



Public Health Act 1936

1936 CHAPTER 49

PART II

SANITATION AND BUILDINGS.

Byelaws with respect to buildings and sanitation.

64 Passing or rejection of plans, and power to retain plans, and &c.

- (1) Where plans of any proposed work are, in accordance with building byelaws, deposited with a local authority, the local authority shall, subject to the provisions of any other section of this Act which expressly requires or authorises them in certain cases to reject plans, pass the plans unless they either are defective, or show that the proposed work would contravene any of those byelaws, and, if the plans are defective or show that the proposed work would contravene any of those byelaws, they shall reject the plans.
- (2) The authority shall within the prescribed period from the deposit of the plans give notice to the person by whom or on whose behalf they were deposited whether or not they are passed, and—
 - (i) a notice of rejection shall specify the defects on account of which, or the byelaw or section of this Act for non-conformity with which, or under the authority of which, the plans have been rejected; and
 - (ii) a notice that plans have been passed shall state that the passing of the plans operates as an approval thereof only for the purposes of the requirements of the byelaws and of any such section of this Act as is referred to in the preceding subsection.
- (3) Any question arising under this section between a local authority and the person by whom or on whose behalf plans are deposited as to whether the plans are defective, or whether the proposed work would contravene any of the byelaws, may on the application of that person, be determined by a court of summary jurisdiction:

Status: This is the original version (as it was originally enacted).

Provided that no such application shall be entertained unless it is made before the proposed work has been substantially commenced.

- (4) For the purposes of this Part of this Act, the expression " the prescribed period " in relation to the passing or rejection of plans means one month, but building byelaws made by an authority whose meetings are normally held not more frequently than once a month may provide that in the case of plans deposited less than three clear days before a meeting of the authority the prescribed period shall be five weeks.
- (5) Building byelaws may require that plans and other documents to be deposited in pursuance of the byelaws shall be deposited in duplicate and, if the byelaws contain such a requirement, the local authority may retain one copy of any plans or other documents so deposited, whether or not the plans are passed.