

## SCHEDULES

### SCHEDULE 11

#### MODIFICATION AND RE-ENACTMENT AS FROM 1ST APRIL 1965 OF PROVISIONS OF PUBLIC HEALTH ACTS

#### PART II

#### PROVISIONS REPRODUCED FROM ENACTMENTS RELATING TO PUBLIC HEALTH IN LONDON

---

**Modifications etc. (not altering text)**

**C1** Sch. 11 Pt. II: power to transfer certain functions conferred by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), **ss. 7(3)(c), 8(2)**

- 1 (1) Without prejudice to sections 259 and 262 of the <sup>M1</sup>Public Health Act 1936, but subject to the following provisions of this paragraph, if a local authority consider that in any premises a pond, pool, ditch, gutter or place containing, or used for the collection of, any drainage, filth, stagnant water or other matter is likely to be prejudicial to health or a nuisance, they may by notice require the owner or occupier of the premises to drain, cleanse, cover or fill up the pond, pool, ditch, gutter or place, or to construct a proper drain for the discharge of the matter, or to execute such other works as the circumstances may require.
- (2) The local authority may contribute towards the expenses incurred by any person in complying with a notice under this paragraph.
- (3) Where any works required by a notice under this paragraph interfere with any right to the use of water, the local authority may, with the agreement of the person in whom the right is vested, acquire from him the right and any land for the benefit of which the right enures, instead of compensating him under section 278 of the Public Health Act 1936.
- (4) The provisions of Part XII of the Public Health Act 1936 with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice given under this paragraph.

---

**Marginal Citations**

**M1** 1936 c. 49.

**Changes to legislation:**

There are currently no known outstanding effects for the London Government Act 1963, Paragraph 1.