



### CHAPTER lxix.

An Act to consolidate the local rates leviable in the city and county of Newcastle-upon-Tyne and to make provision with respect thereto and for other purposes.

A.D. 1919.

[15th August 1919.]

**W**HEREAS the city and county of Newcastle-upon-Tyne (in this Act called "the city") is a municipal and county borough to which the Municipal Corporations Acts apply and the lord mayor aldermen and citizens of the city (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the district thereof within the meaning and for the purposes of the Public Health Acts:

And whereas the several Acts and Provisional Orders confirmed by Parliament mentioned in the First Schedule to this Act are in force within the city and are in this Act referred to collectively as "the Corporation Acts and Orders" and each of them separately as an Act or Order of the year in which the same was passed or made the Newcastle-upon-Tyne Improvement Act 1882 being referred to as "the Improvement Act of 1882":

And whereas all the expenses of the Corporation whether as a municipal or sanitary authority or under the local Acts or otherwise are payable out of the following funds and rates or one or more of such funds and rates (that is to say):—

The city fund and city rate;

The general rate authorised by the Act of 1865 as amended by the Act of 1904;

The improvement rate authorised by the Act of 1865 as amended by the Act of 1877 the Improvement Act of 1882 and the Act of 1899;

[Ch. Ixix.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(Rates) Act, 1919.

A.D. 1919.

The tramway rate authorised by the Act of 1899 ;

The district fund and the general district rate :

And whereas it is expedient that all the said expenses of the Corporation should be defrayed out of the city fund and city rate :

And whereas the city rate is levied under the provisions of the Municipal Corporations Act 1882 by the overseers of the poor of the parishes within the city as part of the poor rates for such parishes :

And whereas by virtue of the Acts relating to the said general rate the said improvement rate and the said general district rate respectively those rates are subject to provisions for differential rating in certain cases and provision is also made in the said Acts for payment of a proportion of the said general rate and improvement rate respectively by the owners instead of the occupiers of the hereditaments rated and it is expedient that in lieu of the said provisions there should be enacted the provisions contained in this Act with respect to differential rating and to payment by the owners of an equivalent proportion of the rate to be levied in the city after the commencement of this Act :

And whereas the amount of the public library rate which the Corporation may levy for the purposes of the Public Libraries Acts 1892 to 1901 is by the Public Libraries Act 1892 limited to one penny in the pound and such limit was by the Act of 1892 extended to one penny and one halfpenny in the pound subject to the condition that out of the proceeds of any such rate a sum equivalent to the yield from a rate of one halfpenny in the pound should be applied exclusively for the purposes of branch libraries and was by the Act of 1905 further extended to twopence in the pound subject to the condition that a like sum should be applied exclusively for the purposes of an art gallery vested in the Corporation and known as the Laing Art Gallery :

And whereas it is expedient that the limit of the said public library rate should be further extended as by this Act provided :

And whereas it is expedient that the other provisions contained in this Act should be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxix.]  
(*Rates*) Act, 1919.

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained: A.D. 1919.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the *Newcastle-upon-Tyne Corporation (Rates) Act 1919.* Short title.

2. This Act shall come into operation on the first day of October one thousand nine hundred and nineteen which date is in this Act referred to as the commencement of this Act. Commence-  
ment of Act.

3. In this Act unless the subject or context otherwise requires— Interpreta-  
tion.

“The city” means the city and county of Newcastle-upon-Tyne;

“The Corporation” means the lord mayor aldermen and citizens of the city;

“The Corporation Acts and Orders” means the Acts and Provisional Orders confirmed by Parliament set out in the First Schedule to this Act each such Act or Order being respectively referred to as the Act or Order of the year in which the same was passed or made and the Newcastle-upon-Tyne Improvement Act 1882 being referred to as “the Improvement Act of 1882”;

“The city fund” and “the city rate” mean respectively the city fund and the city rate of the city;

“The general rate” and “the general rate account” mean respectively the general rate authorised to be levied in the city by the Act of 1865 as amended by the Act of 1904 and the account to which the proceeds of the said rate are carried;

“The improvement rate” and “the improvement rate account” mean respectively the improvement rate authorised to be levied in the city by the Act of 1865 as amended by the Act of 1877 the Improvement Act

[Ch. Ixix.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(Rates) Act, 1919.

A.D. 1919.

of 1882 and the Act of 1899 and the account to which the proceeds of the said rate are carried;

“The tramway rate” means the tramway rate authorised by the Act of 1899;

“The district fund” and “the general district rate” mean respectively the district fund and general district rate of the city;

“The parish” means the parish of Newcastle-upon-Tyne and the parish of Walker respectively;

“The overseers” means the overseers of the parish;

“The poor rate” means the poor rate of the parish;

“The consolidated rate” means the poor rate as by this Act authorised to be levied and collected.

