Status: Point in time view as at 06/04/2006. This version of this provision has been superseded. Changes to legislation: Clean Neighbourhoods and Environment Act 2005, Section 78 is up to date with all changes known to be in force on or before 20 September 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)

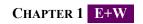


# Clean Neighbourhoods and Environment Act 2005

**2005 CHAPTER 16** 

PART 7 E+W

NOISE



AUDIBLE INTRUDER ALARMS

*Powers in relation to alarms* 

## 78 Warrant to enter premises by force **E+W**

- (1) This section applies if, on an application made by an authorised officer of a local authority, a justice of the peace is satisfied—
  - (a) that the conditions in section 77(2)(a) and (b) are met in relation to an audible intruder alarm installed in or on premises in the area of the local authority,
  - (b) if the premises are in an alarm notification area, that the condition in section 77(2)(c) is met, and
  - (c) that the officer is unable to gain entry to the premises without the use of force.
- (2) The justice of the peace may issue a warrant authorising the officer to enter the premises, using reasonable force if necessary, for the purpose of silencing the alarm.
- (3) Before applying for a warrant under this section, the officer must leave a notice at the premises stating—
  - (a) that the officer is satisfied that the sounding of the alarm is likely to give persons living or working in the vicinity of the premises reasonable cause for annoyance, and

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- (b) that an application is to be made for a warrant authorising the officer to enter the premises, using reasonable force if necessary, for the purpose of silencing the alarm.
- (4) The officer must, if required, show evidence of a warrant issued under this section.
- (5) "Authorised officer" has the meaning given in section 77.

#### **Commencement Information**

II S. 78 in force at 6.4.2006 for E. by S.I. 2006/795, art. 2(3), Sch. 2

### Status:

Point in time view as at 06/04/2006. This version of this provision has been superseded.

#### **Changes to legislation:**

Clean Neighbourhoods and Environment Act 2005, Section 78 is up to date with all changes known to be in force on or before 20 September 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.