

## SCHEDULE 13

(introduced by section 211(1))

### MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

#### *Settled Land Act 1925 (c. 18)*

- 1 In Part 2 of Schedule 3 to the Settled Land Act 1925, after paragraph (vi) insert—
- “(vii) Works specified by the Welsh Ministers as being required for properly maintaining a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) on the settled land.”

#### *Historic Buildings and Ancient Monuments Act 1953 (c. 49)*

- 2 The Historic Buildings and Ancient Monuments Act 1953 is amended as follows.
- 3 Omit section 4.
- 4 In section 4A—
- (a) in the heading, for “section 4” substitute “section 3A”;
- (b) in subsection (1)—
- (i) omit “or 4”;
- (ii) omit “or (as the case may be) by the Secretary of State”;
- (c) in subsections (3), (4) and (8), omit “or (as the case may be) by the Secretary of State”.
- 5 (1) In section 5, after subsection (5) insert—
- “(6) In this section references to a building do not include a building situated wholly or mainly in Wales.”
- (2) This paragraph does not apply in relation to property that was acquired or accepted before it comes into force.
- 6 Omit section 6.
- 7 In section 8, after subsection (7) insert—
- “(8) In this section references to a building do not include a building situated wholly or mainly in Wales.”

#### *Land Powers (Defence) Act 1958 (c. 30)*

- 8 In section 6(4)(b) of the Land Powers (Defence) Act 1958, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

#### *Public Health Act 1961 (c. 64)*

- 9 In the table in Schedule 4 to the Public Health Act 1961, after the entry relating to section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 insert—

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“A building which is included in the schedule of monuments maintained	The Welsh Ministers.”
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under section 3 of the Historic Environment (Wales) Act 2023 or the list of buildings maintained under section 76 of that Act, except—

- (a) a building owned by railway, canal, dock, harbour or inland navigation undertakers,
  - (b) a building owned by a holder of a licence under section 6 of the [Electricity Act 1989 \(c. 29\)](#),
  - (c) a building owned by a gas transporter (within the meaning given by section 7(1) of the [Gas Act 1986 \(c. 44\)](#)), or
  - (d) a building forming part of an aerodrome.
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*Compulsory Purchase Act 1965 (c. 56)*

- 10 In section 1(4) of the Compulsory Purchase Act 1965—
- (a) for “or section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute “, section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or section 136 of the Historic Environment (Wales) Act 2023,”;
  - (b) after “section 52(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 136(4) of the Historic Environment (Wales) Act 2023”.

*Mines (Working Facilities and Support) Act 1966 (c. 4)*

- 11 In section 7 of the Mines (Working Facilities and Support) Act 1966, after subsection (8) insert—
- “(9) For the purposes of this section, where any building or work is a monument of special historic interest within the meaning of Part 2 of the Historic Environment (Wales) Act 2023 and is, in pursuance of that Part, under the guardianship of the Welsh Ministers or a local authority, the Welsh Ministers or the local authority, as the case may be, shall be deemed to be persons entitled to make an application under this section.”

*Civic Amenities Act 1967 (c. 69)*

- 12 Omit section 4 of the Civic Amenities Act 1967.

*Redundant Churches and other Religious Buildings Act 1969 (c. 22)*

- 13 The Redundant Churches and other Religious Buildings Act 1969 is amended as follows.
- 14 In section 4—
- (a) in subsection (2)(b), after sub-paragraph (i) insert—  
 “(ia) the Welsh Ministers,”;
  - (b) in subsection (9), after “in relation to” insert “the Secretary of State and”;

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- (c) after subsection (9) insert—
  - “(9A) In relation to the Welsh Ministers—
    - (a) this section only applies to any premises falling within subsection (1) if they are situated in Wales, and
    - (b) references in this section to land are references only to land situated in Wales.”;
  - (d) in subsection (10)—
    - (i) in paragraph (a), after “the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or the Historic Environment (Wales) Act 2023”;
    - (ii) in paragraph (b), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

15 In section 5(1), after “Secretary of State,”, in both places, insert “the Welsh Ministers,”.

#### *Local Government Act 1972 (c. 70)*

16 In section 131(2) of the Local Government Act 1972, after paragraph (m) insert—  
“and  
(n) Part 2 of the Historic Environment (Wales) Act 2023.”

#### *Land Compensation Act 1973 (c. 26)*

17 In section 33D(4)(d) of the Land Compensation Act 1973, after “section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 138 of the Historic Environment (Wales) Act 2023”.

#### *Estate Agents Act 1979 (c. 38)*

18 In section 1(2)(e) of the Estate Agents Act 1979, after “the Planning (Listed Buildings and Conservation Areas) Act 1990,” insert “Parts 3 to 5 of the Historic Environment (Wales) Act 2023,”.