Repeal of certain existing enactments.

4. The Order of 1914 and the sections of the Corporation Acts and Orders set out in the Second Schedule to this Act are hereby repealed subject as regards the said sections to any limitation in such schedule mentioned.

All expenses of Corporation to be paid out of city fund and city rate.

5.—(1) All expenses of the Corporation which if this Act had not been passed would have been payable out of and all rates charges damages penalties and other moneys which if this Act had not been passed would have been paid or carried to the credit of the general rate or general rate account the improvement rate or improvement rate account the tramway rate or the district fund or general district rate or any of them or otherwise shall be charged on and defrayed out of or paid and carried to the credit of the city fund and the city rate and in any case for which no specific provision is made in this Act any reference to the general rate or general rate account the improvement rate or improvement rate account the tramway rate or the district fund or general district rate in the Corporation Acts and Orders or in any Act or Provisional Order in force in the city or in any mortgage of or charge on any of the said rates or accounts or fund granted by the Corporation in pursuance of the provisions of any such Act or Order shall be deemed to be a reference to the city fund and the city rate.

(2) The general rate and the general rate account the improvement rate and the improvement rate account and the district fund shall be closed and any balance which at the commencement of this Act is standing to the credit or to the

[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxiix.]  
(Rates) Act, 1919.

debit of the said rates accounts and fund or any of them shall from and after that date be transferred to the credit or the debit (as the case may be) of the city fund and any moneys owing to the Corporation in respect of or in connexion with the said rates accounts and fund or any of them shall notwithstanding the provisions of this Act continue to be payable to and recoverable by the Corporation as if this Act had not been passed and when received by the Corporation shall be carried to the credit of the city fund. A.D. 1919.

6. The contribution of the parish to the city rate shall be paid by the overseers out of the poor rate and the provisions of section 145 of the Municipal Corporations Act 1882 shall apply to such contribution. Contribution to city rate to be paid out of poor rate.

7. The poor rate (inclusive of the contributions to the city rate levied as part thereof in pursuance of the provisions of this Act) shall be called the consolidated rate of the parish for which the same shall be levied. Poor rate to be called consolidated rate.

8. The provisions contained in this section shall have effect with respect to the consolidated rate (that is to say):— Differential rating for certain classes of hereditaments.

- (1) The owner of any tithes or any tithe commutation rentcharge or the occupier of any land used as arable meadow or pasture ground only or as woodlands allotments orchards market gardens or nursery grounds shall be assessed to the consolidated rate in respect of such hereditaments on the full rateable value thereof but (subject as next hereinafter provided) shall be liable to pay in each year in respect of such premises a rate calculated on the basis of three-fifths only of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

Provided that during the continuance of the Agricultural Rates Act 1896 the occupier of any agricultural land as defined in that Act shall be liable to pay in each year in respect of such land a rate calculated on the basis of three-eighths only (instead of three-fifths) of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

[Ch. lxi.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(*Rates*) Act, 1919.

A.D. 1919.

(2) The occupier of any land covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the consolidated rate in respect of such hereditaments on the full rateable value thereof but shall be liable to pay in each year in respect of such hereditaments a rate calculated on the basis of three-fourths only of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section:

(3) Nothing in this section shall in any way affect—

(A) The operation of the Agricultural Rates Act 1896 save as in this section is expressly provided or the payment of the sum certified by the Local Government Board as the amount of the share of the annual grant payable under that Act out of the local taxation account to the Corporation; or

(B) The amount of the contribution for any purposes to be made by the parish out of the poor rate; or

(C) The calculation of the amount in the pound of the part of the poor rate levied for the purposes of the relief of the poor and other expenses of the guardians and expenses of the overseers respectively which is required to be stated in the demand note for the poor rate.

Differential  
rating in the  
Kenton area.

9. As on and from the commencement of this Act until the expiration of the last period of five years mentioned in Article XXXVI. (2) of the Order of 1904 (Differential rating in added part of Kenton) the following provision shall be substituted for the provision in the said article as to the differential rate thereby provided for (that is to say):—

“The hereditaments the subject of the said differential rate shall be liable to be assessed to and to pay in respect of the consolidated rate a rate calculated on the basis of three-fourths only of the amount in the pound payable in respect of hereditaments other than the said first-mentioned hereditaments and other than the hereditaments the subject of the section of this Act of which the marginal note is ‘Differential rating for certain classes of hereditaments.’”

