STATUTORY INSTRUMENTS

2026 No. 737

INFRASTRUCTURE PLANNING

The Infrastructure Planning (Rights of Entry Notice) Regulations 2026

Made - - - -	*30th June 2026*
Laid before Parliament	*3rd July 2026*
Coming into force - -	*24th July 2026*

The Secretary of State makes these Regulations in exercise of the power conferred by section 53(4A) of the Planning Act 2008(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Infrastructure Planning (Rights of Entry Notice) Regulations 2026 and come into force on 24th July 2026.

(2) These Regulations extend to England and Wales and (subject to paragraph (3)) to Scotland.

(3) These Regulations extend to Scotland only so far as required for the purpose of the construction (other than by a gas transporter) of an oil or gas cross-country pipeline—

(a) one end of which is in England or Wales, and

(b) the other end of which is in Scotland.

Interpretation

2. In these Regulations—

"the Act" means the Planning Act 2008;

"development consent" means consent required for development to the extent that it is or forms part of a nationally significant infrastructure project in accordance with section 31 of the Act(**b**);

"the relevant land" means the land which it is proposed will be subject to entry in exercise of the right under section 53(1) of the Act—

(a) for the purposes of surveying and taking levels of it, or

(**a**) 2008 c. 29. Section 53(4A) is inserted into the Planning Act 2008 (c. 29) by section 11 of the Planning and Infrastructure Act 2025 (c. 34). Section 11 of the Planning and Infrastructure Act 2025 is brought into force on 24th July 2026 (see S.I. 2026/641). See section 235(1) for the meaning of "prescribed".

(**b**) Section 31 of the Planning Act 2008 is amended by section 4 of the Planning and Infrastructure Act 2025. Section 4 of the Planning and Infrastructure Act 2025 is brought into force on 24th July 2026 (see S.I. 2026/641).

(b) in order to facilitate compliance with the provisions mentioned in section 53(1A) of the Act(**a**);

"the rights of entry notice" means a notice given to the owner or occupier of the relevant land in accordance with section 53(4)(b) of the Act.

Rights of entry notice: Prescribed information

3.—(1) The rights of entry notice must include—

(a) the name and address (including any number or address used for the purposes of electronic transmission) of the authorised person(**b**);

(b) a description of the relevant land;

(c) a statement that the entry is required in connection with—

(i) an application for an order granting development consent, whether in relation to the relevant land or any other land, that has been accepted by the Secretary of State,

(ii) a proposed application for an order granting development consent, or

(iii) an order granting development consent that includes provision authorising the compulsory acquisition of the relevant land or of an interest in it or a right over it;

(d) where an application for an order granting development consent has been accepted, the date the application was accepted and reference number of the application;

(e) where an order has been made granting development consent—

(i) the date the order was made,

(ii) any Statutory Instrument number, and

(iii) the provision in that order authorising the compulsory acquisition of the relevant land;

(f) where the entry is in connection with a proposed application, a statement with evidence showing that the proposed applicant intends to apply for an order granting development consent;

(g) a statement that the entry is in accordance with section 53(1) of the Act(**c**);

(h) details of the dates, times and duration of any entry;

(i) a statement that the authorised person has taken reasonable steps to contact the owner or occupier of the relevant land;

(j) a statement of the recipient's rights under section 53(7) of the Act;

(k) a statement that it is an offence to wilfully obstruct a person acting in the exercise of the rights under section 53(1) of the Act;

(l) a statement that a justice of the peace may issue a warrant authorising a person to use force to exercise the rights under section 53(1) of the Act, if satisfied—

(i) that another person has prevented or is likely to prevent the exercise of that power, and

(**a**) Section 53(1A) was inserted by section 136 of the Localism Act 2011 (c. 20).
(**b**) See section 53(1B) of the Act (as inserted by section 11 of the Planning and Infrastructure Act 2025) for the definition of "authorised person".
(**c**) Section 53(1) is amended by section 11 of the Planning and Infrastructure Act 2025.

(ii) that it is reasonable to use force in the exercise of that power.

(2) The rights of entry notice must be accompanied by—

(a) where applicable, a copy of the order granting development consent;

(b) a plan showing the relevant land, including points of entry;

(c) where applicable, a copy of any warrant obtained under section 53(4B) of the Act(**a**);

(d) evidence showing that the authorised person has taken reasonable steps to contact the owner or occupier of the relevant land.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
30th June 2026 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Planning Act 2008 (c. 29) ("the Act") provides for the granting of development consent for certain types of nationally significant infrastructure projects. Section 53(1) of the Act provides an authorised person with the right to enter any land in connection with an application, proposed application or order granting development consent for the purpose of surveying and taking levels of it, or in order to facilitate compliance with the provisions mentioned in section 53(1A) of the Act. A person exercising a right of entry onto any land must provide at least 14 days' notice of the intended entry to every owner or occupier of the land.

Regulation 3 prescribes the information that must be included in, and must accompany, the rights of entry notice.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(**a**) Section 53(4B) is inserted by section 11 of the Planning and Infrastructure Act 2025.

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