#### *Ancient Monuments and Archaeological Areas Act 1979 (c. 46)*

19 The Ancient Monuments and Archaeological Areas Act 1979 is amended as follows.

- 20 In section 1—
- (a) in subsection (3), for “subsection” substitute “subsections (3A) and”;
  - (b) after subsection (3) insert—
    - “(3A) The power of the Secretary of State under subsection (3) above to include any monument in the Schedule does not apply to a monument situated in Wales (and in this subsection “Wales has the meaning given by section 158(1) of the Government of Wales Act 2006).”
  - (c) omit subsection (5A);
  - (d) for subsection (6A) substitute—

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- “(6A) As soon as may be after—
- (a) including any monument in England in the Schedule under subsection (3) above;
  - (b) amending the entry in the Schedule relating to any such monument; or
  - (c) excluding the entry in the Schedule relating to any such monument;
- the Secretary of State shall inform the Commission of the action taken and, in a case falling within paragraph (a) or (b), shall also send to the Commission a copy of the entry or (as the case may be) of the amended entry in the Schedule relating to that monument.”;
- (e) omit subsections (6B) and (6C);
  - (f) in subsection (9) omit “and Wales”.
- 21 Omit sections 1AA to 1AE.
- 22 In section 2—
- (a) omit subsections (3A) and (3B);
  - (b) in subsection (5)—
    - (i) in paragraph (a), omit “(in a case where the monument in question is situated in England), or”;
    - (ii) omit paragraph (b);
  - (c) omit subsections (5A) and (5B);
  - (d) omit subsection (6A);
  - (e) in subsection (8), omit “which have been executed in relation to a scheduled monument situated in England or land in, on or under which there is such a scheduled monument”;
  - (f) omit subsection (8A).
- 23 In section 4(3), omit “Where a direction would (if given) affect a monument situated in England,”.
- 24 In section 6, omit subsection (5).
- 25 In section 7(1), omit “the Secretary of State or (where the monument in question is situated in England)”.
- 26 In section 8—
- (a) in subsection (2A), omit paragraph (c);
  - (b) in subsection (6), omit “and Wales”.
- 27 In section 9(1), omit “the Secretary of State or (where the monument in question is situated in England)”.
- 28 Omit sections 9ZA and 9ZB and the italic heading before section 9ZA.
- 29 Omit sections 9ZC to 9ZH and the italic heading before section 9ZC.
- 30 Omit sections 9ZI to 9ZL and the italic heading before section 9ZI.
- 31 Omit section 9ZM and the italic heading before it.
- 32 In section 26, omit subsection (4).
- 33 In section 27(2), for “section 1AD, 7, 9 or 9ZL” substitute “section 7 or 9”.

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- 34 In section 28—  
(a) in subsection (1), omit “situated in England”;  
(b) omit subsection (1A).
- 35 In section 33—  
(a) after subsection (1) insert—  
“(1A) An order under subsection (1) may not designate an area in  
Wales.”;  
(b) in subsection (5), omit “and Wales”.
- 36 In section 35(5), omit paragraph (aa).
- 37 In section 38—  
(a) in subsection (3)(b), omit “and Wales”;  
(b) in subsection (9)(b), omit “and Wales”.
- 38 Omit section 41A and the italic heading before it.
- 39 In section 42—  
(a) in subsection (1), omit “or of the Secretary of State (in any other case)”;  
(b) in subsection (3), omit “or of the Secretary of State (in any other case)”;  
(c) in subsection (4), omit “the Secretary of State or”;  
(d) in subsection (5)(a), omit “the Secretary of State or”;  
(e) in subsection (7), omit “relating to a protected place situated in England”;  
(f) omit subsection (8).
- 40 In section 44(2), in the second sentence, omit the words from “, or in relation to”  
to the end.
- 41 In section 45—  
(a) omit subsection (1);  
(b) in subsection (3), omit “The Secretary of State or”.
- 42 In section 46(3), omit “9ZF, 9ZJ,”.
- 43 In section 50, omit subsection (3A).
- 44 In section 51(3), omit “1AD, 9ZL,”.
- 45 In section 53—  
(a) in subsection (2), for “, or of Wales; and, subject to subsection (2B),”  
substitute “and”;  
(b) omit subsections (2A) and (2B).
- 46 In section 55, omit subsection (3A).
- 47 In section 56—  
(a) in subsection (1), omit paragraph (ca) and the “or” after it;  
(b) omit subsection (1A);  
(c) omit subsection (3).
- 48 In section 60—  
(a) omit subsection (1A);  
(b) omit subsections (3), (4) and (5).
- 49 In section 61—

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- (a) in subsection (1)—
  - (i) omit the definitions of “address”, “electronic communication” and “interim protection”;
  - (ii) in the definition of “local authority”, omit paragraph (aa);
  - (iii) in the definition of “owner”, omit “sections 9ZA and 9ZB and”;
  - (iv) in the definition of “scheduled monument consent”, omit “and (3B)”;
- (b) omit subsection (2B);
- (c) in subsection (6), omit “(other than in section 9ZA)”;
- (d) in subsection (7), omit paragraph (d) and the “and” before it;
- (e) omit subsection (7A);
- (f) in subsection (12), in paragraph (b), at the end insert “, except any monument situated wholly or mainly in Wales”.

