



Public Health Act 1936

1936 CHAPTER 49 26 Geo 5 and 1 Edw 8

PART XI

MISCELLANEOUS

Watercourses, ditches, ponds, &c.

261 Provision for obtaining order for cleansing offensive ditches lying near to, or forming, boundary of district.

Upon a complaint by a local authority against the local authority of an adjoining district that a watercourse or ditch which forms the boundary between their districts, or which lies in the adjoining district but near to that boundary, is so foul and offensive as injuriously to affect the district of the complainants, a court of summary jurisdiction having jurisdiction in the place where the watercourse or ditch is situate may make such order as it deems reasonable with respect to the cleansing of the watercourse or ditch and the execution of any work appearing to the court to be necessary, and with respect to the person by whom the work is to be executed, and the persons by whom, and the proportions in which, the costs of the work are to be paid.

Modifications etc. (not altering text)

- C1** S. 261 amended by [Radioactive Substances Act 1960 \(c. 34\), s. 9, Sch. 1 Pt. I para. 3](#); restricted by [S.I. 1965/654, art. 3\(10\)](#)
S. 261 amended (27.8.1993) by [1993 c. 12, ss. 40, 51\(2\), Sch. 3 Pt. I para. 1](#)
- C2** S. 261 modified by [SI 2010/675 Sch. 23 Pt. 8 para. 3 Table 9](#) (as substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\), reg. 1\(b\), Sch. 1](#))
- C3** S. 261 modified (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\), reg. 1\(1\), Sch. 23 paras. 1\(3\), 2 Table 9](#) (with regs. [1\(3\), 77-79, Sch. 4](#))

Changes to legislation:

There are currently no known outstanding effects for the Public Health Act 1936, Section 261.