

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Hedgerows Regulations 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

1997 No. 1160

The Hedgerows Regulations 1997

PROSPECTIVE

Rights to enter without a warrant

12.—(1) Any person duly authorised in writing by a local planning authority may enter any land for the purpose of—

- (a) surveying it in connection with any hedgerow removal notice received by the authority;
- (b) ascertaining whether an offence under regulation 7 has been committed;
- (c) determining whether a notice should be given under regulation 8,

if there are reasonable grounds for entering for the purpose in question.

(2) Any person duly authorised in writing by the Secretary of State may enter any land for the purpose of surveying it in connection with any appeal made under regulation 9, if there are reasonable grounds for entering for that purpose.

(3) Any right to enter by virtue of paragraph (1) or (2) shall be exercised at a reasonable hour.

(4) No right to enter by virtue of paragraph (1)(a) or (2) shall be exercised in relation to land which—

- (a) adjoins that in respect of which a hedgerow removal notice has been given or an appeal made; and
- (b) is occupied by a person other than the person who gave the hedgerow removal notice or made the appeal,

unless at least 24 hours' notice of the intended entry has been given to the occupier of that adjoining land.

(5) In a case to which regulation 5(10) applies, no right to enter any land by virtue of paragraph (1)(a) or (2) shall be exercised unless at least 24 hours' notice of the intended entry has been given to the occupier of the land.

Commencement Information

II Reg. 12 in force at 1.6.1997, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations excluded by [S.I. 2016/818 art. 31\(4\)\(5\)](#)
- Regulations excluded by [S.I. 2017/330 art. 22\(4\)](#)
- reg. 12 coming into force by [S.I. 1997/1160 reg. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(4) inserted by [S.I. 2015/377 Sch. para. 35\(3\)](#)