



Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 7

NOISE

CHAPTER 1

AUDIBLE INTRUDER ALARMS

Powers in relation to alarms

79 Powers of entry: supplementary

- (1) This section applies where an officer of a local authority enters any premises under section 77 or under a warrant issued under section 78.
- (2) The officer may take any steps he thinks necessary for the purpose of silencing the alarm.
- (3) The officer may take with him—
 - (a) such other persons, and
 - (b) such equipment,as he thinks necessary for the purpose of silencing the alarm.
- (4) The officer and any person who enters the premises with him by virtue of subsection (3) must not cause more damage to or disturbance at the premises than is necessary for the purpose of silencing the alarm.
- (5) If the premises are unoccupied or (where the premises are occupied) the occupier of the premises is temporarily absent the officer must—

Changes to legislation: Clean Neighbourhoods and Environment Act 2005, Section 79 is up to date with all changes known to be in force on or before 11 August 2023. 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

- (a) leave a notice at the premises stating what action has been taken on the premises under this section and section 77 or 78;
 - (b) leave the premises (so far as is reasonably practicable) as effectively secured against entry as he found them.
- (6) But the officer is not required by virtue of subsection (5)(b) to re-set the alarm.
- (7) Any expenses reasonably incurred by the local authority in connection with entering the premises, silencing the alarm and complying with subsection (5) may be recovered by the authority from the responsible person.
- (8) A warrant under section 78 continues in force until—
- (a) the alarm has been silenced, and
 - (b) the officer has complied with subsection (5) (if that subsection applies).
- (9) Nothing done by, or by a member of, a local authority or by an officer of or another person authorised by a local authority, if done in good faith for the purposes of section 77, 78 or this section, is to subject the authority or any of those persons personally to any action, liability, claim or demand.

Commencement Information

- I1** S. 79 in force at 6.4.2006 for E. by S.I. 2006/795, art. 2(3), Sch. 2
- I2** S. 79 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(ii)

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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](#)