Towns Improvement Clauses Act 1847

1847 CHAPTER 34 10 and 11 Vict

Cleansing streets

And with respect to cleansing the streets, be it enacted as follows:

87 Commissioners to cause streets to be cleansed, and dust and ashes to be removed from the houses.

The commissioners shall cause all the streets, together with the foot pavements, from time to time to be properly swept and cleansed, and all dust and filth of every sort found thereon to be collected and removed, and shall cause all the dust, ashes, and rubbish to be carried away from the houses and tenements of the inhabitants of the town or district within the limits of the special Act, at convenient hours and times, and shall cause the privies and cesspools within the said town or district to be from time to time emptied and cleansed in a sufficient and proper manner: Provided always, that the occupier of any house or tenement within the limits of the special Act may keep and remove any such soil, ashes, or rubbish as shall be made on his own premises, and shall be kept for manure, so that the same be not a nuisance to the inhabitants residing near such premises, and that the same be removed at such times and in such manner as shall be approved of by the commissioners.

88 Occupiers to cause footways to be swept. Penalty for neglect.

The occupiers of buildings and lands within or adjoining the streets shall once in every day, (Sundays excepted,) before eight of the clock in the forenoon of each day, cause to be swept and cleansed the footways and pavements in front or at the side of their respective buildings and lands; and every such occupier making default herein shall for every such offence be liable to a penalty not exceeding **[**[F1]£25**]**; and for the purpose aforesaid, when any house shall be let in separate apartments, the person letting such apartments shall be deemed the occupier.

Textual Amendments

F1 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

89 Commissioners may compound for sweeping footways.

The commissioners may compound, for such time as they think fit, with any person liable to sweep or clean any footway under the provisions of this or the special Act, for sweeping and cleaning the same in the manner directed by this or the special Act.

90 Dust, &c. collected to be vested in the commissioners.

The dust and filth which the commissioners shall cause to be collected from the streets, privies, sewers and cesspools, and all the dust, ashes, and rubbish which the commissioners shall cause to be collected and carried away from the houses or elsewhere within the said limits, shall be the property of the commissioners, and the commissioners shall have power to sell and dispose of the same as they think proper, and the money arising from the sale thereof shall be applied toward the purposes of the special Act.

91 Commissioners may provide lands, &c. for deposit of soil and materials.

The commissioners may from time to time provide places convenient for the deposit of the night soil, dung, ashes, and other filth and rubbish to be collected under the authority of this or the special Act, and for stabling and keeping all horses, carts, implements, and other things required for the purposes of this or the special Act, or of any Act to be incorporated therewith; and for any of such purposes the commissioners may purchase or hire any lands or buildings by them considered necessary, or they may cause any new building to be made upon any land which shall be purchased or hired by them under the provisions of this or the special Act.

92 Dust boxes to be erected by commissioners.

The commissioners, if they think fit so to do, may cause any number of moveable or fixed dust boxes or other conveniences wherein dust and ashes may be deposited until removed and carried away to be provided and placed in such of the streets as they shall judge necessary, and may require the occupiers of houses or tenements within such streets to cause all their dust and ashes to be deposited daily in the said dust boxes or other conveniences; and every person who, after such dust boxes or conveniences have been so provided, shall deposit or cause or permit to be deposited any ashes or dust in any part of any street, except in some of the said dust boxes or other conveniences, and every person who shall lay or cause to be laid any dirt, dung, or other filth in any part of any street, shall for every such offence forfeit and pay a sum not exceeding **[**[F2]**[**[F3]£25**]]**[F2]level 1 on the standard scale**]**.

Textual Amendments

F2 "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**

F3 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

93 Commissioners may cause public conveniences to be erected.

The commissioners may erect such public urinals within the limits of the special Act, and in such situations as they think fit, and may defray the expence thereof, and of keeping the same in good order, and may make compensation for any injury

occasioned to any person by the erection thereof, out of the monies to be levied under this and the special Act.

