



# Countryside and Rights of Way Act 2000

## 2000 CHAPTER 37

### PART I

#### ACCESS TO THE COUNTRYSIDE

#### CHAPTER III

#### MEANS OF ACCESS

#### **39 Order to remove obstruction**

- (1) Where at any time two or more access notices relating to a means of access have been given to any person within the preceding thirty-six months, a magistrates' court may, on the application of the access authority, order that person—
  - (a) within such time as may be specified in the order, to take such steps as may be so specified to remove any obstruction of that means of access, and
  - (b) not to obstruct that means of access at any time when the right conferred by section 2(1) is exercisable.
- (2) If a person (“the person in default”) fails to comply with an order under this section—
  - (a) he is liable on summary conviction to a fine not exceeding level 3 on the standard scale, and
  - (b) the access authority may remove any obstruction of the means of access and recover from the person in default the costs reasonably incurred by them in doing so.
- (3) In this section “access notice” means a notice under section 36(3) or 37(1) in respect of which the period specified in the notice has expired, other than a notice in respect of which an appeal is pending or which has been cancelled on appeal.