50 Omit Schedules A1 and A2.

51 In Schedule 1—

- (a) in paragraph 1, omit sub-paragraph (3);
- (b) in paragraph 2(4), omit “or of regulations made by the Welsh Ministers under it”;
- (c) omit paragraph 2B;
- (d) in paragraph 3, omit sub-paragraph (5);
- (e) omit paragraph 3A;
- (f) in paragraph 4(1), omit “and Wales”;
- (g) in paragraph 5(1A), omit “Where the monument in question is situated in England,”.

*Local Government, Planning and Land Act 1980 (c. 65)*

52 In section 148(3) of the Local Government, Planning and Land Act 1980, after “(which relates to the compilation or approval by the Secretary of State of lists of buildings of special architectural or historic interest)” insert “, under section 76 of the Historic Environment (Wales) Act 2023 (which makes similar provision for Wales),”.

*Highways Act 1980 (c. 66)*

53 The Highways Act 1980 is amended as follows.

54 In section 79(15)—

- (a) in paragraph (a), after “local highway authority” insert “in England”;
- (b) after that paragraph insert—
  - “(aa) authorises the service by a local highway authority in Wales of a notice under this section with respect to any wall forming part of a monument of special historic interest (within the meaning of Part 2 of the Historic Environment (Wales) Act 2023) or other object of archaeological interest, except with the consent of the Welsh Ministers; or”

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- 55 In section 105ZA(1), in paragraph (g) of the definition of “sensitive area”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

*New Towns Act 1981 (c. 64)*

- 56 In section 8 of the New Towns Act 1981, at the end insert “or under section 76 of the Historic Environment (Wales) Act 2023 (which makes similar provision for Wales)”.

*Acquisition of Land Act 1981 (c. 67)*

- 57 In section 31(1)(a) of the Acquisition of Land Act 1981, after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Part 3 of the Historic Environment (Wales) Act 2023”.

*National Heritage Act 1983 (c. 47)*

- 58 In Schedule 4 to the National Heritage Act 1983—
- (a) omit paragraph 4;
  - (b) omit paragraph 8;
  - (c) omit paragraph 31.

*Inheritance Tax Act 1984 (c. 51)*

- 59 In section 230(3)(c) of the Inheritance Tax Act 1984, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “, or of which the Welsh Ministers are guardians under Part 2 of the Historic Environment (Wales) Act 2023”.

*Building Act 1984 (c. 55)*

- 60 The Building Act 1984 is amended as follows.
- 61 In section 1A(2)—
- (a) in paragraph (a), after “(see section 1(5) of that Act)” insert “or the Historic Environment (Wales) Act 2023 (see section 76 of that Act)”;
  - (b) in paragraph (b), for “that Act” substitute “the Planning (Listed Buildings and Conservation Areas) Act 1990 or under section 158 of the Historic Environment (Wales) Act 2023”.
- 62 In section 20(1), after “the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “, Part 3 of the Historic Environment (Wales) Act 2023”.
- 63 In section 77(3), after “subject to” insert “section 79A and to”.
- 64 In section 79(5), after “subject to” insert “section 79A and to”.
- 65 After section 79 insert—

**“79A Wales: exercise of powers under sections 77 and 79 in relation to listed buildings, buildings in conservation areas etc.**

- (1) Before taking any steps mentioned in subsection (3) in relation to a listed building, a local authority in Wales must—

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- (a) if it is the planning authority for the area in which the building is situated, consider whether it should instead exercise its powers under sections 137 and 138 of the Historic Environment (Wales) Act 2023 (compulsory acquisition and repairs notices), and
  - (b) in any case, consider whether it should instead exercise its powers under section 144 of that Act (urgent preservation works).
- (2) Before taking any steps mentioned in subsection (3) in relation to—
- (a) a building in relation to which interim protection or temporary listing has effect under Chapter 1 of Part 3 of the Historic Environment (Wales) Act 2023, or
  - (b) a building that is subject to a direction under section 164 of that Act (urgent works to preserve buildings in conservation areas),
- a local authority in Wales must consider whether it should instead exercise its powers under section 144 of that Act.
- (3) The steps referred to in subsections (1) and (2) are steps with a view to—
- (a) obtaining an order under section 77(1)(a), or
  - (b) serving a notice under section 79(1).
- (4) In subsection (1), “listed building and “planning authority have the same meanings as in the Historic Environment (Wales) Act 2023.”