94 Commissioners to cause streets to be watered, and wells, pumps, &c. to be provided.

The commissioners shall, as often as occasion requires, cause the streets to be watered, and they may contract with any water company or other party for a supply of water for that purpose, and for cleansing the sewers and drains; and, if necessary, they may place pipes, conduits, and pumps in any of the streets, or provide any other works and engines proper for that purpose, and remove and alter the same when and as they think proper.

95 Commissioners to appoint scavengers.

The commissioners shall appoint and employ a sufficient number of scavengers, or contract with any company or other person to employ scavengers, for sweeping, cleansing, and watering the streets, and for removing all dust, ashes, rubbish, and filth therefrom, and from the houses and tenements therein, and for emptying privies and cesspools, in the manner by this or the special Act directed; and such scavengers shall, on such days and at such hours and in such manner as the commissioners from time to time appoint, sufficiently execute all such works and duties as they have respectively contracted or been employed to perform; and every such contractor who fails to sweep and properly cleanse or water any street which he has contracted to sweep, cleanse, or water, or who fails to clean out and empty any privy, cesspool, or sewer which he has contracted to clean out and empty, at the time and in the manner appointed by the commissioners, or to collect or remove any dirt, ashes, or rubbish which he has contracted to remove, at the time and in the manner prescribed by the commissioners for that purpose, or who lays any of such soil, dust, ashes, rubbish, or filth in any other place than such as are appointed by the commissioners for that purpose, shall for every such offence be liable to a penalty not exceeding **[**[F4]**[**[F5]£25**]]**[F4]level 1 on the standard scale**]**.

Textual Amendments

F4 "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**

F5 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

96 Penalty for obstructing scavengers.

Every occupier of any building or land within the said limits, and every other person, who refuses to permit the said scavengers to remove such dirt, ashes, or rubbish as by this or the special Act they are authorized to do, or who obstructs the said scavengers in the performance of their duty, shall for every such offence be liable to a penalty not exceeding **[**[F6]**[**[F7]£25**]]**[F6]level 1 on the standard scale**]**.

Textual Amendments

F6 "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**

F7 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

97 Penalty on persons other than scavengers removing dirt.

Every person, other than the person employed by the commissioners, or by some person contracting with the commissioners for that purpose, who collects or carries away any night soil, dust, ashes, rubbish, or filth, by this or the special Act directed to be removed by persons employed by the commissioners, from any street or public place within the limits of the special Act, shall be liable to a penalty not exceeding **[**[F8]**[**[F9]£25**]]**[F8]level 1 on the standard scale**]** for every such offence.

Textual Amendments

F8 "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**

F9 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

98 Penalty for conveying offensive matter at improper times.

The commissioners may from time to time fix the hours within which only it shall be lawful to empty privies or remove offensive matter within the limits of the special Act; and when the commissioners have fixed such hours, and given public notice thereof, every person who within the limits of the special Act empties or begins to empty any privy, or removes along any thoroughfare within the said limits any offensive matter, at any time except within the hours so fixed, and also every person who at any time, whether such hours have been fixed by the commissioners or not, uses for any such purpose any cart or carriage not having a covering proper for preventing the escape of the contents of such cart, or of the stench thereof, or who wilfully slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been placed, or unavoidably slopped or spilled, shall be liable to a penalty not exceeding **[**[F10]**[**[F11]£25**]]**[F10]level 1 on the standard scale**]**; and in default of the apprehension of the actual offender the driver or person having the care of the cart or carriage employed for any such purpose shall be deemed to be the offender.

Textual Amendments

F10 "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**

F11 Words substituted by virtue of Criminal Law Act 1977 (c. 45), **s. 31(5)(6)(9)**

Changes to legislation:
There are currently no known outstanding effects for the Towns Improvement Clauses Act 1847, Cross Heading: Cleansing streets.