to  
companies  
to whom  
their under-  
takings are  
transferred.

27. The Company may upon and subject to such terms and conditions as may be agreed between them and any company or companies to whom the Company transfer any undertaking or part of an undertaking under the powers of the section of this Act of which the marginal note is "Power to Company to transfer undertakings to other companies" supply electricity to any such other company or companies from any generating station or generating stations for the time being belonging to or managed by the Company.

Agreements  
for supply of  
electricity.

28. Notwithstanding anything contained in the principal Acts or this Act the Company on the one hand and any authority company body or person to whom the Company are for the time being authorised to supply electricity on the other hand may enter into and carry into effect vary and rescind contracts or agreements for or with respect to the supply of electricity by the Company to such authority company body or person and at such price and on such terms and conditions as may be agreed and the Company may supply electricity accordingly Provided that the Company shall not in making any such contract or agreement show any undue preference to any such authority company body or person :

Provided also that the Company shall not under the powers of this section enter into any agreement with any authorised undertakers within the London and Home Counties Electricity District otherwise than subject to and in accordance with the provisions of clause 26 of the scheme set out in the schedule to the

London and Home Counties Electricity District Order A.D. 1927.  
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Provided further that nothing in this section shall interfere with or affect the operation of section 12 of the Electricity (Supply) Act 1926.

29. Notwithstanding anything contained in the section of this Act of which the marginal note is "Agreements for supply of electricity" the following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Croydon (in this section referred to as "the corporation" and "the borough" respectively) shall apply and have effect except so far as may otherwise be agreed in writing between the Company and the corporation (that is to say):—

For pro-  
tection of  
Croydon  
Corporation.

The Company shall not under any such agreement supply electricity to the South Metropolitan Electric Tramways and Lighting Company Limited or other the owners lessees or operators for the time being of—

(a) the tramways authorised by the Croydon and District Electric Tramways Act 1902 which are in that Act referred to as "the Croydon tramways";

(b) the tramways authorised by the said Act of 1902 within the several urban districts formerly forming part of the rural district of Croydon;

(c) tramways Nos. 2 and 3 authorised by the Croydon and District Electric Tramways (Extensions) Act 1903; and

(d) the light railways authorised by the Mitcham Light Railway Order 1901;

or any of those tramways or light railways for the purpose of moving carriages upon such tramways and light railways or any of them and electricity supplied by the Company to the South Metropolitan Electric Tramways and Lighting Company Limited or other such owner lessee or operator as aforesaid shall not be used so as to contravene the provisions of section 35 (For protection of corporation

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of Croydon) of the said Croydon and District Electric Tramways Act 1902 or of section 13 (For protection of corporation of Croydon) of the said Croydon and District Electric Tramways (Extensions) Act 1903.

Amendment  
of London  
Electricity  
(No. 1) Act  
1925.

**30.** Section 16 (For protection of Croydon Corporation) of the London Electricity (No. 1) Act 1925 shall be read and have effect as if Tramway No. 1 authorised by the Croydon and District Electric Tramways (Extensions) Act 1903 had not been referred to in paragraph (c) of that section.

Exemption  
from sec-  
tion 81 of  
schedule to  
Electric  
Lighting  
(Clauses)  
Act 1899.

**31.** The provisions of section 81 of the schedule to the Electric Lighting (Clauses) Act 1899 shall not apply to the undertaking authorised by Part II (Supply in Essex) of this Act nor to any generating station transforming station sub-station or other building or works for the time being of the Company nor to the Company or any such other company or companies as are referred to in the section of this Act of which the marginal note is "Power to Company to transfer undertakings to other companies" in respect of the said undertaking or any such generating station transforming station sub-station or other building or works:

Provided that nothing in this section shall be deemed to make the said provisions inapplicable to any existing generating station transforming station sub-station or other building or works of the Company to which those provisions or provisions corresponding thereto already apply nor to the Company or any such other company or companies as are referred to in the section of this Act of which the marginal note is "Power to Company to transfer undertakings to other companies" in respect of any such generating station transforming station sub-station or other building or works but no person shall be entitled to restrain the working or use of any such generating station transforming station sub-station building or works:

Provided also that the provisions of this section shall only apply to any generating station transforming station sub-station or other building or works of the Company in the administrative county of London or the borough of Croydon the erection of which may be authorised by any Special Order Act of Parliament

or consent made passed or given after the date of the passing of this Act if (as is hereby authorised) it is expressly so provided in such Special Order Act of Parliament or consent. A.D. 1927.

**32.** For protection of the London and North Eastern Railway Company and the London Midland and Scottish Railway Company (each of which companies is in this section referred to as "the railway company") the following provisions shall unless otherwise agreed between the Company and the railway company apply and have effect (that is to say):—

For protection of London and North Eastern and London Midland and Scottish Railway Companies.

