



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 7

MISCELLANEOUS

Compulsory purchase

140 Supplementary

- (1) Schedule 7 to the Courts Act 2003 (c. 39) (High Court writs of execution) is amended as follows.
- (2) After paragraph 3 insert—

3A “Issue of certain warrants to enforcement officers

- (1) Sub-paragraph (2) applies for the purpose of identifying the enforcement officer to whom a warrant may be issued under—
 - (a) section 91(1) of the Lands Clauses Consolidation Act 1845 (proceedings in case of refusal to deliver possession of lands), or
 - (b) section 13(1) of the Compulsory Purchase Act 1965 (refusal to give possession to acquiring authority).
- (2) The enforcement officer, in relation to such a warrant, is—
 - (a) the enforcement officer assigned to a relevant district or, if two or more enforcement officers are assigned to that district, those officers collectively, or
 - (b) a named enforcement officer who, whether or not assigned to a relevant district, has undertaken to execute the warrant.
- (3) In sub-paragraph (2), “a relevant district”, in relation to a warrant, means—

Status: Point in time view as at 01/04/2008.

Changes to legislation: *Tribunals, Courts and Enforcement Act 2007, Section 140 is up to date with all changes known to be in force on or before 08 July 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)*

- (a) the district where the land in respect of which the warrant was issued is situated, or
 - (b) if that land (being land in one ownership) is not situated wholly in one district, a district where any part of that land is situated.”
- (3) Paragraph 4 is amended as set out in subsections (4) to (7).
- (4) In sub-paragraph (1), at the end insert “ and warrants issued to one or more enforcement officers under an enactment mentioned in paragraph 3A(1)(a) or (b) ”.
- (5) After sub-paragraph (2) insert—
 - “(2A) The relevant officer has, in relation to the warrant, the duties, powers, rights, privileges and liabilities that a sheriff of a county would have had at common law if—
 - (a) the warrant had been issued to him, and
 - (b) the district in which it is to be executed had been within his county.”
- (6) For sub-paragraph (3) substitute—
 - “(3) “The relevant officer” means—
 - (a) in relation to a writ—
 - (i) if the writ is directed to a single enforcement officer under paragraph 3(1)(a) or (c), that officer;
 - (ii) if the writ is directed to two or more enforcement officers collectively under paragraph 3(1)(b), the officer to whom, in accordance with approved arrangements, the execution of the writ is allocated,
 - (b) in relation to a warrant—
 - (i) if the warrant is issued to a single enforcement officer in accordance with paragraph 3A(2)(a) or (b), that officer;
 - (ii) if the warrant is issued to two or more enforcement officers collectively in accordance with paragraph 3A(2)(a), the officer to whom, in accordance with approved arrangements, the execution of the warrant is allocated.”
- (7) For sub-paragraph (4) substitute—
 - “(4) Sub-paragraphs (2) and (2A) apply to a person acting under the authority of the relevant officer as they apply to the relevant officer.”
- (8) In paragraph 5, after “writ” insert “ or warrant ”.
- (9) In paragraph 12(2)(d)(ii), after “officers” insert “ , or warrants issued to enforcement officers under an enactment mentioned in paragraph 3A(1)(a) or (b), ”.
- (10) Accordingly—
 - (a) in section 99 of that Act (High Court writs of execution), in subsection (1) at the end insert “ and about warrants issued in connection with the compulsory acquisition of land ”;
 - (b) in Schedule 7 to that Act—
 - (i) for the heading “High Court Writs of Execution” substitute “ Enforcement of Certain Writs and Warrants ”;

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- (ii) in the heading immediately preceding paragraph 1, for “of execution” substitute “ and warrants ”.

Status:

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