*Housing Act 1985 (c. 68)*

- 66 The Housing Act 1985 is amended as follows.
- 67 In section 303, after “section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 76 of the Historic Environment (Wales) Act 2023”.
- 68 In section 305—
- (a) in subsection (1), after “Where a building” insert “in England”;
  - (b) after subsection (1) insert—
    - “(1A) Where a building in Wales to which a compulsory purchase order under section 290 applies becomes a listed building at any time after the making of the order, the authority making the order may, within the period of three months beginning with the date on which the building becomes a listed building, apply to the Welsh Ministers (and only to them) for their consent under section 89 of the Historic Environment (Wales) Act 2023 to the demolition of the building.”;
  - (c) in subsection (2), after “Secretary of State gives” insert “, or (as the case may be) the Welsh Ministers give,”.
- 69 In section 306—
- (a) in subsection (1), after “applies to a building” insert “in England”;
  - (b) after subsection (1) insert—
    - “(1A) Where section 291 applies to a building in Wales purchased by the local housing authority by agreement and the building becomes a listed building, the authority may, within the period of three months beginning with the date on which the building becomes a listed

building, apply to the Welsh Ministers (and only to them) for their consent under section 89 of the Historic Environment (Wales) Act 2023 to the demolition of the building.”

#### *Protection of Military Remains Act 1986 (c. 35)*

- 70 In section 9(1) of the Protection of Military Remains Act 1986, in the definition of “Crown land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “except that in relation to land in Wales, it has the meaning given in section 207 of the Historic Environment (Wales) Act 2023”.

#### *Town and Country Planning Act 1990 (c. 8)*

- 71 The Town and Country Planning Act 1990 is amended as follows.
- 72 In section 70(3), as it has effect before section 5(8) of the [Housing and Planning Act 2016 \(c. 22\)](#) comes into force, after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “, to section 160 of the Historic Environment (Wales) Act 2023”.
- 73 In section 108(3F), at the end insert “or the Historic Environment (Wales) Act 2023”.
- 74 In section 137—
- (a) in subsection (6)—
    - (i) in the words before paragraph (a), after “section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 138 of the Historic Environment (Wales) Act 2023”;
    - (ii) in paragraph (b), for “that Act” substitute “the Planning (Listed Buildings and Conservation Areas) Act 1990 or section 137 of the Historic Environment (Wales) Act 2023”;
  - (b) in subsection (7)(b)(i)—
    - (i) after “Secretary of State” insert “or the Welsh Ministers”;
    - (ii) after “he decides” insert “or they decide”.
- 75 In section 143(4), after “Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 100 or 127 of the Historic Environment (Wales) Act 2023”.
- 76 In section 157(1)(b)—
- (a) after “section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 137 of the Historic Environment (Wales) Act 2023”;
  - (b) after “section 50 of that Act of 1990” insert “or section 140 of that Act of 2023”.
- 77 In section 232(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 78 In section 235(6), in the definition of “alternative enactment”, after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 79 In section 240(3), in the definition of “relevant acquisition or appropriation”, after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.

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- 80 In section 241(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 81 In section 243(3)(b), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 82 In section 246(1)(a), after “section 52 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 136 of the Historic Environment (Wales) Act 2023”.
- 83 In section 271(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 84 In section 272(1), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 85 In section 275—
- (a) in subsection (1)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”;
  - (b) in subsection (2)(a), for “that Chapter” substitute “either of those Chapters”;
  - (c) in subsection (3), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 86 In section 277(2)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 87 In section 303, after subsection (1) insert—
- “(1ZZA) References in subsection (1) to functions of a local planning authority do not, in the case of a local planning authority in Wales, include functions under the Historic Environment (Wales) Act 2023 (as to which, see section 167 of that Act).”
- 88 In section 303ZA(5)(b), which is inserted by section 200 of the [Planning Act 2008 \(c. 29\)](#), after “the Welsh Ministers” insert “in relation to appeals under any provision made by or under this Act as it applies”.
- 89 In section 306(1)(a), after “Chapter V of Part 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or Chapter 5 of Part 3 of the Historic Environment (Wales) Act 2023”.
- 90 Before section 315 (but after the italic heading before that section) insert—

**“314A Wales: duties relating to listed buildings and features of architectural or historic interest**

- (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the Welsh Ministers or a local planning authority in Wales must have special regard to the desirability of preserving—

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- (a) the listed building,
  - (b) the setting of the building, or
  - (c) any features of special architectural or historic interest the building possesses.
- (2) In exercising the powers conferred by sections 232, 233 and 235(1) (appropriation, disposal and development of land held for planning purposes), a relevant local authority must have regard to the desirability of preserving features of special architectural or historic interest, and in particular listed buildings.
- (3) In subsection (2), “relevant local authority” means—
- (a) a county council or county borough council in Wales;
  - (b) a National Park authority in Wales;
  - (c) a joint planning board constituted under section 2(1B).
- (4) In this section, “listed building” means—
- (a) a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales, or
  - (b) a listed building (within the meaning given by section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990) situated in England.”
- 91 In section 336(1)—
- (a) in the definition of “conservation area”, after “section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990” insert “or section 158 of the Historic Environment (Wales) Act 2023”;
  - (b) in the definition of “the planning Acts”, after “Planning (Listed Buildings and Conservation Areas) Act 1990,” insert “Parts 3 to 5 of the Historic Environment (Wales) Act 2023 (and Part 7 of that Act as it applies for the purposes of those Parts)”.
- 92 In Schedule 4B, in paragraph 8(5), for “has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute—
- “means—
- (a) a listed building (within the meaning given by section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990) situated in England, or
  - (b) a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales.”

