



Public Health Act 1936

1936 CHAPTER 49

PART II

SANITATION AND BUILDINGS.

Private sewers and drains and cesspools.

- 36 Right of local authority to undertake the making of communications with public sewers.**
- (1) Where under either of the two last preceding sections a person gives to a local authority notice of his proposal to have his drains or sewer made to communicate with a public sewer of that authority, the authority may, within fourteen days after the receipt of the notice or, if any question arising under the notice requires to be determined by a court of summary jurisdiction or by an arbitrator, within fourteen days after the decision of that question, give notice to that person that they intend themselves to make the communication and, if after such a notice has been given to him, he proceeds himself to make the communication, he shall be liable to a fine not exceeding fifty pounds.
 - (2) Where a local authority have given such a notice as aforesaid, they shall have all such rights in respect of the making of the communication as the person desiring it to be made would have, but it shall not be obligatory on them to make the communication until the cost of the work, as estimated by their surveyor, has been paid to them, or security for payment has been given to their satisfaction.
 - (3) If any payment so made to the local authority exceeds the expenses reasonably incurred by them in the execution of the work, the excess shall be repaid by them and, if and so far as those expenses are not covered by the payment, if any, made to them, they may recover the expenses, or the balance thereof, from the person for whom the work was done.
 - (4) For the purposes of this section, the making of the communication between a drain or private sewer and a public sewer includes all such work as involves the breaking open of a street.