



Metropolis Management Act 1855

1855 CHAPTER 120

Provisions for defraying Expenses of Metropolitan Board

CLXX Sums to be assessed upon the City and other Parts of the Metropolis by Metropolitan Board for defraying Expenses.

The Metropolitan Board of Works shall from Time to Time ascertain and assess upon the City of *London* and the other Parts of the Metropolis the Sums which in their Judgment ought to be charged upon the said City and such other Parts respectively for defraying the Expenses of the said Board in the Execution of this Act, having regard to the annual Value of the Property in the several Parts of the Metropolis, and having regard, in the Case of Expenditure on Works of Drainage, to the Benefit derived from such Expenditure by the several Parts of the Metropolis affected thereby; and any such Sum may be so assessed wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred; and for the Purposes of such Assessment the annual Value of the Property in such several Parts shall be estimated according to the Estimate or Basis on which the County Rate is assessed, or, where there is no such County Rate, according to a like Estimate.

CLXXI Power to Metropolitan Board, or any One authorized by them, to inspect Rates made for County or Part of County within the Metropolis.

The Clerk of the said Metropolitan Board, or any Person authorized by the said Board in this Behalf, may from Time to Time inspect any Rate made or to be made for any County any Part of which is within the Metropolis; and any Basis or Standard for the County Rate of any such County, and any Returns concerning all or any of the Parishes and Places, whether parochial or extra-parochial, in the Metropolis, delivered or to be delivered in pursuance of any Act relating to County Rates, and any Rate made by the Commissioners of Sewers of the City of *London*, and any Valuation on which the same is made, and may take Copies or Extracts from any such Rates, Basis or Standard, Returns or Valuation, without Payment of any Fee or Reward; and if any Person having the Custody of any such Rate, Basis or Standard, Return or Valuation, wilfully neglect or refuse to permit any such Clerk or Person authorized as aforesaid

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to inspect the same, or to take Copies or Extracts of or from the same, at all reasonable Times, he shall forfeit for every such Offence any Sum not exceeding Ten Pounds.

CLXXI Payment to be obtained from the City and from Parishes by Precepts to the Chamberlain of the City and to Vestries and District Boards.

For obtaining Payment of the Sums so assessed upon the City of *London* and the Parishes mentioned in Schedules (A.) and (B.) to this Act, the said Board shall issue Precepts under their Seal, requiring Payment thereof to their Treasurer, or into any Bank therein mentioned, within such Time as may be therein limited, and every such Precept for any Sum assessed upon the City of *London* shall be directed to the Chamberlain of the said City; and every such Precept for any Sum assessed upon any Parish mentioned in Schedule (A.) to this Act shall be directed to the Vestry thereof; and every such Precept for any Sum assessed upon any District mentioned in Schedule (B.) to this Act, or any Parish comprised therein, shall be directed to the Board of Works for such District ; and where any such Sum is assessed upon any Part of any Parish or District, the said Metropolitan Board shall specify in their Precept the Part of such Parish or District upon which such Sum is assessed.

CLXXII Payment of Sums assessed upon the City.

The Chamberlain of the City of *London* shall, out of any Monies in the Chamber of the said City, pay to the Treasurer of the Metropolitan Board of Works, or otherwise as they may direct, the Sums required by their Precepts, within such Time as may be therein mentioned ; and all Payments so made by the said Chamberlain shall be charged by him against and reimbursed to him out of any Rates which the Commissioners of Sewers of the City of *London* are authorized to direct to be made under any Act relating to the Sewerage of the said City; and such Commissioners shall have full Power to raise every such Sum by any such Rate which they may be authorized to direct to be made as aforesaid, or by any Addition thereto.

CLXXIII Payment by Vestries and District Boards of Sums assessed by Metropolitan Board.

All Sums which any Vestry or District Board may be required to pay by such Precepts as aforesaid shall be paid by such Vestry and Board respectively within such Time as may be therein mentioned, and shall be raised in like Manner as if the same were required by the said Vestry or Board for defraying the Expenses of such Vestry or Board in the Execution of their Powers and Duties under this Act in relation to the Sewerage of their Parish or District.

CLXXX Provision for assessing and levying Rates in Places where there is no Poor Rate. Mode of making the Assessment. Allowance to Assessors.

The Sums which may be assessed from Time to Time upon any Place mentioned in Schedule (C.) to this Act, or such Part thereof as may not be comprised within any Parish, or the City of *London*, shall be raised by means of a Rate to be made and levied as herein provided ; that is to say, the said Metropolitan Board shall from Time to Time, by Warrant under their Seal, appoint a proper Person to be an Assessor, for the Purpose of assessing the full and fair annual Value of all Property in every such Place, or such Part thereof as aforesaid, which, if the same were not extra-parochial, would be liable to be rated to the Relief of the Poor, and rating the same to a Rate to be levied under

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this Act; and such Assessor shall, within Forty Days after the Delivery to him of the Warrant of his Appointment, make, sign, and return to the said Board an Assessment for the Place named in such Warrant; and the Assessment shall be fairly written in a Book, and shall specify, in different Columns, the Names of the respective Inhabitants or Occupiers of all Messuages, Lands, Tenements, and Hereditaments, the full and fair annual Value of the same, and the Amount of Rate charged on the Inhabitants or Occupiers thereof, and when the Premises are unoccupied, the full and fair annual Value thereof to let; and every such Assessor shall be allowed for his Trouble and Expenses such Remuneration as the said Board may think fit; and the same shall be paid out of the Amount of the Rate which shall be collected after such Assessment; and the said Rate to be levied as aforesaid shall, for the Purposes of the Provisions of this Act relating to Exemption from and Reduction or Allowance in respect of Sewers Rate, and relating to Deduction and Repayment of Sums paid on account of Sewers Rate, be deemed a Sewers Rate.

