



Land Drainage Act 1961

1961 CHAPTER 48

PART II

MISCELLANEOUS PROVISIONS AS TO LAND DRAINAGE AND DRAINAGE BOARDS

New provisions

40 Powers of entry

- (1) Without prejudice to any other enactment conferring powers of entry, a person authorised by a drainage board may, after producing, if so required, some duly authenticated document showing his authority, enter any land at all reasonable times for the purpose of exercising any function of the board under the Act of 1930.
- (2) A person entitled under this section to enter any land may take with him such other persons and such equipment as may be necessary and, if the land is unoccupied, he shall, on leaving it, leave it as effectually secured against trespassers as he found it.
- (3) Except in an emergency, admission to any land shall not be demanded as of right under this section, unless notice in writing of the intended entry has been given to the occupier, and, if the land is used for residential purposes or the demand is for admission with heavy equipment, has been given not less than seven days before the demand is made.
- (4) Subsection (3) of section thirty-four of the Act of 1930 (which provides for compensation in the case of injury) shall extend to any injury sustained by any person by reason of the exercise of the power of entry conferred by this section.
- (5) If any person obstructs or impedes any person exercising a right conferred by this section he shall be liable on summary conviction to a fine not exceeding twenty pounds.