



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 5

### SUPPLEMENTARY PROVISION ABOUT BUILDINGS OF SPECIAL INTEREST AND CONSERVATION AREAS

#### CHAPTER 2

#### PROCEEDINGS BEFORE THE WELSH MINISTERS

##### *Costs of proceedings before Welsh Ministers*

PROSPECTIVE

#### **181 Orders relating to costs of parties**

- (1) This section applies to the following proceedings—
  - (a) proceedings on an application, appeal or reference made to the Welsh Ministers under or by virtue of Part 3 or 4 (whether it is considered at a local inquiry, at a hearing or on the basis of representations in writing);
  - (b) any other local inquiry or hearing held or to be held by or on behalf of the Welsh Ministers under or by virtue of any provision of those Parts or this Part.
- (2) The Welsh Ministers may make orders about—
  - (a) the costs of the applicant or appellant, or a planning authority or other party to the proceedings (which may include costs in respect of an inquiry or hearing that does not take place), and
  - (b) the person or persons who must pay the costs.
- (3) But the Welsh Ministers may not order a person to pay the costs of another party unless they are satisfied that—
  - (a) the person has behaved unreasonably in relation to the proceedings, and

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*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 181. (See end of Document for details)*

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- (b) the person's unreasonable behaviour has caused the other party to incur unnecessary or wasted expenditure.
- (4) The power to make orders under this section must also be exercised in accordance with any provision made under section 175(5)(b) (procedural requirements).

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**Commencement Information**

**II** S. 181 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 181.