
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 7

ENFORCEMENT

Powers of entry

Powers of entry: other authorised persons

111.—(1) A person authorised in writing by the appropriate nature conservation body may, at all reasonable hours, enter any land except a dwelling—

- (a) to ascertain whether a special nature conservation order should be made under regulation 25 (power to make special nature conservation order), whether a stop notice should be served under paragraph (1) of regulation 26 (restriction on carrying out operations specified in order) or whether an offence under regulation 26(8) is being, or has been, committed on that land;
- (b) to ascertain the amount of any compensation payable under regulation 28 (compensation for effect of stop notice) in respect of an interest in that land; or
- (c) to affix a notice in accordance with regulation 26(3) or paragraph 2(5) of Schedule 1 (procedure in connection with special conservation orders).

(2) An officer of the Valuation Office or a person authorised in writing by the appropriate nature conservation body may enter any land for the purpose of surveying it, or of estimating its value, in connection with any claim for compensation under regulation 32 (compensation for effect of byelaws) in respect of that or any other land.

(3) A person authorised in writing by the authority having power to acquire land or an interest in land may enter that land for the purpose of surveying it in connection with the acquisition of that land or of any interest in that land, whether by agreement or compulsorily, in the exercise of any power conferred by these Regulations.

(4) A person authorised under this regulation must, if requested to do so, produce a duly authenticated authorisation document before entering any land.

(5) A person authorised under paragraph (1) may not demand admission as of right to any land which is occupied unless either—

- (a) 24 hours' notice of the intended entry has been given to the occupier; or
- (b) the purpose of the entry is to ascertain whether an offence under regulation 26(8) is being, or has been, committed on that land.

(6) A person authorised under paragraph (2) or (3) may not demand admission as of right to any land which is occupied unless at least 14 days' notice in writing of the intended entry has been given to the occupier.