

These notes refer to the Housing Act 2004 (c.34) which received Royal Assent on Thursday 18 November 2004

HOUSING ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7

Section 240: Warrant to authorise entry

563. **Section 240** enables a Justice of the Peace to issue a warrant authorising entry to premises for the purposes of an inspection under section 4, an inspection to determine whether any functions under Parts 1 to 4 of Part 7 of the Act should be exercised, surveying or examining premises which are the subject of an improvement notice, a prohibition order or a management order under Part 4. A warrant should specify the purposes for which the entry is allowed. A warrant to authorise entry may only be granted when either entry under section 239 has been refused, or the property is empty and immediate access is necessary, or prior warning of entry is likely to negate the purpose of access. A power of entry under a warrant may include the power to enter by force if necessary.