



Towns Improvement Clauses Act 1847

1847 CHAPTER 34 10 and 11 Vict

Ventilation

And with respect to supplying buildings with fresh air, be it enacted as follows:

110 Regulating construction of buildings intended as places for public meetings. No person to begin to build until plan has been approved by commissioners.

Before beginning to build any building intended to be used as a church, chapel, or school, or a place of public amusement or entertainment, or for holding large numbers of people for any purpose whatsoever, within the limits of the special Act, the person intending to build the same shall give fourteen days notice in writing to the commissioners, and shall accompany such notice with a plan and description of the manner proposed for its construction, with respect to the means of supplying fresh air to such building; and no person shall begin to build such building until the manner proposed for its construction, with respect to the means for supplying fresh air, have been approved of by the commissioners; and in default of sending such notice, or if any such building be erected without such approval, the commissioners may cause such building, or such part of it as they consider necessary, to be pulled down or altered, at the expence of the owner, and any expence incurred by the commissioners in so doing may be recovered as herein-before provided with respect to ruinous or dangerous buildings taken down or repaired by the commissioners.

111 If commissioners fail to signify their approval of plan within fourteen days, party may proceed to build.

Provided always, that if the commissioners fail to signify in writing their approval or disapproval of the manner of construction of such building, with respect to the means of supplying fresh air, shown on such plan and description as aforesaid, within fourteen days after receiving such notice, accompanied by such plan and description, the person giving such notice may, notwithstanding anything herein contained, proceed to build the building therein referred to in the manner shown on such plan and description; provided that such building be otherwise in accordance with the provisions of this and the special Act.

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

112 Persons may appeal against determination of commissioners.

Provided also, that if the person so intending to build be dissatisfied with the determination of the commissioners as to the said proposed manner of construction, he shall have the same right of appeal against the determination of the commissioners, and such appeal shall be followed by the same incidents, as herein-before provided in the case of appeals against any order of the commissioners with respect to works to be constructed by or subject to the approval of the commissioners.

113 Cellars in courts not to be occupied as dwellings, after letting prohibited.

It shall not be lawful to let separately, except as a warehouse or storehouse, or to suffer to be occupied as a dwelling place, any cellar under any house in any court within the limits of the special Act, after the commissioners have given notice to the owners thereof that the letting of cellars as dwelling places in such court is prohibited from that time forth; and it shall be the duty of the commissioners to issue such notices from time to time, as soon as is convenient, until such notice has been given with respect to every court within the limits of the special Act.

114 No cellars under the height of seven feet from the floor to the ceiling to be let as dwellings.

It shall not be lawful to let separately, except as a warehouse or storehouse, or to suffer to be occupied as a dwelling place, any cellar or room under any house within the said limits, although not situated in a court, which cellar or room shall be less in height from the floor to the ceiling than seven feet, or which shall be less than one third of its height above the level of the street or ground adjoining the same, or otherwise shall not have two feet at least of its height from the floor to the ceiling above the said level, with an open area of two feet wide from the level of the floor of such cellar or room up to the level of the said street or ground, or which shall not have appurtenant thereto the use of a watercloset or privy and ashpit, according to the enactment herein contained, or which shall not also have a glazed window made to open to the full extent of the half thereof, the area of which is not less than six feet clear of the frame, and a fireplace with a chimney or flue, or which cellar, being an inner or back cellar let or occupied along with a front cellar as part of the same letting or occupation, has not a ventilating flue, (unless such inner or back cellar shall be part of a house built before the passing of the special Act,) or which shall not be well and effectually drained by means of a drain the bottom of which is one foot at least below the level of the floor of such cellar or room.

115 Penalty on letting such cellars as dwelling places.

Every person who lets separately (except as aforesaid) or who knowingly suffers to be occupied for hire, as a dwelling place, any cellar or room within the limits of the special Act, contrary to the provisions of this and the special Act, shall be liable to a penalty not exceeding [F1[F2£25]] [F1level 1 on the standard scale], and a further penalty not exceeding [F325p] for every day during which such cellar or room is so occupied after conviction of the first offence.

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Textual Amendments

- F1** “level 1 on the standard scale” substituted (E.W.) for “£25” by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**
- F2** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45\)](#), **s. 31(5)(6)(9)**
- F3** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), **s. 10(1)**

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