

*These notes refer to the Clean Neighbourhoods and Environment Act
(Northern Ireland) 2011 (c.23) which received Royal Assent on 4 May 2011*

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 – Noise

Chapter 1: Audible Intruder Alarms

Section 58 – Powers of entry: supplementary

This section makes supplementary provision where an officer of a district council enters any premises to silence an alarm either under section 56 or under a warrant issued under section 57. This includes provision allowing an officer to take other persons with him or her to the premises (subsection (3)), requiring the officer (if the premises are unoccupied or the occupier is temporarily absent) to leave a notice at the premises stating what action has been taken and securing the premises (subsection (5)), allowing a district council to recover expenses reasonably incurred by it in connection with entering the premises and silencing the alarm (subsection (7)) and ensuring that action taken in good faith by the council under these powers does not subject it to any liability (subsection (9)). Subsection (10) provides that subsection (9) does not apply so as to prevent an award of damages in respect of an act or omission on the ground that the act or omission was unlawful by virtue of section 6(1) of the Human Rights Act 1998.