



Building Act 1984

1984 CHAPTER 55

PART III

OTHER PROVISIONS ABOUT BUILDINGS

Drainage

62 Disconnection of drain.

- (1) Where a person—
- reconstructs in the same or a new position a drain that communicates with a sewer or another drain,
 - executes any works to such a drain so as permanently to discontinue its use, or
 - executes any works on premises served by such a drain so as permanently to discontinue its use,
- he shall cause any drains or parts of drains thereby becoming disused or unnecessary to be disconnected and sealed at such points as the local authority may reasonably require.
- (2) Any question as to the reasonableness of a requirement of a local authority under this section shall be determined by a magistrates' court, and the court may vary the requirement as it thinks fit.
- (3) No one shall be required under this section to carry out any work in land outside the premises served by the drain if he has not right to carry out that work, but, subject to section 101 below, the person undertaking the reconstruction of the drain or the execution of the works may break open any street for the purpose of complying with a requirement under this section.
- (4) Before a person complies with a requirement under this section, he shall give at least 48 hours' notice to the local authority, and a person who fails to comply with this subsection is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Status: Point in time view as at 23/02/2017. This version of this provision has been superseded.

Changes to legislation: Building Act 1984, Section 62 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) A person who knowingly fails to comply with subsection (1) above is liable on summary conviction to a fine not exceeding level 1 on the standard scale and to a further fine not exceeding £1 for each day on which the default continues after he is convicted.
- (6) This section does not apply in relation to anything done in the course of the demolition of a building, or of part of a building, being a demolition as respects which the local authority have power under section 81 below to serve a notice on the person undertaking the demolition.

Modifications etc. (not altering text)

- C1 S. 62 modified (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\), s. 70\(1\), Sch. 22 para. 3](#)

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