



Housing and Planning Act 2016

2016 CHAPTER 22

PART 7

COMPULSORY PURCHASE ETC

Right to enter and survey land

172 Right to enter and survey land

- (1) A person authorised in writing by an acquiring authority may enter and survey or value land in connection with a proposal to acquire an interest in or a right over land.
- (2) The person—
 - (a) may only enter and survey or value land at a reasonable time, and
 - (b) may not use force unless a justice of the peace has issued a warrant under section 173(1) authorising the person to do so.
- (3) The person must, if required when exercising or seeking to exercise the power conferred by subsection (1), produce—
 - (a) evidence of the authorisation, and
 - (b) a copy of any warrant issued under section 173(1).
- (4) An authorisation under subsection (1) may relate to the land which is the subject of the proposal or to other land.
- (5) If the land is unoccupied or the occupier is absent from the land when the person enters it, the person must leave it as secure against trespassers as when the person entered it.
- (6) In this section and sections 173 to 178 ^{F1}—
 - (a) “acquiring authority” means a person who could be authorised to acquire compulsorily the land to which the proposal mentioned in subsection (1) relates (regardless of whether the proposal is to acquire an interest in or a right over the land or to take temporary possession of it), and

Changes to legislation: *Housing and Planning Act 2016, Section 172 is up to date with all changes known to be in force on or before 28 July 2023. 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*

- (b) “owner” has the meaning given in section 7 of the Acquisition of Land Act 1981.]

Textual Amendments

- F1** Words in s. 172(6) substituted (22.9.2017) by [Neighbourhood Planning Act 2017 \(c. 20\)](#), **ss. 26(8)(b), 46(1)** (with s. 31); S.I. 2017/936, **reg. 3(a)** (with **reg. 5**)

Modifications etc. (not altering text)

- C1** S. 172 restricted (4.11.2022) by [The A47/A11 Thickthorn Junction Development Consent Order 2022 \(S.I. 2022/1070\)](#), **art. 1, Sch. 9 para. 67(1)** (with arts. 4, 52, Sch. 9 para. 82)
- C2** S. 172 restricted (18.7.2023) by [The Longfield Solar Farm Order 2023 \(S.I. 2023/734\)](#), **art. 1, Sch. 15 para. 71(1)** (with **art. 19**)
- C3** S. 172(2)(3) applied (with modifications) (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 2 para. 8(2)(3)**
- C4** S. 172(2)(3) applied (with modifications) (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 2 para. 1(5)(6)**
- C5** S. 172(5) applied (with modifications) (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 2 para. 1(5)(6)**
- C6** S. 172(5) applied (with modifications) (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 2 para. 8(2)(3)**

Commencement Information

- I1** S. 172 in force at 13.7.2016 by [S.I. 2016/733](#), **reg. 3(h)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 172 restricted by [S.I. 2023/800 Sch. 9 Pt. 4 para. 4\(1\)](#)

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. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)