
Status: Point in time view as at 25/09/1991. This version of this provision never came into effect.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 88A is up to date with all changes known to be in force on or before 22 April 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)



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART III

GENERAL

Miscellaneous provisions

[88A] ^{F1}Warrants to enter land.

- (1) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—
 - (a) that there are reasonable grounds for entering any land for any of the purposes mentioned in section 88; and
 - (b) that—
 - (i) admission to the land has been refused, or a refusal is reasonably apprehended; or
 - (ii) the case is one of urgency,the justice may issue a warrant authorising any person duly authorised in writing by the appropriate authority to enter the land.
- (2) In subsection (1) “the appropriate authority” means the person who may authorise entry on the land under section 88 for the purpose in question.
- (3) For the purposes of subsection (1)(b)(i) admission to land shall be regarded as having been refused if no reply is received to a request for admission within a reasonable period.
- (4) A warrant authorises entry on one occasion only and that entry must be—
 - (a) within one month from the date of the issue of the warrant; and
 - (b) at a reasonable hour, unless the case is one of urgency.]

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Textual Amendments

- F1** Ss. 88A and 88B substituted(*prosp.*) for s. 88(7) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 25, 84(2), [Sch. 3 Pt. I para. 9\(2\)](#).

Status:

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Changes to legislation:

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