[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxix.]  
(Rates) Act, 1919.

**10.**—(1) One-eighth of the consolidated rate shall be borne by the owners of the property rated thereto but in every case the whole rate shall be paid in the first instance by the occupiers of the property rated who are hereby empowered to deduct out of their rents the amounts paid by them on behalf of the owners:

A.D. 1919.

One-eighth of consolidated rate payable by owners.

Provided that nothing in this subsection shall affect the operation of any enactment lease or agreement (whether oral or in writing) under which the owner of the property rated is or shall be liable to pay the whole rate in respect of such property.

(2) Any provision in any lease or in any agreement (whether oral or in writing) subsisting at the commencement of this Act which refers to the one-fourth of the general rate and one-fourth of the improvement rate or to the rates or proportion of rates payable by the owner of any property for which provision was made by section 136 (One-fourth of rates payable by owner) of the Act of 1865 and by this Act repealed shall be construed and have effect as if such reference had originally been to the one-eighth part of the consolidated rate to be paid by the owner as in this section provided and any such provision which refers to the said general rate or the said improvement rate only shall be construed and have effect as if such reference had originally been to one-half of such eighth part as aforesaid.

**11.** Any person who feels aggrieved by reason of any clerical or arithmetical error in a consolidated rate may apply to a court of summary jurisdiction sitting in and for the city who after the applicant has given such notice to the overseers who made the rate and such persons as the court may think just may hear the case in like manner as in the case of summary proceedings and amend the rate so far as respects such error.

Amendment of error in consolidated rate.

**12.** Whenever the name of any person liable to be rated at the time the consolidated rate is made is omitted therefrom or if any person is described in any such rate by a wrong name the overseers may after giving to such person seven clear days' notice of their intention apply to a court of summary jurisdiction sitting in and for the city who may hear the case in like manner as in the case of summary proceedings and insert the name so omitted or correct the name so wrongly

Omissions from consolidated rate.

[Ch. lxiX.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(*Rates*) Act, 1919.

A.D. 1919. entered and every such insertion and correction shall operate as if it had been part of the original rate Provided that any person whose name is so inserted or corrected in any such rate may appeal against the same at the quarter sessions of the city which is holden next after such insertion or correction in like manner as he might have appealed against the rate.

As to section  
133 of Lands  
Clauses Con-  
solidation  
Act 1845.

**13.** For the purposes of section 133 of the Lands Clauses Consolidation Act 1845 the poor's rate shall be deemed to be one-half of the amount in the pound of the consolidated rate.

Saving rights  
of assistant  
overseers &c.

**14.** Nothing herein contained shall affect the rights and obligations under Part XI. of the Newcastle-upon-Tyne Corporation Act 1911 of any existing or future assistant overseer or other officer or servant of the Corporation now or hereafter engaged upon or in relation to the collection of rates in the city who at the date of the passing of this Act is a contributor to the Newcastle-upon-Tyne Corporation superannuation fund and any such assistant overseer officer or servant shall be deemed to be an officer or servant within the meaning of the definition in section 81 of the said Act and for the purposes thereof.

Increase of  
public li-  
brary rate.

**15.** Notwithstanding anything to the contrary contained in the Public Libraries Acts 1892 to 1901 the rate or addition to a rate made under those Acts in the city for any one financial year may amount to but shall not exceed—

- (A) Twopence in the pound for the purposes of those Acts other than the Laing Art Gallery; and
- (B) One halfpenny in the pound for the purposes of the Laing Art Gallery whether the rate or addition to a rate made in that year for the purposes referred to in the foregoing paragraph (A) shall amount to twopence in the pound or to a less amount:

Provided that if and whenever a rate or addition to a rate exceeding one penny in the pound is levied for the purposes referred to in paragraph (A) of this section not less than the proceeds of a rate of one halfpenny in the pound shall be exclusively appropriated for the purposes of branch libraries and reading-rooms:

Provided also that the proceeds of any such rate or addition to a rate for the purposes of the Laing Art Gallery as is



[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxix.]  
(Rates) Act, 1919.

referred to in paragraph (B) of this section shall be exclusively appropriated for those purposes including the payment of interest on and all instalments and appropriations and sinking fund payments in respect of moneys borrowed for or in respect of the site of the Laing Art Gallery. A.D. 1919.

**16.** A judge of any court or a justice shall not be disqualified from acting in the execution of the Corporation Acts or this Act or in any proceedings with respect to the recovery of the consolidated rate or otherwise by reason of being liable to the said rate or any rate or by being a member of the Corporation. Judges not disqualified.