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

- 93 The Planning (Listed Buildings and Conservation Areas) Act 1990 is amended as follows.
- 94 In section 1—
- (a) in subsection (1), after “buildings of special architectural or historic interest” insert “in England”;
  - (b) omit subsection (2);
  - (c) in subsection (4), omit “in relation to buildings which are situated in England”;

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- (d) omit subsection (4A);
  - (e) in subsection (5A), omit “situated in England”.
- 95 In section 2—
- (a) in subsection (1)—
    - (i) in the words before paragraph (a), omit “, Welsh county, county borough,”;
    - (ii) after paragraph (a), insert “and”;
    - (iii) omit paragraph (c) and the “and” before it;
  - (b) in subsection (3), in the words before paragraph (a)—
    - (i) omit “situated in England”;
    - (ii) for “any such building” substitute “any building”;
  - (c) omit subsections (3A) and (3B).
- 96 Omit sections 2A to 2D.
- 97 In section 3—
- (a) in the heading, omit “in England”;
  - (b) in subsection (1), for “If it appears to a local planning authority in England who are not a county planning authority” substitute “If it appears to a local planning authority, other than a county planning authority,”;
  - (c) in subsections (2), (3), (4), (5) and (6), omit “under this section”.
- 98 Omit section 3A.
- 99 In section 4(2), for “sections 3 and 3A,” substitute “section 3,”.
- 100 In section 5—
- (a) at the beginning of subsection (1), omit “(1)”;
  - (b) omit subsection (2).
- 101 In section 6—
- (a) in the heading, omit “: England”;
  - (b) in subsection (A1), omit “situated in England”.
- 102 Omit section 6A.
- 103 In section 8—
- (a) in subsection (4)—
    - (i) in paragraph (a), omit “in relation to England,”;
    - (ii) omit paragraph (b);
  - (b) in subsection (6), omit paragraph (b) and the “and” before it.
- 104 In section 9, omit subsection (3A).
- 105 In section 12, omit subsection (4B).
- 106 In section 15(3), omit “in England”.
- 107 In section 20—
- (a) in subsection (4), omit “in relation to England”;
  - (b) omit subsection (5).
- 108 In section 21—
- (a) in subsection (4), omit “interim protection has effect or”;
  - (b) omit subsections (4A) and (4B);

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- (c) omit subsection (9).
- 109 In section 22—
  - (a) omit subsection (2B);
  - (b) in subsection (3), for “an appeal under section 20” substitute “the appeal”.
- 110 In section 26A(1), omit “, situated in England”.
- 111 In section 26C(1), omit “in England”.
- 112 In section 26D(1), omit “for any area in England”.
- 113 In section 26H(1), omit “in England”.
- 114 Omit sections 26L and 26M and the italic heading before section 26L.
- 115 Omit section 28B.
- 116 In section 29—
  - (a) in subsection (1), omit “in respect of a building situated in England”;
  - (b) omit subsection (1A).
- 117 In section 31(2), for “28, 28B, 29 and 44D” substitute “28 and 29”.
- 118 In section 32(1), in the words after paragraph (b), omit “, Welsh county, county borough,”.
- 119 In section 34(2)—
  - (a) in paragraph (c), omit “in England”;
  - (b) omit paragraph (cc).
- 120 In section 40, omit subsection (2B).
- 121 In section 41—
  - (a) in subsection (4)—
    - (i) omit “section 40(2) would otherwise apply and”;
    - (ii) omit “of this section”;
  - (b) in subsection (8), omit “in England”.
- 122 In section 44A(4), omit “, as respects England,”.
- 123 Omit sections 44B to 44D.
- 124 In section 46—
  - (a) in subsection (2)(b), omit “if the land is situated in England,”;
  - (b) in subsection (5), omit “in England”.
- 125 In section 47—
  - (a) in subsection (3)(a), omit “situated in England”;
  - (b) in subsection (7), in the definition of “the appropriate authority,” in paragraph (a), omit “, county borough”.
- 126 In section 48(4), omit “situated in England”.
- 127 In section 49—
  - (a) in the heading, after “listed building” insert “in England or Wales”;
  - (b) the existing provision becomes subsection (1);
  - (c) after that subsection insert—
    - “(2) In subsection (1)—

