



# Land Drainage Act 1961

## 1961 CHAPTER 48

### PART I

#### DRAINAGE CHARGES

*Provisions applicable to general and special drainage charges*

#### **9 Appeal against demand for drainage charge**

- (1) If any person is aggrieved by a demand for a drainage charge made on him as the occupier of a chargeable hereditament, or an amendment of such a demand, on any ground on which he could not have appealed to a magistrates' court under section seven of this Act, he may appeal to the court of quarter sessions for the county or borough in which the hereditament is situated.
- (2) Notice of appeal under this section, specifying the grounds of appeal, must be given within twenty-eight days after the date on which the demand was made or notice of the amendment was served on the appellant, as the case may be, to the court to which the appeal is made and to the river board and also, if the appeal relates to a hereditament not in the occupation of the appellant, to the occupier of the hereditament.
- (3) On an appeal under this section the court shall, as it thinks just, either confirm the demand or annul or modify it.
- (4) Sections twelve, thirteen and fourteen of the Quarter Sessions Act, 1849 (which relate to arbitration) shall not apply in the case of an appeal under this section, but the appellant and the respondent to the appeal may agree in writing to refer the matter in dispute to the arbitration of such a person as may be agreed on between them, or as may in default of agreement be appointed by the Minister.