**17.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the city fund and city rate. Costs of Act.

[Ch. lxxix.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(Rates) Act, 1919.

A.D. 1919. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

CORPORATION ACTS AND ORDERS.

Session and Chapter.	Title or Short Title.
<b>ACTS :</b>	
1 Vict. c. lxxii. -	The Newcastle-upon-Tyne Improvement Act 1837.
4 & 5 Vict. c. lxxi. -	The Newcastle-upon-Tyne Improvement Act 1841.
9 & 10 Vict. c. cxxi. -	The Newcastle-upon-Tyne Improvement Act 1846.
13 & 14 Vict. c. lxxvii. -	The Newcastle-upon-Tyne Improvement Act 1850.
16 & 17 Vict. c. clxxxii. -	The Newcastle-upon-Tyne Improvement Act 1853.
18 & 19 Vict. c. xcix. -	The Newcastle-upon-Tyne Improvement Act 1855.
28 & 29 Vict. c. ccl. -	The Newcastle-upon-Tyne Improvement Act 1865.
33 & 34 Vict. c. cxx. -	The Newcastle-upon-Tyne Improvement Act 1870.
34 & 35 Vict. c. cxxxv. -	The Newcastle-upon-Tyne Improvement Act 1871.
40 & 41 Vict. c. cli. -	The Newcastle-upon-Tyne Tramways and Improvement Act 1877.
45 & 46 Vict. c. clxxii. -	The Newcastle-upon-Tyne Improvement Act 1882.
45 & 46 Vict. c. ccxxxv. -	The Newcastle-upon-Tyne Corporation Loans Act 1882.
55 & 56 Vict. c. ccxxxvi. -	The Newcastle-upon-Tyne Improvement Act 1892.
57 & 58 Vict. c. exl. -	The Newcastle-upon-Tyne Corporation (Byker Bridge &c.) Act 1894.
61 & 62 Vict. c. ccxxvii. -	The Newcastle-upon-Tyne Corporation (New Infirmary Site) Act 1898.
62 & 63 Vict. c. cclxv. -	The Newcastle-upon-Tyne Tramways and Improvement Act 1899.
2 Edward VII. c. cxxi. -	The Newcastle-upon-Tyne Corporation Tramways Extensions Act 1902.
4 Edward VII. c. ccxx. -	The Newcastle-upon-Tyne Corporation Act 1904.
5 Edward VII. c. clxxii. -	The Newcastle-upon-Tyne Corporation (Tolls) Act 1905.
1 & 2 Geo. V. c. cxix. -	The Newcastle-upon-Tyne Corporation Act 1911.
4 & 5 Geo. V. c. clviii. -	The Newcastle-upon-Tyne Corporation Act 1914.
7 & 8 Geo. V. c. lvi. -	The Royal Victoria Infirmary Newcastle-upon-Tyne Act 1917.
<b>PROVISIONAL ORDERS :</b>	
42 & 43 Vict. c. cxciii. -	The Newcastle-upon-Tyne Tramways Order 1879 confirmed by the Tramways Orders Confirmation Act 1879.
50 & 51 Vict. c. cxi. -	Provisional Order relating to the City of Newcastle-upon-Tyne confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1887.

[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxxix.]  
*(Rates) Act, 1919.*

A.D. 1919.

Session and Chapter.	Title or Short Title.
<b>PROVISIONAL ORDERS :</b>	
58 & 59 Vict. c. ci. -	The Newcastle-upon-Tyne Tramways Order 1895 confirmed by the Tramways Orders Confirmation (No. 2) Act 1895.
3 Edward VII. c. cxlv. -	The Newcastle-upon-Tyne Corporation Tramways Order 1903 confirmed by the Tramways Orders Confirmation (No. 1) Act 1903.
4 Edward VII. c. cxlii. -	The Newcastle-upon-Tyne (Extension) Order 1904 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 13) Act 1904.
6 Edward VII. c. cxxxiv. -	The Newcastle-upon-Tyne Corporation Tramways Order 1906 confirmed by the Tramways Orders Confirmation Act 1906.
10 Edward VII. and 1 Geo. V. c. lxxxvi.	The Newcastle-upon-Tyne Order 1910 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1910.
3 & 4 Geo. V. c. cxxx.	The Newcastle-upon-Tyne Order 1913 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1913.
3 & 4 Geo. V. c. cxxiii. -	The Newcastle-upon-Tyne Corporation Tramways Order 1913 confirmed by the Tramways Orders Confirmation Act 1913.
4 & 5 Geo. V. c. cxxxii. -	The Newcastle-upon-Tyne Order 1914 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act 1914.