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- (a) the reference to a building which was listed includes a building in Wales which was included in the list maintained under section 76 of the Historic Environment (Wales) Act 2023;
  - (b) in relation to such a building—
    - (i) the reference to section 50 of this Act is to be read as a reference to section 140 of that Act;
    - (ii) the reference to listed building consent is a reference to consent under section 89 of that Act.”
- 128 In section 52(1)—
- (a) in the words before paragraph (a)—
    - (i) for “, county borough,” substitute “in England,”;
    - (ii) after “joint planning board for an area” insert “in England”;
  - (b) in paragraph (a), after “building” insert “situated wholly or mainly in England”.
- 129 In section 53(3), omit “if they relate to property situated in England”.
- 130 In section 54—
- (a) in subsection (2)—
    - (i) in paragraph (a), omit “if the building is in England”;
    - (ii) omit paragraph (b);
  - (b) in subsection (4), omit “, in the case of a building in England,”;
  - (c) omit subsection (4A);
  - (d) omit subsection (5A);
  - (e) in subsection (6), omit “or (5A)”.
- 131 In section 55, omit subsections (5A) to (5G).
- 132 In section 57(7)—
- (a) in paragraph (a), for “, county borough,” substitute “in England,”;
  - (b) in paragraph (b), after “principal Act” insert “for an area in England”.
- 133 In section 60(2), omit “, 3A”.
- 134 In section 61(2), for “sections 2B, 3, 3A,” substitute “sections 3,”.
- 135 In section 62(2), omit paragraph (za).
- 136 In section 66, after subsection (4) insert—
- “(5) In this section, “listed building includes a listed building (within the meaning given by section 76 of the Historic Environment (Wales) Act 2023) situated in Wales.”
- 137 In section 70—
- (a) in subsection (5)(b), omit “it affects an area in England and”;
  - (b) in subsection (6)(b), omit “if it affects an area in England,”.
- 138 In section 74—
- (a) omit subsections (1), (1A) and (2);
  - (b) in subsection (2A), omit “in England”;
  - (c) omit subsections (3) and (4).

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- 139 In section 75—
- (a) omit subsection (6);
  - (b) omit subsection (10);
  - (c) in subsection (11), omit “under section 9 or 43 or”.
- 140 In section 76(2), omit “in respect of a building in England”.
- 141 In section 77—
- (a) in subsection (1), omit “situated in England”;
  - (b) omit subsection (2);
  - (c) in subsection (3), omit “or (2)”;
  - (d) in subsection (4), omit “or, as the case may be, the Secretary of State”;
  - (e) omit subsection (6).
- 142 In section 79—
- (a) in subsection (1), omit “, or the Secretary of State and one or more local authorities in Wales,”;
  - (b) in subsection (3), omit paragraph (aa).
- 143 In section 80—
- (a) in subsection (1)(b), omit “in England”;
  - (b) omit subsection (2);
  - (c) in subsection (3), omit “or, as the case may be, the Secretary of State” in both places;
  - (d) in subsection (5), omit “or the Secretary of State”.
- 144 In section 81, after ““local planning authority”” insert “means a local planning authority for an area in England and”.
- 145 In section 82—
- (a) in subsection (1)—
    - (i) omit “, (2)”;
    - (ii) omit “to 2D,”;
  - (b) in subsection (3)—
    - (i) omit “2B, 2C,”;
    - (ii) omit “28B,”;
    - (iii) omit “, 1A”.
- 146 In section 82A(2), omit paragraph (fa).
- 147 In section 86(2)—
- (a) in paragraph (a), omit “if the property is situated in England, then”;
  - (b) in paragraph (b), omit “in any case,”.
- 148 In section 88—
- (a) omit subsection (3A);
  - (b) in subsection (4), for “, 28B, 29 or 44D” substitute “or 29”.
- 149 In section 88B, omit subsection (1A).
- 150 In section 88D—
- (a) in the heading, omit “: England”;
  - (b) in subsection (7), in paragraphs (a), (b) and (c), omit “in England”.

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- 151 Omit section 88E.
- 152 In section 89—
- (a) in subsection (1)—
    - (i) omit the entry for sections 319ZA to 319ZD;
    - (ii) in the entry for section 322, omit “: England”;
    - (iii) omit the entry for section 322C;
    - (iv) in the entry for section 323, omit “: England”;
    - (v) omit the entry for section 323A;
  - (b) in subsection (1A), omit “In the case of a building situated in England”.
- 153 In section 90(5), after “council of a county” insert “in England”.
- 154 In section 91—
- (a) in subsection (1)—
    - (i) in the definition of “building preservation notice”, for “sections 3(1) and 3A(1)” substitute “section 3(1);
    - (ii) omit the definition of “interim protection”;
  - (b) in subsection (2), in the words after the list of expressions, omit “, 26L or 26M”.
- 155 In section 93—
- (a) in subsection (1), omit “in relation to England and the Welsh Ministers may make regulations under this Act in relation to Wales”;
  - (b) in subsection (3)—
    - (i) omit “, other than regulations under section 2A, 26M or 56A,”;
    - (ii) omit “(in the case of regulations made by the Secretary of State) or the National Assembly for Wales (in the case of regulations made by the Welsh Ministers)”;
  - (c) omit subsection (3A);
  - (d) in subsection (4)—
    - (i) omit “55(5B),”;
    - (ii) omit “, 88E”;
  - (e) in subsection (5)—
    - (i) omit “55(5B),”;
    - (ii) omit “(in the case of an order made by the Secretary of State) or the National Assembly for Wales (in the case of an order made by the Welsh Ministers)”;
  - (f) in subsection (6), omit “or (as the case may be) the Welsh Ministers”.
- 156 In Schedule 1, in paragraph 2—
- (a) in sub-paragraph (3), omit “situated in England”;
  - (b) omit sub-paragraph (4).
- 157 Omit Schedules 1A and 1B.
- 158 In Schedule 2—
- (a) in paragraph 1—
    - (i) after sub-paragraph (a) insert “or”;
    - (ii) omit sub-paragraphs (c) and (d);
  - (b) in paragraph 2, for “, 43 or 44C” substitute “or 43”;

