



Housing of the Working Classes Act 1885

1885 CHAPTER 72

Labouring Classes Lodging Houses

1 Adoption of Labouring Classes Lodging Houses Acts

- (1) The Labouring Classes Lodging Houses Acts, 1851 to 1867, may be adopted—
 - (a) for the city of London by the Commissioners of Sewers of the city of London;
 - (b) for the metropolis, exclusive of the city of London, by the Metropolitan Board of Works if one of Her Majesty's Principal Secretaries of State approves of such adoption;
 - (c) for any urban sanitary district by the urban sanitary authority of such district in accordance with section ten of the Public Health Act, 1875 ; and
 - (d) for any rural sanitary district, by the sanitary authority of the district upon such certificate published by the Local Government Board, and after such delay as herein-after mentioned.
- (2) A rural sanitary authority in any district desiring to adopt the said Acts may apply to the Local Government Board for the certificate required for such adoption, and shall specify in such application the area in which they consider that accommodation is necessary for the housing of the labouring classes, and thereupon the Local Government Board shall direct a local inquiry to be held by one of their inspectors, and if after such local inquiry the inspector shall certify that accommodation is necessary in such area for the housing of the labouring classes, and that there is no probability that such accommodation will be provided without the execution of the said Acts, and that having regard to the liability which will be incurred by the rates, it is under all the circumstances prudent for the said authority to undertake the provision of the said accommodation under the powers of the said Acts, the Local Government Board may if they think fit publish that certificate in the " London Gazette," and thereupon the sanitary authority may adopt the said Acts : Provided that—
 - (a) unless the Local Government Board state in publishing such certificate that, by reason of the date of the next ordinary election of members of such authority or otherwise, an emergency renders it necessary to adopt the Acts immediately, such adoption in pursuance of the certificate shall not take place before the

- ordinary election of members of such authority which is held next after the date of the local inquiry; and
- (b) after the end of twelve months from the date of the certificate the Acts shall not be adopted without a fresh certificate; and
 - (c) no land shall be acquired, nor buildings erected under the said Acts outside of the area mentioned in the certificate, except after a fresh application, inquiry, and certificate.
- (3) Where the rural sanitary authority think it just that the burden of the expenses of the execution of the said Acts should be borne by some contributory place or places only in their district, instead of by the whole of their district, the authority may in their application to the Local Government Board request permission to limit the burden of such expenses to such contributory place or places, and thereupon the justice of such limitation shall be inquired into at the local inquiry, and the Local Government Board, if satisfied after the local inquiry that the circumstances of the contributory place or places and of the rest of the district render such limitation just, may make an order to that effect, and thereupon the expenses of the execution of the said Acts in the area mentioned in the order shall be borne by the contributory place or places named in the order instead of by the whole district. The provisions of this enactment with respect to the burden of the expenses shall apply upon every application for a fresh certificate.
- (4) When the Labouring Classes Lodging Houses Acts, 1851 to 1867, have been adopted by the Metropolitan Board of Works, or by any sanitary authority, or by the Commissioners of Sewers of the City of London, then
- (a) such board or authority or Commissioners shall have power to carry the said Acts into execution within the area for which they are adopted, subject in the case of a rural sanitary authority to the foregoing provisions with respect to rural sanitary authorities, and for that purpose may exercise the same powers whether of contract or otherwise as in the execution of their duties under the Metropolis Management Act, 1855, and the Acts amending the same, or under the Public Health Act, 1875, or under the Acts conferring powers on such Commissioners of Sewers respectively;
 - (b) all expenses incurred by such board or authority in the execution of the said Acts shall be defrayed—
 - (i) in the case of the Metropolitan Board of Works, out of the Dwelling House Improvement Fund under the Artizans and Labourers Dwellings Improvement Act, 1875;
 - (ii) in the case of an urban sanitary authority, as part of the general expenses of their execution of the Public Health Act, 1875 ; and
 - (iii) in the case of a rural sanitary authority, as special expenses incurred in the execution of the Public Health Act, 1875, and, save where the burden of such expenses is by order of the Local Government Board to be borne by one contributory place only, shall be deemed to be incurred for the common benefit of all the contributory places liable to bear such expenses : Provided that if on the application of the rural sanitary authority it is so declared at the time of the publication of the certificate by the Local Government Board, then the said expenses of the rural sanitary authority shall be defrayed as general expenses of the said authority in the execution of the Public Health Act, 1875, and if such expenses are not to be borne by the whole of the district, shall be charged to the contributory places which are to bear the same as an addition to the general expenses otherwise chargeable thereto;

- (iv) in the case of the City of London, out of the Dwelling House Improvement Fund under the Artizans and Labourers Dwellings Improvement Act, 1875;
- (c) all receipts under the said Acts shall be paid to the fund out of which such expenses are payable, and the accounts of such receipts and expenses shall be audited in like manner and with the like incidents and consequences respectively as the accounts of the general or special expenses above mentioned;

but separate accounts shall be kept of the receipts and expenditure for the purposes of the said Acts ;

- (d) such Board and Commissioners may borrow for the purpose of the execution of the said Acts, in like manner and subject to the like conditions as they may borrow for the purposes of the Artizans and Labourers Dwellings Improvement Act, 1875, and every such authority may borrow for the purpose of the execution of the said Acts in like manner and subject to the like conditions as for the purpose of defraying the above-mentioned general or special expenses ;
- (e) in the application of the said Acts to the City of London, " district" shall mean the City of London, and " board " the Commissioners of Sewers of that city; and in the application of the said Acts to the metropolis, "district" shall mean the Metropolis exclusive of the City of London, and " Board " the Metropolitan Board of Works; and in the application of the said Acts to a rural sanitary district, " district" shall mean the said district, and "board" the rural sanitary authority. In any case where an urban sanitary authority does not levy a borough rate or any general district rate, but is empowered by a Local Act or Acts to borrow money and to levy a rate or rates throughout the whole of their district for purposes similar to those or to some of those for which a general district rate is leviable, it shall be lawful for such sanitary authority to defray the expenses incurred in the execution of the said Acts by means of money to be borrowed, and a rate or rates to be levied, under such Local Act or Acts.