(1) The provisions of the section of this Act of which the marginal note is "Power to lay electric mains in private streets" shall not apply to any existing street belonging to and forming the approach to any station or depôt of the railway company except with the consent of the railway company first being obtained but such consent shall not be unreasonably withheld nor shall the Company in carrying out the works authorised by that section unreasonably obstruct or interfere with the convenient access to any such street station or depôt:

(2) Subject as hereinafter provided—

(a) If having regard to the proposed position of any electric lines of the Company in relation to the position of the works of the railway company at any point where electric lines of the Company will be constructed under the powers of this Act over or under any railway of the railway company it becomes advisable in order to avoid danger from wires works or operations of the Company that any electric telegraphic telephonic or signal wires or apparatus of the railway company or any electrical works or apparatus for traction or other purposes of the railway company should be altered the railway company may execute any works reasonably necessary for such alteration and the reasonable expense of executing those works shall be borne by the Company;

A.D. 1927.

(b) If the railway company at any time or times hereafter require (of which they shall be the sole judges) to widen alter reconstruct or repair their existing works or to construct any additional or other works in or upon or in connection with the railway of the railway company upon across over or under which any apparatus of the Company may have been constructed or laid under the powers of this Act or to adapt their railway or any part or parts thereof for working by electrical power or if at any time or times hereafter a bridge repairable in whole or in part by the railway company is constructed in substitution for a level crossing upon across or under which any apparatus of the Company may have been so constructed or laid the Company shall on receipt of fourteen days' notice in writing under the hand of the secretary to the railway company divert alter support or carry (so far only as may be reasonably necessary) such apparatus across over or under the railway of the railway company at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and to the reasonable satisfaction of the chief engineer of the railway company and the railway company shall not be liable to pay compensation in respect of such diversion alteration supporting carrying or dealing with such apparatus or other works Provided always that if the Company shall fail or neglect to carry out or complete the same to such satisfaction as aforesaid within a reasonable time the railway company may themselves carry out or may complete the same;

(c) Any additional expense which the railway company may reasonably and properly incur in widening altering reconstructing or repairing their railway or in adapting their railway for working by electrical power by reason of the existence of any apparatus

of the Company placed or laid under the powers of this Act upon across over or under the same or occasioned by any such failure neglect or delay as is referred to in paragraph (b) of this subsection shall be paid by the Company :

A.D. 1927.

Provided that this subsection shall not apply with respect to any electric lines or works of the Company of which the railway company are or may be empowered to alter the position by virtue of section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 :

- (3) The Company shall bear and on demand pay to the railway company all reasonable costs of watching lighting and protection of the railway of the railway company with reference to and during the construction and repair under the powers of this Act of any works of the Company affecting such railway :
- (4) Nothing in this Act shall impose upon the railway company any liability which was not by law imposed upon them prior to the passing of this Act :
- (5) Section 20 of the schedule to the Electric Lighting (Clauses) Act 1899 shall in its application to the Company within the added area have effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways of a railway company" :
- (6) Any difference between the Company and the railway company arising under this section shall be referred to an arbitrator to be appointed failing agreement by the Minister of Transport on the application of either party after notice to the other.

**33.** For the protection of the Metropolitan Water Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed

For the protection of the Metro-

A.D. 1927. between the Company and the board have effect (that  
is to say) :—

—  
politan  
Water  
Board.

- (1) Where the Company require to dig or sink any trench for laying down or constructing any main pipe tube cable work or apparatus under the powers of this Act within six feet of any main pipe work or apparatus (in this section referred to as "apparatus") of the board they shall except in case of emergency fourteen days before commencing such works deliver to the board plans thereof and if it shall appear to the board that such works will interfere with or endanger or prevent proper access to such apparatus or impede the supply of water by means thereof the board may within fourteen days after the receipt of such plans give notice to the Company to lower or otherwise alter the position of or to support or lay or place cement concrete under such apparatus or surround such main pipe tube cable work or apparatus of the Company with efficient insulating material (in this section referred to as "protective works") in such manner as may be necessary for protecting such apparatus from injury and any difference as to the necessity for the protective works shall be settled by arbitration :
- (2) If the Company shall not dispute such necessity or if the arbitrator determine that the protective works are necessary the same shall subject as hereinafter provided be executed in accordance with the requirement of the board or the decision of the arbitrator as the case may be :
- (3) If the board at the time of giving such notice as aforesaid to the Company express their desire themselves to execute any protective works which may be agreed or decided to be necessary as the case may be they may by their own engineer and workmen execute the same and in that event shall do so with all reasonable despatch and the Company shall on the completion thereof pay to the board the reasonable expenses incurred by them in



such execution Provided that if the board fail to execute such protective works with all reasonable despatch after request in writing from the Company so to do the same may notwithstanding such notice be executed by the Company :

