



# Defence Act 1860

1860 CHAPTER 112 23 and 24 Vict

*Restraints and Powers to attach on Lands required to be kept free from Buildings*

## 34 **Restrictions and powers with respect to lands required to be kept free from buildings.**

<sup>F1</sup> . . . in relation to any lands required to be kept free from buildings and other obstructions, the following restrictions, powers and consequences shall attach with reference to such lands:

No building or other structure (other than barns, hovels, or other like structures of wood), shall be made or erected thereon:

It shall be lawful for the said Secretary of State, <sup>F1</sup> . . . from time to time, to enter and pull down any present or future buildings or structures (other than as aforesaid) thereon, and to cut down or grub up all or any of the trees thereon, and to remove or alter all or any of the banks, fences, hedges, and ditches thereon, and to make underground or other drains therein, and generally to level and clear the said lands, and do all such acts for levelling and clearing the same as may be deemed necessary or proper by the said Secretary of State: but in such manner, nevertheless, that evidence of the boundaries of the lands held by different owners may be preserved:

And it shall not be lawful for any person to alter the level of the lands, or do any act which may prejudicially affect any work done on the lands under the authority of the said Secretary of State.

### **Textual Amendments**

**F1** Words in s. 34 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIII Group 1.

## 35 **Limitation of time for works under last preceding enactment.**

The powers conferred by the enactment lastly hereinbefore contained in relation to any lands shall be exercised only within three years after the making of any declaration

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**Changes to legislation:** *There are currently no known outstanding effects for the Defence Act 1860, Cross Heading: Restraints and Powers to attach on Lands required to be kept free from Buildings. (See end of Document for details)*

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that the said lands are required to be kept free from buildings and other obstructions, except with respect to pulling down buildings or structures wrongfully made or erected after the expiration of that time, or keeping or re-instating such lands in the condition in which the same were left after the execution of any such work thereon as aforesaid, or maintaining or restoring the level of such lands.

**Changes to legislation:**

There are currently no known outstanding effects for the Defence Act 1860, Cross Heading:  
Restraints and Powers to attach on Lands required to be kept free from Buildings.