



Pow of Inchaffray Drainage Commission (Scotland) Act 2019

2019 asp 2

PART 3

MISCELLANEOUS AND GENERAL

19 Consent for activities affecting the Pow and adjacent land etc.

- (1) A person, other than a local authority, must not do any of the following without first obtaining consent from the Commission—
 - (a) any thing that will or may—
 - (i) obstruct the Pow,
 - (ii) limit or restrict access permitted under section 17(1),
 - (b) discharge any thing into, or abstract water from, the Pow.
- (2) The procedure for seeking consent is in schedule 6.
- (3) If a person contravenes subsection (1), the Commission may by notice require the person to—
 - (a) remedy the contravention within such period as the Commission may specify in the notice,
 - (b) reimburse the Commission for costs, if any, incurred by the Commission as a consequence of such contravention.
- (4) Where a person fails to comply with a notice under subsection (3)(a), the Commission may—
 - (a) remedy the contravention, and
 - (b) by notice require the person to reimburse the Commission for the costs incurred by the Commission in doing so.
- (5) Where a notice under subsection (3)(b) or subsection (4)(b) requires costs to be reimbursed to the Commission—
 - (a) the notice must include a breakdown and explanation of the costs,
 - (b) the person is to make payment to the Commission within 28 days of receipt of the notice.

Changes to legislation: *There are currently no known outstanding effects for the Pow of Inchaffray Drainage Commission (Scotland) Act 2019, Section 19. (See end of Document for details)*

- (6) Except in the case of an emergency, a local authority must give not less than seven days' prior notice to the Commission before doing anything described in subsection (1)
- (a). In the case of an emergency, the local authority must notify the Commission as soon as reasonably practicable.

Changes to legislation:

There are currently no known outstanding effects for the Pow of Inchaffray Drainage Commission (Scotland) Act 2019, Section 19.