A.D. 1927.  
—

- (4) If any interruption in the supply of water by the board shall without their written authority be in any way occasioned by the Company or by the act or acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the board for the use and benefit of the board a sum not exceeding twenty pounds for every day during which such interruption shall continue :
- (5) The expense of all repairs or renewals of any apparatus of the board or of any works in connection therewith which may be rendered necessary by reason of any subsidence resulting from the works of the Company whether during the construction of the works or within twelve months from the completion thereof shall be borne and paid by the Company :
- (6) If any difference shall arise under this section (other than a difference as to the construction or meaning of the said section) between the Company and the board the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply.

**34.** The provisions of the section of this Act of which the marginal note is "For the protection of the Metropolitan Water Board" shall extend and apply to the Southend Waterworks Company as if that section were repeated in this Act with the substitution of references to that Company for references to the Metropolitan Water Board.

For protection of Southend Waterworks Company.

A.D. 1927.

For protec-  
tion of  
water under-  
taking of  
Colchester  
Corporation.

**35.** The provisions of the section of this Act of which the marginal note is "For the protection of the Metropolitan Water Board" shall extend and apply to the mayor aldermen and burgesses of the borough of Colchester in relation to their water undertaking as if that section were repeated in this Act with the substitution of references to the said mayor aldermen and burgesses for references to the Metropolitan Water Board.

For pro-  
tection of  
Havering  
and Rain-  
ham Com-  
missioners.

**36.** For the protection of the commissioners of sewers for the Levels of Havering and Dagenham Ripple Barking East Ham Leyton and Walthamstow in the county of Essex and the commissioners of sewers for the Levels of Rainham Wennington West Thurrock and Aveley Chadwell Little Thurrock and Grays East Tilbury West Tilbury and Childerditch in the said county (each of which bodies of commissioners is in this section referred to as "the commissioners") the following provisions shall unless otherwise agreed in writing between the commissioners and the Company have effect (that is to say):—

(1) The provisions of sections 25 (For protection of commissioners of sewers as regards works in streets) and 26 (For protection of commissioners of sewers as regards works on site for generating station) of the Romford and District Electric Lighting Order 1913 shall extend and apply to and with respect to the provisions of this Act as fully in all respects as if those sections were in terms re-enacted in this Act with the substitution of the expression "Company" for the expression "undertakers":

(2) Nothing contained in this Act or done thereunder shall alter or affect the right of the commissioners and their officers and servants to access at all times to and along any river walling banks sewers watercourses sluices culverts or defences which at the date of the passing of this Act are or at any time thereafter shall be within and under the jurisdiction of the commissioners.

**37.** Nothing contained in the principal Acts or in this Act shall deprive the joint authority of any right exercisable by them under any Act or Order in force at the date of the passing of this Act to supply electricity in bulk to or within any part of the added area which is within the London and Home Counties Electricity District or render necessary the consent of the Company to any such supply.

A.D. 1927.

—  
For protection of joint authority.

**38.**—(1) Nothing in this Act shall in any way alter or affect the powers of the county council of the administrative county of Essex (in this section referred to as "the county council") to rebuild reconstruct alter widen or repair any street road or bridge vested in or repairable by the county council in along or across which any pipe wire cable or electric main of the Company is laid or any other power vested in the county council or impose upon the county council any liability which was not by law imposed upon the county council prior to the passing of this Act.

For protection of Essex County Council.

(2) If at any time the county council require to carry out works for rebuilding reconstructing altering widening or repairing any such street road or bridge which might involve interference with any such pipe wire cable or electric main they shall prior to the commencement of such works (except in case of emergency in which case twenty-four hours' notice shall be sufficient) give to the Company one month's notice of their intention to carry out such works and if it is necessary for the purpose of such works or to avoid interruption to the supply by the Company of electrical energy to temporarily remove any such pipes wires cables or electric mains or any other electrical appliance belonging to the Company from any such street road or bridge the Company shall at their own expense at the request of the county council forthwith remove the same and temporarily carry the same across any such bridge overhead or at the side of any such bridge or any such street or road in such manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding reconstruction alteration widening or repair of any such street road or bridge

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A.D. 1927. shall have been completed the Company shall have  
— the same rights and powers with regard to such street  
road or bridge as they had before the works were  
carried out.

(4) The Company shall at the same time as they give notice in respect of a main road to any urban district council under section 14 (1) (a) of the schedule to the Electric Lighting (Clauses) Act 1899 deliver to the county council a copy of such notice together with a copy of the plan referred to in that subsection and if the urban district council make any objection or requisition in respect of any such notice the Company shall within seven days after receipt thereof and before commencing any of the works to which such objection or requisition relates deliver to the county council a copy of such objection or requisition.

