



Public Health Act 1936

1936 CHAPTER 49

PART II

SANITATION AND BUILDINGS.

Private sewers and drains and cesspools.

- 41 In urban district notice to be given of intention to repair, reconstruct or alter underground drains.**
- (1) In a borough or urban district, and in a rural district or contributory place in which section thirty-nine of the Public Health Act, 1925, was in force immediately before the commencement of this Act, no person shall—
- (a) except in case of emergency, repair, reconstruct, or alter the course of, any underground drain which communicates with a sewer, or with a cesspool or any other receptacle for drainage;
 - (b) where in a case of emergency any such works have been executed without notice, cover over the drain or sewer,
- without giving to the local authority at least twenty-four hours' notice of his intention so to do.
- (2) While any such work as aforesaid is being executed, all persons concerned shall permit the surveyor or sanitary inspector, or any other authorised officer, of the local authority to have free access to the work.
- (3) A person who fails to comply with any requirement of this section shall be liable to a fine not exceeding five pounds.
- (4) Nothing in this section shall apply in relation to
- (a) so much of any drain or sewer constructed by, or belonging to, a railway company as runs under, across, or along their railway; or
 - (b) so much of any drain or sewer constructed by, or belonging to, dock undertakers as is situate in or on land of the undertakers which is held or used by them for the purposes of their undertaking.