



Metropolis Management Act 1855

1855 CHAPTER 120

Provisions for defraying Expenses of Vestries and District Boards

CLVIII How Sums to be raised by Vestries and District, Boards for defraying their Expenses.

Every Vestry and District Board shall from Time to Time, by Order under their Seal, require the Overseers of their Parish, or of the several Parishes in their District, to levy, and to pay over to the Treasurer of such Vestry or Board, or into any Bank in such Order mentioned, and within the Time or Times thereby limited, the Sums which such Vestry or Board may require for defraying the Expenses of the Execution of this Act (and such Orders may be made wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred) ; and every such Vestry and Board shall distinguish in their Orders Sums required for defraying Expenses of constructing, altering, maintaining, and cleansing the Sewers or otherwise connected with Sewerage, and also, where the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, or any other Act by virtue whereof Land is rated in respect of Expenses of Lighting at a less Amount in proportion to the annual Value thereof than Houses, or is wholly exempted from being rated in respect of such Expenses, is in force in any Parish, or any Part of any Parish, at the Time of the passing of this Act, distinguish, as regards such Parish, or Part, the Sums required for defraying Expenses of lighting their Parish or District from Sums required for defraying other Expenses of executing this Act; but every such Vestry and Board may cause to be raised as Expenses connected with Sewerage such Portion of the Expenses incident to the Conduct of their Business in relation to Sewerage, in common with the Conduct of their other Business under this Act, as to such Vestry or Board may seem just; and the Overseers or Collectors, in the Receipts to be given for the Sums levied or collected by them, shall distinguish the Rate in the Pound required for Sewerage Expenses, and the Rate required for the other Expenses of this Act.

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CLIX Vestries and Boards may exempt Parts not benefited by Expenditure from Payment.

Where it appears to any Vestry or District Board that all or any Part of the Expenses for defraying which any Sum is by such Vestry or Board ordered to be levied as aforesaid have or has been incurred for the special Benefit of any particular Part of their Parish or District, or otherwise have or has not been incurred for the equal Benefit of the whole of their Parish or District, such Vestry or Board may, by any such Order, direct the Sum or Sums necessary for defraying such Expenses or any Part thereof to be levied in such Part, or exempt any Part of such Parish or District from the Levy, or require a less Rate to be levied thereon, as the Circumstances of the Case may require; and any such Board may refrain, where any entire Parish ought in their Judgment to be so exempt, from issuing an Order for levying any Money thereon, notwithstanding they may issue an Order or Orders for levying Sums upon any other Parish or Parishes in their District.

CLX Provisions for Cases where a Part of a Parish is placed under the Management of the Vestry or Board of adjoining Parish or District.

Where Part of any Parish is placed for all or any of the Purposes of this Act under the Management of the Vestry or District Board of an adjoining Parish or District, the Sums which such Vestry or Board may require, for defraying the Expenses of executing this Act by such Vestry or Board in the Part so placed under their Management shall be from Time to Time paid, upon their Orders, by the Vestry of the Parish whereof such Part is so placed under the Management of such other Vestry or Board, or if such Parish is comprised in a District formed by this Act then by the District Board of such District; and such Sums shall be raised by the Vestry or Board upon whom such Orders are made in like Manner as if the Expenses in respect whereof the same are required had been incurred by them in executing this Act.

CLXI Overseers to collect the Rate in the same Manner as the Poor Rate.

The Overseers of the Poor of every Parish to whom any such Order as aforesaid is issued shall levy the Amount mentioned therein according to the Exigency thereof, and shall for that Purpose make separate equal Pound Rates upon their Parish, or the Part thereof upon which any Sum specified in such Order is required to be levied, in respect of each Sum thereby ordered to be levied; that is to say, a separate Rate in respect of each Sum ordered to be levied for defraying Expenses connected with Sewerage, to be called a Sewers Rate; a separate Rate in respect of each Sum ordered to be levied for defraying Expenses of lighting (where a separate Sum is ordered to be levied for defraying such Expenses), to be called a Lighting Rate; and a separate Rate in respect of each Sum ordered to be levied for defraying other Expenses of executing this Act, to be called a General Rate; and shall make such respective Rates of such Amount in the Pound on the annual Value of the Property rateable as will in their Judgment, having regard to all Circumstances, be sufficient to raise the Sums specified in such Order; and such Rates shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in the respective Parishes, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Overseers shall, for the Purpose of levying such Rates, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to all the same Provisions in relation to Appeal and to excusing Persons from Payment on account

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of Poverty and otherwise, as the Rate for the Relief of the Poor in the same Parish; and such Overseers shall pay to the Treasurer of the Vestry or Board, or otherwise, as in such Order directed, the Amount mentioned in the Order, within the Time or respective Times specified for that Purpose, and the Excess, if any, which may have been levied beyond such Amount, which Excess shall be placed to the Credit of the Parish or Part in which the same has been levied; and the said Overseers shall at the Time of making any such Payment deliver with the Money a Note in Writing signed by them, specifying the Amount so paid, which Note shall be kept as a Voucher for the Receipt of that particular Amount; and the Receipt of the Treasurer of the Vestry or Board, or of any proper Officer or Person of or belonging to any Bank into which such Money is so paid, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount.