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- (c) omit paragraph 5.
- 159 In Schedule 3—
- (a) in paragraph 2—
    - (i) omit sub-paragraph (4B);
    - (ii) omit sub-paragraph (10);
  - (b) in paragraph 3—
    - (i) omit sub-paragraphs (4C) and (4D);
    - (ii) in sub-paragraph (5), omit “or (4D)”;
  - (c) in paragraph 6—
    - (i) omit sub-paragraph (1B);
    - (ii) in sub-paragraph (2)(a), omit “or this paragraph”;
    - (iii) in sub-paragraph (4), omit “in England”;
    - (iv) omit sub-paragraph (4A);
    - (v) in sub-paragraph (5), for “inquiry held by virtue of this paragraph” substitute “such inquiry”;
    - (vi) in sub-paragraph (8), omit “in England”;
  - (d) in paragraph 7, omit sub-paragraph (3);
  - (e) omit paragraph 8 and the italic heading before it.
- 160 In Schedule 4—
- (a) in paragraph 1—
    - (i) at the beginning of sub-paragraph (1), omit “(1)”;
    - (ii) omit sub-paragraph (2);
  - (b) in paragraph 7(1)—
    - (i) omit “3A,”;
    - (ii) omit “44D,”.

*Planning and Compensation Act 1991 (c. 34)*

- 161 In Part 1 of Schedule 18 to the Planning and Compensation Act 1991, after the entry relating to section 29(5) of the Land Drainage Act 1991 insert—

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“Section 8 of the Historic Environment (Wales) Act 2023	Date interim protection takes effect
Section 21 of that Act	Date scheduled monument consent is refused or granted subject to conditions
Section 24 of that Act	Date works ceased to be authorised
Section 28 of that Act	Date notice of proposed termination is served
Section 34 of that Act	Date temporary stop notice takes effect
Section 70 of that Act	Date damage is caused
Section 80 of that Act	Date interim protection takes effect
Section 86 of that Act	Date temporary listing notice is served
Section 108 of that Act	Date modification or revocation of consent takes effect

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Section 116 of that Act	Date termination of agreement or provision takes effect
Section 122 of that Act	Date temporary stop notice takes effect
Section 155(4) of that Act	Date damage is caused”

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*Coal Mining Subsidence Act 1991 (c. 45)*

162 In section 19 of the Coal Mining Subsidence Act 1991, after subsection (1) insert—

- “(1A) This section also applies where any property in Wales which—
- (a) is a scheduled monument within the meaning given by section 3 of the Historic Environment (Wales) Act 2023,
  - (b) has been notified to the Corporation by the Secretary of State as a monument of special historic interest, within the meaning given by section 75(6) of that Act, for the time being under the guardianship of the Welsh Ministers, or
  - (c) is a listed building within the meaning given by section 76 of that Act, and is not of a description specified in an order made by the Secretary of State,

is affected by subsidence damage and the character of the property as one of historic, architectural, archaeological or other special interest is or may be affected by that damage.”

*Land Drainage Act 1991 (c. 59)*

163 In section 67(3) of the Land Drainage Act 1991, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or Part 2 of the Historic Environment (Wales) Act 2023”.

*Protection of Badgers Act 1992 (c. 51)*

164 In section 10(1)(e) of the Protection of Badgers Act 1992, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

*Tribunals and Inquiries Act 1992 (c. 53)*

165 In section 16(1) of the Tribunals and Inquiries Act 1992, in the definition of “statutory inquiry”, for “the Planning (Listed Buildings and Conservation Areas) Act 1990” substitute “Parts 3 to 5 of the Historic Environment (Wales) Act 2023”.

*Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)*

166 In section 70 of the Leasehold Reform, Housing and Urban Development Act 1993—

- (a) in subsection (14)—
  - (i) in the words before paragraph (a), for “in section 73” substitute “section 73 as they apply in relation to England,”;
  - (ii) in paragraph (a), after “Town and Country Planning Act 1990” insert “as it applies in relation to England,”;
- (b) after subsection (14) insert—

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- “(15) In this section and section 73 as they apply in relation to Wales—
- (a) “conservation area” has the same meaning as in the Historic Environment (Wales) Act 2023;
  - (b) “local planning authority” is to be interpreted in accordance with Part 1 of the Town and Country Planning Act 1990,
- and in that Part as it applies in relation to Wales references to “the planning Acts are to be treated as including this Act.”

