



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 3

LISTED BUILDING PARTNERSHIP AGREEMENTS

PROSPECTIVE

116 Compensation where agreement or provision is terminated

- (1) This section applies where a listed building partnership agreement, or any provision of such an agreement, is terminated by an order under section 115.
- (2) Any person is entitled, on making a claim to the planning authority, to be paid compensation by the authority for—
 - (a) any expenditure incurred by the person in carrying out works that become abortive because of the termination of the agreement or provision;
 - (b) any other loss or damage suffered by the person that is directly attributable to the termination.
- (3) For the purposes of this section expenditure incurred in the preparation of plans for the purposes of any works, or on other similar matters preparatory to any works, is to be treated as expenditure incurred in carrying out the works.
- (4) Subject to that, no compensation is payable under this section in respect of—
 - (a) works carried out before the listed building partnership agreement, or the relevant provision of the agreement, took effect, or
 - (b) other loss or damage (other than loss or damage consisting of depreciation of the value of an interest in land) arising out of anything done or omitted to be done before the agreement or provision took effect.

Status: This version of this provision is prospective.

*Changes to legislation: There are currently no known outstanding effects for the
Historic Environment (Wales) Act 2023, Section 116. (See end of Document for details)*

- (5) A claim for compensation under this section must be made in writing within 6 months beginning with the day the termination of the agreement or provision takes effect.
- (6) In subsection (2) “the planning authority” means—
- (a) the planning authority that made the order under section 115, or
 - (b) if the order was made by the Welsh Ministers, the planning authority in whose area the listed building, or the part of a listed building, to which the order relates is situated.
- (7) The Welsh Ministers may by regulations amend this section, and the regulations may make consequential amendments to any other provision of this Act.

Commencement Information

II S. 116 not in force at Royal Assent, see [s. 212\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 116.