CLXII Public Buildings and void Spaces now rateable (except Churches and Burial Grounds) to continue rateable.

Provided always, That all such Hospitals, public Schools, and other public Buildings, dead Walls, and void Spaces of Ground as are now by Law rateable to any Rate for the Costs and Charges of paving or repairing the Pavements within any parochial or other District, either separately or jointly with any other Object or Objects, (except only Places of Religious Worship, and Burial Grounds, or Places which have been used for Burial Grounds, and are not used for any other Purpose,) shall be rateable under this Act to the like Extent and for the like Objects or Purposes as they may now be rated, and the Rates to be made in respect of such Objects or Purposes shall be payable by the Persons now liable to pay the same, and be recoverable in like Manner, as any Rate to which such Buildings and Spaces of Ground are now rateable as aforesaid in respect of the like Objects or Purposes.

CLXIII Land to be rated to the Sewers Rate at One Fourth Part of its annual Value.

Provided also, That any Sewers Rate raised under this Act shall, as regards all Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Orchard, Market Garden, Hop, Herb, Flower, Fruit, or Nursery Ground, be assessed and levied in the Proportion of One Fourth Part only of the net annual Value of such Land.

CLXIV Existing Exemptions in respect of Sewers Rate to be allowed.

Provided also, That where any Property was at the Time of the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, entitled to Exemption from or to any Reduction or Allowance in respect of the Sewers Rate, such Exemption, Reduction, or Allowance shall be observed and allowed in levying any Sewers Rate under this Act.

CLXV Existing Exemptions of Land from Lighting Rates to be allowed.

Provided also, That in every Parish or Part of a Parish in which at the Time of the passing of this Act the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, is in force, the Owners and Occupiers of Houses, Buildings, and Property other than Land shall be rated to every Lighting Rate made under this Act at a Rate in the Pound Three Times greater than that at which the Owners and Occupiers of Land shall be rated in such Lighting Rate; and in every Parish or Part of a Parish in which under any other Act Land is now rated in respect of

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Expenses of lighting at a less Amount in proportion to the annual Value thereof than Houses, or is now wholly exempted from being rated in respect of such Expenses, such Land shall continue to be rated to every Lighting Rate made under this Act at such less Amount, or, where such Land is now wholly exempted as aforesaid, shall be wholly exempted from such Rate.

CLXVI Overseers, on Nonpayment of the Rate, shall be distrained upon; and in default of sufficient Distress the Arrears may be levied on the Parish.

In case the Amount ordered by any such Order as aforesaid to be paid by the Overseers of any Parish be not paid in manner directed by such Order and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Vestry or Board, or by any Person authorized by them for this Purpose, to issue his Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers ; and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Methods.

CLXVII Provision for Cases where the Vestry of any Parish in Schedule (A.) make the Poor Rate.

Where the Vestry of any Parish mentioned in Schedule (A.) to this Act make the Rate for the Relief of the Poor in such Parish, such Vestry shall from Time to Time raise and levy the Sums required for defraying their Expenses of executing this Act in like Manner as Overseers are required to do with respect to the Sums for which Orders are made upon them by any Vestry under this Act, and shall, in raising such Sums, act upon the like Principles and have the like Discretion as any Vestry making Orders upon Overseers under this Act; and where any Parishes maintain their Poor in common by a common Rate, the Orders for levying any Money by this Act directed to be made on the Overseers of such Parishes shall be made on the Overseers by Law authorized to levy such Rate thereon, and such Sums shall be levied by such Overseers, in manner provided by this Act, as if such Parishes were One Parish.

CLXVIII Special Persons may be appointed to levy Rates in certain Cases.

Any Vestry or District Board may, in case of any Default or Neglect of any Overseers to pay the Amount required by any such Order as aforesaid within the Time and in the Manner directed by such Order, and the said Metropolitan Board may, in case of any Default or Neglect of any Vestry or District Board to pay the Amount required by any Precept of the said Metropolitan Board within such Time and in such Manner as may be therein mentioned, appoint Persons to levy any Money required by such Vestry or Board for the Purposes of this Act in any Parish or District, and such Persons shall proceed in the same Manner, and have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Money, as any Overseers would have had or been subject to with reference to levying any such Money in pursuance of an Order of the Vestry or District Board, or, where the same might be levied by the Vestry under this Act, as such Vestry would have had or been subject to with reference to levying the same.

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CLXIX Provision for Deduction by Tenants of Sewers Rate.

As between Landlord and Tenant, every Tenant, whether his Tenancy have commenced before or after the passing of this Act, and who if this Act had not been passed would have been entitled to deduct against or to be repaid by his Landlord any Sum paid by such Tenant on account of the Sewers Rate, shall in like Manner be entitled to deduct against or to be repaid by his Landlord any Sewers Rate levied on him under this Act.