**THE SECOND SCHEDULE.**

**SECTIONS OF CORPORATION ACTS REPEALED.**

Act.	Number of Section.	Marginal Note of Section.
Act of 1837 -	50	Assessors to be appointed.
	52	Power for Council to order the parish rate book to be produced.
	53	Appointment of collector. Proceedings against persons neglecting to pay the rates.
	54	Council may remunerate assessors and collectors.
	55	Power for Council to amend rates if improper &c.

[Ch. lxix.] *Newcastle-upon-Tyne Corporation* [9 & 10 GEO. 5.]  
(Rates) Act, 1919.

A.D. 1919.

Act.	Number of Section.	Marginal Note of Section.	
Act of 1837 -	56	Persons removing from premises and others coming in to pay rates in proportion.	
	57	Lodgers to be deemed the occupiers.	
	58	Rates may be recovered from persons removing.	
	59	Form of warrant.	
	60	Rate books to be received as evidence.	
	61	Council empowered to reduce the rates.	
	62	Council may release poor persons from the rates.	
	63	Rates may be amended without quashing.	
	Act of 1850 -	22	Power to collectors to continue in office and act if they think fit.
		55	Proportion of improvement rate to be charged on arable land &c.
	Act of 1853 -	57	When the rates are to become due and payable.
		58	As to assessors of rates.
		59	Power to call for production of assessments for the relief of the poor and for taxes.
60		Persons neglecting or refusing such production &c. to be fined not exceeding 5 <i>l.</i>	
61		Penalty on refusing or neglecting to make returns or making false returns.	
62		Council may appoint surveyors &c.	
63		Recovery of rates from persons removing.	
65		Owners to be liable for rates on premises if not exceeding 6 <i>l.</i> in annual value.	
66		Power to allow a percentage for empty houses on condition of owners paying full or empty.	
Act of 1855 -		14	Certain provisions of 10 & 11 Vict. c. 34 incorporated.
	15	Certain parts of 16 & 17 Vict. c. clxxxii. incorporated.	
	17	Liability to rates not to disqualify justices &c.	
Act of 1865 -	128	Substitution of general rate for those in schedule.	
	129	Power to levy improvement rate.	
	130	Power to levy district rates.	
	131	Limit of amount.	
	132	Power to levy less rate in certain parts of borough.	
	134	Property liable to poor's rate to be liable to municipal rates.	
	135	Assessment of agricultural lands &c.	
	136	One-fourth of rates payable by owner.	
	137	Assessment collection and recovery of general rate and improvement rate.	
	138	Assessment &c. of district rates.	
	139	Parts of 10 & 11 Vict. c. 34 incorporated.	
	140	Recovery of rates.	
	148	Application of general rate.	
	149	Application of improvement rate.	
	151	As to rates under former Acts.	
	159	Appeal in cases of summary conviction against orders or against rates &c. (so far only as relates to any rate).	
	Act of 1877 - Improvement Act of 1882.	—	The First Schedule referred to in the foregoing Act.
50		Increase of improvement rates.	
105		Increase of improvement rates.	
107		Poor-rate books may be inspected by Corporation.	
108	General district rate may be levied with general rate.		

[9 & 10 GEO. 5.] *Newcastle-upon-Tyne Corporation* [Ch. lxix.]  
*(Rates) Act, 1919.*

Act.	Number of Section.	Marginal Note of Section.
Act of 1892 -	130	Increase of library rate.
	133	Corporation may collect municipal rates.
	134	Power to appeal against rates.
	135	Definition of municipal rate.
	136	Power to levy rates by instalments.
Act of 1899 -	93	As to deficiency in tramway revenue.
	95	Increase of improvement rate.
Act of 1904 -	100	Increase of limit of general rate.
Act of 1905 -	18	Public library rate may be increased.
Act of 1914 -	45	Incorporation of certain provisions of Act of 1899 (but only so far as there is incorporated therein section 93 (As to deficiency in tramway revenue) of the said Act).

A.D. 1919.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.B.E., M.V.O., the King's Printer of Acts of Parliament.

To be purchased through any Bookseller or directly from  
H.M. STATIONERY OFFICE at the following addresses:  
IMPERIAL HOUSE, KINGSWAY, LONDON, W.C.2, and 28, ABINGDON STREET, LONDON, S.W.1;  
37, PETER STREET, MANCHESTER; 1, ST. ANDREW'S CRESCENT, CARDIFF;  
23, FORTH STREET, EDINBURGH;  
or from E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN.