(5) Section 8 of the Gasworks Clauses Act 1847 shall in its application to the Company and so far as it relates to the opening or breaking up of any main road or any bridge vested in or repairable by the county council be read and construed as if the period of three days therein mentioned were seven days.

For pro-  
tection of  
Lee Con-  
servancy  
Board.

**39.** The Company shall not under the powers of this Act break up or interfere with any towing path bridge property or work vested in or under the control of the Lee Conservancy Board (in this section called "the board") except with the previous consent in writing of the board which shall not be unreasonably withheld but may be given subject to such reasonable terms (pecuniary or otherwise) conditions and stipulations as the board may impose. If any question arises between the Company and the board as to whether the consent of the board is unreasonably withheld or as to whether any terms conditions or stipulations imposed by the board are reasonable that question shall unless settled by agreement be determined by arbitration by an engineer or other fit person to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of the board and the Company or either of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

40. Seven days before entering upon breaking up or otherwise interfering with any street or road within the area of the metropolitan police district the Company shall except in case of emergency or in the laying replacing or repairing of service lines give notice in writing to the commissioner of police of the metropolis and make such arrangements with the said commissioner of police as may be reasonably necessary so as to cause as little interference with the traffic in such street or road during the construction of such works as may be reasonably practicable.

A.D. 1927.

As to  
breaking up  
of streets  
&c. in  
metropoli-  
tan police  
district.

41. Notwithstanding anything in this Act contained nothing in this Act shall prejudice or affect any right or interest of any officer or servant of any authorised undertakers under the provisions of section 15 of the Electricity (Supply) Act 1926 and the enactments and schedule therein referred to and the said provisions shall extend and apply to any officer or servant of any authorised undertakers affected by the closing (permanent or temporary) or alteration in the working or use of a generating station under or in consequence of any contract or agreement entered into by the Company under the provisions of this Act with any authority company or person and the provisions of the said section 15 and the enactments and schedule therein referred to shall apply and have effect as if such closing of a generating station took place under or in consequence of the said Act of 1926 and such alteration were a restriction imposed by or under a scheme under that Act.

Application  
of section 15  
of Electric-  
ity (Supply)  
Act 1926.

42. Nothing contained in this Act shall be construed as constituting the Company a power company within the meaning or for any of the purposes of the principal Acts.

Company  
not to be a  
power  
company.

43. 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

Copy of Act  
to be  
registered.

[Ch. cvii.]                      *County of London*    [17 & 18 GEO. 5.]  
*Electric Supply Company's Act, 1927.*

A.D. 1927.    knowingly and wilfully authorises such default shall incur a like penalty. Every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than a memorandum of association or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding-up in England.

Costs of Act.    44. The 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.

The SCHEDULES referred to in the  
foregoing Act.

A.D. 1927.

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## FIRST SCHEDULE.

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Portions of the county of Essex not included in the added area :—

The county boroughs of East Ham and West Ham;

The boroughs of Ilford and Leyton;

The urban districts of Chingford Walthamstow and Waltham Holy Cross; and

The parishes of Great Parndon Latton Little Parndon Nazeing Netteswell Roydon and Sheering in the rural district of Epping and so much of the parish of Harlow in that rural district as lies to the north and west of a line drawn from the junction of the parishes of Sheering Harlow and Matching to a point to the south of Moor Hall Harlow (marked BM 283·8 on the 6-inch Ordnance map) and thence in a south-westerly direction to the junction of the parishes of Latton North Weald Bassett and Harlow.

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## SECOND SCHEDULE.

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### MAXIMUM PRICES.

In this schedule—

The expression "unit" means the electrical energy contained in a current of one thousand amperes flowing under an electro-motive force of one volt during one hour;

The expression "consumer" means any authorised undertakers local authority company body or person supplied by the Company with electricity under the powers of this Act.

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SECTION I.

Where the Company charge any consumer taking a supply of electricity in bulk by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates :—

- (a) a sum not exceeding six pounds per kilovolt ampere per annum of the maximum power required to be supplied to the consumer and in addition
- (b) a sum not exceeding three halfpence per unit for all units supplied to the consumer.

SECTION II.

Where the Company charge any consumer taking a supply of electricity for power or for lighting or general domestic purposes (including office purposes) by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—

- (a) In respect of the quarters ending thirty-first March and thirty-first December—

For any amount up to fifteen units ten shillings and for each unit over fifteen units eightpence ;

- (b) In respect of the quarters ending thirtieth June and thirtieth September—

For any amount up to ten units six shillings and eightpence and for each unit over ten units eightpence.

SECTION III.

Where the Company 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 I. or Section II. (as the case may be) 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 Company under the regulations of the Electricity Commissioners.

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