



# Towns Improvement Clauses Act 1847

1847 CHAPTER 34 10 and 11 Vict

## *Appeal*

And with respect to the appeal to be made against any rate, be it enacted as follows:

**185 Persons aggrieved may appeal to petty sessions on the ground of incorrectness, &c. of valuation. Their decision to be final unless appealed from to quarter sessions.**

If any person think himself aggrieved by any rate, on the ground of inequality, unfairness, or incorrectness in the valuation of any rateable property included therein, or in the amount assessed thereon, he may, at any time within one month after such rate is made, appeal to the justices at any special sessions . . . <sup>F1</sup> or in Ireland may appeal to the justices of the petty sessions of the district, or to the justices acting for the district, within which the rateable property is situated; . . . <sup>F1</sup>

### Textual Amendments

**F1** Words repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

**186 Parties may appeal to the quarter sessions against a rate.**

If any person think himself aggrieved by any rate made under the authority of this or the special Act, or by any matters included in or omitted from the same, he may, at any time within one month after the same is made, give notice of his intention to appeal to [<sup>F2</sup>the Crown Court] . . . <sup>F3</sup>

### Textual Amendments

**F2** Words substituted by virtue of [Courts Act 1971 \(c. 23\)](#), s. 56(2), [Sch. 9 Pt. I](#)

**F3** Words repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

*Changes to legislation: There are currently no known outstanding effects for the Towns Improvement Clauses Act 1847, Cross Heading: Appeal. (See end of Document for details)*

187 ..... F4

**Textual Amendments**  
F4 Ss. 187, 190 repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV

**188 No order of special sessions to be in force pending appeal.**

No order of the said justices shall be of any force pending any appeal touching the same subject matter to [<sup>F5</sup>the Crown Court] having jurisdiction to try such appeal, or in opposition to the order of any such court on such appeal.

**Textual Amendments**  
F5 Words substituted by virtue of Courts Act 1971 (c. 23), s. 56(2), Sch. 9 Pt. I

**189 On appeal, the quarter sessions and petty sessions to have same power of amending and quashing rates, and of awarding costs, as in appeals against poor rates.**

The said justices and [<sup>F6</sup>the Crown Court] respectively shall in any such appeal as aforesaid have the same powers of amending or quashing the rate in respect of which the appeal is made as are by law vested in [<sup>F6</sup>the Crown Court] for amending or quashing the rates for the relief of the poor within their jurisdiction upon appeals against such rates, . . . <sup>F7</sup>: Provided always, that if the said justices or court shall quash the rate in respect of which the appeal is made, then, notwithstanding the quashing of such rate, all sums of money charged by such rate on any person charged by such rate may, if the justices or court so order, be levied by such means and in the same manner as if no appeal had been made against such rate; and the money which any person charged on such rate pays, or which is recovered from him, shall be taken as a payment on account of the next effective rate made on him for the same purposes for which the rate so quashed was made.

**Textual Amendments**  
F6 Words substituted by virtue of Courts Act 1971 (c. 23), s. 56(2), Sch. 9 Pt. I  
F7 Words repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV

**Modifications etc. (not altering text)**  
C1 Reference to poor rate to be construed as reference to general rate: General Rate Act 1967 (c. 9), s. 116(2)

190 ..... F8

**Textual Amendments**  
F8 Ss. 187, 190 repealed by Courts Act 1971 (c. 23), Sch. 11 Pt. IV

**Changes to legislation:**

There are currently no known outstanding effects for the Towns Improvement Clauses Act 1847,  
Cross Heading: Appeal.