
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 69

**The City of Derry Airport (Control Over
Land) Order (Northern Ireland) 2011**

Bringing buildings, etc. into conformity with directions

6.—(1) Where a direction has not been complied with on the expiration of 14 days from the date of its coming into operation, an authorised person may remove, pull down, cut down or alter so as to bring into conformity with the requirements of the direction, any building, structure, tree or apparatus which contravenes those requirements.

(2) For the purposes of paragraph (1), an authorised person shall, on production of his authorisation, have the right to enter on any part of the specified areas of land at all reasonable hours.

(3) Admission to land for the purposes of paragraph (1) shall not be demanded as of right unless at least 7 days notice of the intended entry has been given to every person appearing to the Department to be an owner, occupier or lessee of the lands to which entry is sought.

(4) Where notice of intended entry for a particular purpose has been given as respects the first occasion on which the right of entry is exercised, no further notice shall be required before entering on the land on a subsequent occasion in connection with that purpose.

(5) If it is shown to the satisfaction of a lay magistrate on a sworn complaint in writing—

- (a) that admission to land which any person is entitled to enter by virtue of paragraph (2) has been refused to that person, or that refusal is apprehended, or that land is unoccupied, or the occupier is temporarily absent, or that the case is one of urgency; and
- (b) that there are reasonable grounds for entry to the land for any purpose for which entry is required

the lay magistrate may by warrant under his hand authorise that person to enter the land, if need be by force.

(6) Any person entitled to enter on any land by virtue of paragraph (2) or of a warrant issued under paragraph (5)—

- (a) may take with him such other persons and such equipment as may be necessary, and
- (b) on leaving any unoccupied land which he has entered by virtue of such a warrant shall leave as effectually secured against trespassers as he found it.

(7) Every warrant granted under paragraph (5) shall continue in force until the purposes for which entry is necessary has been satisfied.

(8) Where an authorised person enters on land for the purposes of paragraph (1), he shall reinstate the land as soon as possible.

(9) In this Article “authorised person” means any person authorised in writing by the Department for the purposes of this Article.