

HISTORIC ENVIRONMENT (WALES) ACT 2023

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 — Buildings of special architectural or historic interest

Chapter 6 — General

Section 154 — Warrant to enter land

577. **Section 154** sets out the circumstances in which a justice of the peace may issue a warrant conferring a power to enter land on an authorised person for a purpose mentioned in section 152. On the basis of sworn written information, the justice of the peace must be satisfied that there are reasonable grounds for entering the land and that:

- a. admission to the land has been refused,
- b. admission is reasonably expected to be refused, or
- c. the need to enter the land is urgent.

A planning authority, for example, might need to undertake works to secure a building at risk of collapse.

578. The warrant can confer powers of entry on any person who is authorised in writing by the Welsh Ministers or a planning authority under section 152 to enter land for a particular purpose, but only for one occasion and, unless the case is a matter of urgency, only at a reasonable time. A warrant under this section will only have effect for one month from its date of issue.