



Commons Act 2006

2006 CHAPTER 26

PART 3

WORKS

41 Enforcement

- (1) Where any works are carried out on land to which section 38 applies in contravention of subsection (1) of that section, any person may apply to the county court in whose area the land is situated.
- (2) On an application under this section the court may make an order—
 - (a) in any case, for removal of the works and restoration of the land to the condition it was in before the works were carried out;
 - (b) in a case where consent has been given under section 38(1) but the works have not been carried out in accordance with any term of that consent, for the works to be carried out in such manner and subject to such conditions as the order may specify.

Modifications etc. (not altering text)

- C1** S. 41 applied (with modifications) (1.10.2007 for E.) by 1967 c. xxix, Sch. art. 12(2B) (as inserted by Commons Act 2006 (c. 26), ss. 44, 56, Sch. 4 para. 2(3); S.I. 2007/2584, art. 2)
- S. 41 applied (1.10.2007 for E.) by 1971 c. vi, s. 23(2B) (as inserted by Commons Act 2006 (c. 26), ss. 44, 56, Sch. 4 para. 4(3); S.I. 2007/2584, art. 2)

Commencement Information

- I1** S. 41 not in force at Royal Assent see s. 56(1); s. 41 in force for E. at 1.10.2007 by S.I. 2007/2584, art. 2

Status:

Point in time view as at 01/10/2007. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Commons Act 2006, Section 41.