



Housing and Planning Act 2016

2016 CHAPTER 22

PART 7

COMPULSORY PURCHASE ETC

Right to enter and survey land

174 Notice of survey and copy of warrant

- (1) The acquiring authority must give every owner or occupier of land at least 14 days' notice before the first day on which the authority intends to enter the land in exercise of the power conferred by section 172.
- (2) Notice given in accordance with subsection (1) must include—
 - (a) a statement of the recipient's rights under section 176, and
 - (b) a copy of the warrant, if there is one.
- (3) If the authority proposes to do any of the following, the notice must include details of what is proposed—
 - (a) searching, boring or excavating;
 - (b) leaving apparatus on the land;
 - (c) taking samples;
 - (d) an aerial survey;
 - (e) carrying out any other activities that may be required to facilitate compliance with the instruments mentioned in subsection (5).
- (4) If the authority obtains a warrant after giving notice in accordance with subsection (1) it must give a copy of the warrant to all those to whom it gave that notice.
- (5) The instruments referred to in subsection (3)(e) are—
 - (a) Council Directive [85/337/EEC](#) of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as amended from time to time,

Changes to legislation: Housing and Planning Act 2016, Section 174 is up to date with all changes known to be in force on or before 05 August 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) Council Directive [92/43/EC](#) of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, as amended from time to time, or
- (c) any EU instrument from time to time replacing all or part of those Directives.

Modifications etc. (not altering text)

- C1** [S. 174](#) 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)
 - C2** [S. 174\(4\)](#) 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. 174](#) in force at 13.7.2016 by [S.I. 2016/733](#), reg. 3(h)

Changes to legislation:

Housing and Planning Act 2016, Section 174 is up to date with all changes known to be in force on or before 05 August 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.

[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. 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\(8\)\(a\)\(ii\)](#)