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## STATUTORY INSTRUMENTS

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# 2017 No. 1012

## The Conservation of Habitats and Species Regulations 2017

### PART 7

#### Enforcement

##### *Powers of entry*

##### **Powers of entry: other authorised persons**

**117.**—(1) A person authorised in writing by the appropriate nature conservation body may, at all reasonable hours, enter any land except a dwelling—

- (a) to ascertain whether a special nature conservation order should be made under regulation 27 (power to make special nature conservation order), whether a stop notice should be served under paragraph (1) of regulation 28 (restriction on carrying out operations specified in order) or whether an offence under regulation 28(8) is being, or has been, committed on that land;
- (b) to ascertain the amount of any compensation payable under regulation 30 (compensation for effect of stop notice) in respect of an interest in that land; or
- (c) to affix a notice in accordance with regulation 28(3) or paragraph 2(5) of Schedule 1 (procedure in connection with special conservation orders).

(2) An officer of the Valuation Office or a person authorised in writing by the appropriate nature conservation body may enter any land for the purpose of surveying it, or of estimating its value, in connection with any claim for compensation under regulation 34 (compensation for effect of byelaws) in respect of that or any other land.

(3) A person authorised in writing by the authority having power to acquire land or an interest in land may enter that land for the purpose of surveying it in connection with the acquisition of that land or of any interest in that land, whether by agreement or compulsorily, in the exercise of any power conferred by these Regulations.

(4) A person authorised under this regulation must, if requested to do so, produce a duly authenticated authorisation document before entering any land.

(5) A person authorised under paragraph (1) may not demand admission as of right to any land which is occupied unless either—

- (a) 24 hours' notice of the intended entry has been given to the occupier; or
- (b) the purpose of the entry is to ascertain whether an offence under regulation 28(8) is being, or has been, committed on that land.

(6) A person authorised under paragraph (2) or (3) may not demand admission as of right to any land which is occupied unless at least 14 days' notice in writing of the intended entry has been given to the occupier.

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

The Conservation of Habitats and Species Regulations 2017, Section 117 is up to date with all changes known to be in force on or before 26 June 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.