



# Mobile Homes (Wales) Act 2013

2013 anaw 6

## PART 2

### LICENSING OF MOBILE HOME SITES ETC.

#### *Other enforcement provisions*

#### **32 Power of entry of officers of local authorities**

- (1) An authorised officer of a local authority, on producing (if required to do so), a duly authenticated document of authority, has a right at all reasonable hours to enter any land which is a regulated site or in respect of which an application for a site licence has been made for the purpose of—
  - (a) enabling the local authority to determine what conditions should be imposed on a site licence or whether the conditions of a site licence should be varied,
  - (b) ascertaining whether there is, or has been, on or in connection with the land, any contravention of the provisions of this Part,
  - (c) ascertaining whether or not circumstances exist which would authorise the local authority to take any action, or execute any work, under this Part, or
  - (d) taking any action, or executing any work, authorised by this Part to be taken or executed by the local authority.
- (2) But entry to any land must not be demanded as of right unless 24 hours' notice of the intended entry has been given to the owner.
- (3) If it is shown to the satisfaction of a justice of the peace—
  - (a) that any of the following sub-paragraphs apply—
    - (i) entry to any land has been refused,
    - (ii) refusal is apprehended,
    - (iii) the owner of the land is temporarily absent and the case is one of urgency,
    - (iv) an application for entry would defeat the object of the entry, and

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*Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, Section 32. (See end of Document for details)*

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- (b) that there is reasonable ground for entering the land for any purpose mentioned in subsection (1),
- the justice of the peace may by warrant authorise the local authority by any authorised officer to enter the land, if need be by force.
- (4) But a warrant must not be issued unless the justice of the peace is satisfied—
- (a) that notice of the intention to apply for the warrant has been given to the owner,
  - (b) that the owner is temporarily absent and the case is one of urgency, or
  - (c) that the giving of notice would defeat the object of the entry.
- (5) An authorised officer entering any land by virtue of this section, or of a warrant issued under it, may be accompanied by such other persons as may be necessary.
- (6) Every warrant issued under this section continues in force until the purpose for which the entry is necessary has been satisfied.
- (7) A person who intentionally obstructs any person acting in the execution of this section, or of a warrant under this section, commits an offence.
- (8) A person who is guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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**Commencement Information**

**II** S. 32 in force at 1.10.2014 by S.I. 2014/11, art. 3(1)(b) (with art. 4)

**Changes to legislation:**

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