



Refuse Disposal (Amenity) Act 1978

1978 CHAPTER 3

Miscellaneous and supplemental

8 Powers of entry etc.

- (1) Any person duly authorised in writing by [^{F1}the Secretary of State or] a local authority may at any reasonable time enter upon any land for the purpose of ascertaining whether any of the functions conferred by section 3 or section 6 above should or may be exercised in connection with the land, or for the purpose of exercising any of those functions in connection with the land.
- (2) [^{F2}Section 325(1) to (7) of the Town and Country Planning Act 1990] (which contains supplementary provisions as to rights of entry under [^{F2}section 324] of that Act) shall have effect with the necessary modifications as if references to [^{F2}section 324] included references to subsection (1) above.
- (3) [^{F3}Sections 320, 322, 323, 329 and 330 of the said Act of 1990] (which relate to local inquiries, the service of notices and the furnishing of information) shall have effect as if any reference to that Act or specified provisions of that Act included a reference to this Act.
- (4) In the application of this section to Scotland, for subsections (2) and (3) there shall be substituted the following subsections—
 - “(2) [^{F4}Section 270(1) to (7) of the Town and County Planning Scotland) Act 1997] (which contains supplementary provisions as to rights of entry under [^{F5}section 269] of that Act) shall have effect with the necessary modifications as if references to [^{F5}section 269] included references to subsection (1) above.
 - (3) [^{F6}Sections 265 to 268, 271 and 272 of the said Act of 1997] (which relate to local inquiries, the service of notices and the furnishing of information) shall have effect as if any reference to that Act or specified provisions of that Act included a reference to this Act.”

Changes to legislation: There are currently no known outstanding effects for the Refuse Disposal (Amenity) Act 1978, Section 8. (See end of Document for details)

Textual Amendments

- F1** Words repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. II](#)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1\)](#), s. 4, [Sch. 2 para. 41\(a\)](#)
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1\)](#), s. 4, [Sch. 2 para. 41\(b\)](#)
- F4** Words in s. 8(2) (as substituted by subsection (4)) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 27\(a\)\(i\)](#)
- F5** Words in s. 8(2) (as substituted by subsection (4)) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 27\(a\)\(ii\)](#)
- F6** Words in s. 8(3) (as substituted by subsection (4)) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), [Sch. 2 para. 27\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 8 power to apply conferred by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. [66\(1\)\(a\)](#)
- C2** S. 8 extended (E.W.) by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\)](#), ss. 2(6), 23(2), 27(2), [Sch. 3 para. 45\(b\)](#)
Ss. 4, 5, 8, 10, 11 extended (S.) (8.9.2000) by 2000 asp 10, s. 36, [Sch. 5 para. 6\(1\)](#); S.S.I. 2000/312, [art. 2](#)
- C3** S. 8 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), arts. 1, [25\(2\)\(xxiv\)](#) (with art. 35)
- C4** S. 8 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), arts. 2, [25\(1\)](#), [25\(1\)](#), [25\(2\)\(xxiv\)](#) (with art. 35)

Changes to legislation:

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