



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART III

GENERAL

Miscellaneous provisions

76 Rights of entry

- (1) Any person duly authorised in writing by the Secretary of State may at any reasonable time enter upon any land for the purpose of surveying any building on that or any other land in connection with a proposal to include the building in, or exclude it from, a list compiled or approved under section 1.
- (2) Any person duly authorised in writing by the Secretary of State or the planning authority may at any reasonable time enter upon any land for any of the following purposes—
 - (a) surveying it in connection with any proposal by the authority or the Secretary of State to make or serve any order or notice under or by virtue of any provision of this Act other than sections 25 to 33, 42, 44 to 48, 51, 52, 57, 58, 59(2) and (3), 61 to 67, 69 to 75, 79 to 83 and Schedule 3,
 - (b) ascertaining whether an offence has been, or is being, committed with respect to any building on that or any other land, under section 8, 10, 39 or 53,
 - (c) ascertaining whether any such building is being maintained in a proper state of repair,
 - (d) ascertaining whether any of the functions conferred by section 49 should or may be exercised in connection with the land, or
 - (e) exercising any of those functions in connection with the land.
- (3) Any person who is an officer of the Valuation Office or a person duly authorised in writing by the Secretary of State may at any reasonable time enter any land for

Status: This is the original version (as it was originally enacted).

the purpose of surveying it, or estimating its value, in connection with a claim for compensation payable under this Act in respect of any land.

- (4) Any person who is an officer of the Valuation Office or a person duly authorised in writing by a planning authority may at any reasonable time enter any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation payable under section 25 or 26 in respect of any land.
- (5) Any person who is an officer of the Valuation Office or is duly authorised in writing by a planning authority having power to acquire land under sections 42 to 47 may at any reasonable time enter any land for the purpose of surveying it, or estimating its value, in connection with any proposal to acquire that land or any other land, or in connection with any claim for compensation in respect of any such acquisition.
- (6) Subject to sections 77 and 78, any power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals in it.