CLXXVIII Places in Schedule(C) not now under rating for Sewers not to be rated except for intercepting Sewers.

Provided always, That the Places mentioned in Schedule (C.) to this Act which are not now under rating for Sewers shall not be liable to be rated under this Act, except for the Purpose of their contributing to the Expense of carrying into effect any Plan for preventing the Sewage of the Metropolis from flowing into the River *Thames* in or near the Metropolis, so far as such Places respectively shall be benefited.

CLXXIX When Assessment is made, Notice thereof to be given, and all Persons included in the Assessment to have Liberty to inspect it, &c. Penalty for refusing Inspection.

When such Assessment has been allowed by the said Board, public Notice of such Assessment, and of the Place where the same may be inspected, shall be given by fixing such Notice on the Door of the Church or Chapel or some other conspicuous Part of the Place to which such Assessment relates, upon the *Sunday* next or next but one after the same has been so allowed ; and any Person in whose Custody such Assessment may be shall permit every Inhabitant or Owner or Occupier of Property included in such Assessment to inspect the same, and to make any Extracts therefrom, without Payment of any Fee or Reward; and if such Person wilfully neglect or refuse to permit any such Inhabitant, Owner, or Occupier to inspect such Assessment or to make any Extract therefrom, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit for every such Offence such Sum, not exceeding Five Pounds, as the Justices think meet.

CLXXXI to the Collection of the Rate charged in such Assessment.

The said Board shall from Time to Time nominate One or more Person or Persons for levying the Amount of Rate charged in every such Assessment, who shall proceed in the same Manner, and shall have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Rate, as if he or they were an Overseer or Overseers of the Poor in a Place rated to the Relief of the Poor, and shall pay over the Amount of such Rate to the Treasurer of the said Board or otherwise as the said Board may direct, or in default thereof shall be proceeded against in the same Manner as Overseers are by this Act to be proceeded against for Nonpayment.

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CLXXIX **Appeal against Assessment. The Assessment may be altered to relieve the Appellant, without altering any other Part of it.**

Provided always, That if any Person who has paid the Amount of Rate charged upon him by the Assessment made by an Assessor appointed under this Act think himself aggrieved by such Assessment, on the Ground that such Assessment includes Property for which he is not rateable under this Act, or that it assesses his rateable Property beyond its full and fair annual Value, or that any Person is omitted out of such Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Person so aggrieved may appeal to the next Court of General or Quarter Sessions for the County or Franchise in which the Cause of Appeal arises, not less than Twenty-one Days after public Notice of such Assessment has been given as herein-before mentioned; provided that the Person so intending to appeal shall give to the said Board a Notice in Writing of such Appeal, and of the Cause and Matter thereof, Ten clear Days at the least before such Sessions, and shall also, within Three Days after his Notice of Appeal, enter into a Recognizance before some Justice of the Peace of the County or Franchise, with Two sufficient Sureties, conditioned to try such Appeal at the said Sessions, and to abide the Order of the Court thereupon, and to pay such Costs as shall be by the Court awarded ; and in case such Person appeal on the Ground that any Person is omitted out of the Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Party so appealing shall not only give such Notice of Appeal to the said Board, and enter into such Recognizance as aforesaid, but shall also give a like Notice of Appeal to the Person so interested in the event of such Appeal as aforesaid; and the Person so interested shall, if he desire it, be heard upon the Appeal; and the Justices of the Peace at such Sessions or some Adjournment thereof, upon due Proof of the Notice having been given, and of the Recognizance having been entered into as aforesaid, shall hear and determine the Matter of the Appeal in a summary Manner, and shall make such Order therein, with or without Costs to either Party, as the said Justices think proper; and in case the said Justices think the Appellant entitled to Relief, they shall order the Assessment to be amended in such Manner as may be necessary for giving him Relief, and shall also order any Money paid by him which he was not liable to pay to be returned to him; and in case he have appealed on the Ground that any Person is omitted out of the Assessment, the said Justices may order the Name of such Person to be inserted in the Assessment, and to be therein rated at such Amount ,as they deem just; and in case the Appellant have appealed on the Ground that the Property of any Person is assessed below its full and fair annual Value, the said Justices may order the Amount at which such Person is rated in the Assessment to be altered in such Manner as they deem just; and the proper Officer of the Court shall in each of the Cases aforesaid forthwith amend the Assessment accordingly, but the Assessment shall not be quashed or altered with respect to any other Persons named therein; and the Determination of the Justices at any such Sessions or Adjournment shall be final and conclusive.