



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 4

### CONSERVATION AREAS

#### *Grants and conservation area agreements*

#### **165 Grant by Welsh Ministers for preservation or enhancement of conservation areas**

- (1) The Welsh Ministers may make grants to meet any relevant expenditure that they consider has made or will make a significant contribution towards the preservation or enhancement of the character or appearance of a conservation area.
- (2) Expenditure is relevant for the purposes of subsection (1) if it has been or is to be incurred in or in connection with, or with a view to the promotion of, such preservation or enhancement as is mentioned in that subsection.
- (3) The following provisions of this section apply where—
  - (a) the Welsh Ministers make a grant under subsection (1) in relation to a building or other land on terms which provide for it to be recoverable under this section, and
  - (b) before or on making the grant the Welsh Ministers give notice in writing to the recipient of the grant which—
    - (i) summarises the effect of this section, and
    - (ii) specifies a period, beginning with the day the grant is made and ending not more than 10 years after that day, during which the grant is to be recoverable in accordance with subsections (5) to (7) (“the recovery period”).
- (4) If any condition imposed on the making of the grant is not complied with, the Welsh Ministers may recover the amount of the grant, or any part of that amount, from the recipient of the grant.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Subsections (6) and (7) apply if during the recovery period—
- (a) there is a disposal of the whole or part of the interest that the recipient of the grant held in the building or other land to which the grant relates on the day the grant was made (“the relevant interest”), and
  - (b) the disposal is made by sale, by exchange or by lease for a term of at least 21 years.
- (6) If the disposal is made by the recipient of the grant or by a person to whom the recipient of the grant has given part of the relevant interest, the Welsh Ministers may recover the amount of the grant, or any part of that amount, from the recipient of the grant.
- (7) If the disposal is made by a person to whom the recipient of the grant has given the whole of the relevant interest, the Welsh Ministers may recover the amount of the grant, or any part of that amount, from the person to whom the gift was made.
- (8) The Welsh Ministers may not recover amounts under this section which in aggregate exceed the amount of the grant.
- (9) In this section references to giving an interest to a person are references to giving it to the person directly or indirectly, other than on the death of the holder of the interest.

## **166 Conservation area agreements**

- (1) The Welsh Ministers may make a conservation area agreement with one or more planning authorities.
- (2) A conservation area agreement is an agreement that a specified amount of money will be set aside for a specified period of years for the purpose of making grants for the repair of buildings which are situated in a conservation area and—
- (a) included in a list compiled for the purposes of the agreement by the parties to it, or by them and other planning authorities, or
  - (b) shown on a map prepared for those purposes by the parties, or by them and other planning authorities.
- (3) The Welsh Ministers may pay a grant for the purposes of a conservation area agreement to a planning authority which is a party to the agreement or any other person.
- (4) The Welsh Ministers may make arrangements with any such authority about how the agreement is to be carried out (including arrangements for the offer and payment of grants under this section).
- (5) Section 165(4) to (9) apply to a grant under this section, but taking the recovery period to be 3 years beginning with the day the grant is made.