



Norfolk and Suffolk Broads Act 1988

1988 CHAPTER 4

PART I

THE BROADS AUTHORITY

5 Notification of certain operations within the Broads.

- (1) Where they are satisfied that it is expedient to do so, the Ministers may by order specify, for the purposes of this section—
 - (a) such areas of grazing marsh, fen marsh, reed bed or broad-leaved woodland; and
 - (b) such operations appearing to them likely to affect the character or appearance of one or other of the areas so specified;as they think fit.
- (2) No person shall carry out on any land which is within an area so specified any operation which is so specified unless he has, after the making of the order, given written notice to the Authority specifying both the nature of the proposed operation and the area in which it is proposed to carry it out and—
 - (a) the Authority has consented in writing to the carrying out of the operation; or
 - (b) the Authority has neither given nor refused such consent and a period of three months beginning with the date on which the notice required by this subsection was duly given has expired; or
 - (c) the Authority has refused its consent and a period of twelve months beginning with that date has expired.
- (3) Any person who contravenes subsection (2) above without reasonable excuse shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.
- (4) Where the Authority is given any notice under this section it shall forthwith send copies of the notice to the Ministers [^{F1} and Natural England].

Changes to legislation: Norfolk and Suffolk Broads Act 1988, Section 5 is up to date with all changes known to be in force on or before 29 May 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

- (5) Any person authorised in writing by the Ministers may, at any reasonable time and (if required to do so) on producing evidence that he is authorised, enter any land for the purpose of assisting the Ministers in deciding whether or not to make an order under this section affecting that land.
- (6) Any person authorised in writing by the Authority may, at any reasonable time and (if required to do so) on producing evidence that he is authorised, enter any land for the purpose of ascertaining whether an offence has been committed under this section.
- (7) Nothing in subsection (5) or (6) above shall authorise any person to enter a dwelling.
- (8) Where any person intends to exercise his right of entry under this section in respect of land which is occupied he shall, except where his purpose is to ascertain if an offence has been committed under this section, give reasonable notice to the occupier.
- (9) Any person intentionally obstructing another in the exercise of the right of entry conferred by this section shall be liable on summary conviction to a fine not exceeding level two on the standard scale.

Textual Amendments

- F1** Words in s. 5(4) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006](#) (c. 16), s. 107, [Sch. 11 para. 111](#); S.I. 2006/2541, art. 2 (with Sch.)

Changes to legislation:

Norfolk and Suffolk Broads Act 1988, Section 5 is up to date with all changes known to be in force on or before 29 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(8A) inserted by [2008 c. 29 s. 224\(2\)\(b\)](#)