Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 7 E+W

NOISE

CHAPTER 1 E+W

AUDIBLE INTRUDER ALARMS

Powers in relation to alarms

78 Warrant to enter premises by force E+W

(1) This section applies if, on an application made by an authorised officer of a local authority, a justice of the peace is satisfied—

(a) that the conditions in section 77(2)(a) and (b) are met in relation to an audible intruder alarm installed in or on premises in the area of the local authority,

(b) if the premises are in an alarm notification area, that the condition in section 77(2)(c) is met, and

(c) that the officer is unable to gain entry to the premises without the use of force.

(2) The justice of the peace may issue a warrant authorising the officer to enter the premises, using reasonable force if necessary, for the purpose of silencing the alarm.

(3) Before applying for a warrant under this section, the officer must leave a notice at the premises stating—

(a) that the officer is satisfied that the sounding of the alarm is likely to give persons living or working in the vicinity of the premises reasonable cause for annoyance, and

Changes to legislation: *Clean Neighbourhoods and Environment Act 2005, Section 78 is up to date with all changes known to be in force on or before 23 September 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) View outstanding changes*

(b) that an application is to be made for a warrant authorising the officer to enter the premises, using reasonable force if necessary, for the purpose of silencing the alarm.

(4) The officer must, if required, show evidence of a warrant issued under this section.

(5) "Authorised officer" has the meaning given in section 77.

Commencement Information

I1 S. 78 in force at 6.4.2006 for E. by S.I. 2006/795, art. 2(3), **Sch. 2**

I2 S. 78 in force at 15.3.2007 (being the date on which S.I. 2007/739 came into force) for W. by S.I. 2006/2797, **art. 4(hh)**

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View outstanding changes

Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005
Commencement Orders bringing provisions within this Act into force:

– S.I. 2007/120 art. 3 Amendment to earlier commencing S.I. 2006/2797