#### *Local Government (Wales) Act 1994 (c. 19)*

- 167 The Local Government (Wales) Act 1994 is amended as follows.
- 168 In Schedule 6, omit paragraph 25 and the italic heading before it.
- 169 In Schedule 16, omit paragraph 56 and the italic heading before it.

#### *Value Added Tax Act 1994 (c. 23)*

- 170 In Schedule 8 to the Value Added Tax Act 1994, in Group 6, in Note (1)—
- (a) in paragraph (a), after sub-paragraph (i) insert—  
“(ia) the Historic Environment (Wales) Act 2023; or”;
  - (b) in paragraph (b), after sub-paragraph (i) insert—  
“(ia) the Historic Environment (Wales) Act 2023; or”.

#### *Criminal Justice and Public Order Act 1994 (c. 33)*

- 171 The Criminal Justice and Public Order Act 1994 is amended as follows.
- 172 In section 60C(8), in paragraph (b) of the definition of “land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.
- 173 In section 61(9), in paragraph (a)(ii) of the definition of “land”, after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.
- 174 In section 62E(2)(b), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or the Historic Environment (Wales) Act 2023”.

#### *Environment Act 1995 (c. 25)*

- 175 In Schedule 9 to the Environment Act 1995, in paragraph 13(1), omit “and in section 6 of the Historic Buildings and Ancient Monuments Act 1953 (under which grants for the acquisition of buildings in Wales may be made)”.

#### *Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11)*

- 176 In Schedule 2 to the Planning (Consequential Provisions) (Scotland) Act 1997, in paragraph 4, omit sub-paragraph (2).

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*National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)*

- 177 In Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, omit the entries for—
- (a) the Historic Buildings and Ancient Monuments Act 1953;
  - (b) the Mines (Working Facilities and Support) Act 1966;
  - (c) the Ancient Monuments and Archaeological Areas Act 1979;
  - (d) the Planning (Listed Buildings and Conservation Areas) Act 1990.

*Countryside and Rights of Way Act 2000 (c. 37)*

- 178 The Countryside and Rights of Way Act 2000 is amended as follows.
- 179 In section 15(1), after paragraph (d) insert—
- “or
- (e) the public have access to it under subsection (1) of section 55 of the Historic Environment (Wales) Act 2023 (public access to monuments under public control) or would have access to it under that subsection but for any of the things mentioned in paragraphs (a) to (c) of that subsection.”
- 180 In section 26(3)(b)(i), after “the Ancient Monuments and Archaeological Areas Act 1979” insert “or section 3 of the Historic Environment (Wales) Act 2023”.

*Planning and Compulsory Purchase Act 2004 (c. 5)*

- 181 In section 81 of the Planning and Compulsory Purchase Act 2004, omit subsection (2).

*Government of Wales Act 2006 (c. 32)*

- 182 The Government of Wales Act 2006 is amended as follows.
- 183 In Schedule 3A, in the table in paragraph 1, omit the entry relating to paragraph 6(6) of Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 184 In Schedule 10, omit paragraph 36.

*National Assembly for Wales Commission (Crown Status) (No. 2) Order 2007 (S.I. 2007/1353)*

- 185 In the National Assembly for Wales Commission (Crown Status) (No. 2) Order 2007—
- (a) omit article 3;
  - (b) omit article 5.

*Regulatory Enforcement and Sanctions Act 2008 (c. 13)*

- 186 In Schedule 7 to the Regulatory Enforcement and Sanctions Act 2008, at the appropriate place insert—
- “Historic Environment (Wales) Act 2023, section 147”.

*Planning Act 2008 (c. 29)*

187 In Schedule 2 to the Planning Act 2008, omit paragraph 41.

*Enterprise and Regulatory Reform Act 2013 (c. 24)*

188 In Schedule 17 to the Enterprise and Regulatory Reform Act 2013, in paragraph 12—  
(a) omit sub-paragraph (2);  
(b) omit sub-paragraphs (4) and (5).

*Planning (Wales) Act 2015 (anaw 4)*

189 The Planning (Wales) Act 2015 is amended as follows.  
190 Omit section 39(3).  
191 Omit section 47(3).  
192 In Schedule 5, omit paragraphs 19 to 22 and the italic heading before paragraph 19.

*Historic Environment (Wales) Act 2016 (anaw 4)*

193 The Historic Environment (Wales) Act 2016 is repealed.

*Housing and Planning Act 2016 (c. 22)*

194 In section 5(8) of the Housing and Planning Act 2016, in the new section 70(3) of the Town and Country Planning Act 1990, after paragraph (c) insert—  
“(ca) section 160 of the Historic Environment (Wales) Act 2023;”.

*Public Services Ombudsman (Wales) Act 2019 (anaw 3)*

195 In Schedule 5 to the Public Services Ombudsman (Wales) Act 2019—  
(a) omit paragraph 10 and the italic heading before it;  
(b) omit paragraphs 13 and 14 and the italic heading before paragraph 13.

*Sentencing Act 2020 (c. 17)*

196 In section 137(3) of the Sentencing Act 2020, for “is to be made” substitute “in England is to be made, and section 59 of the Historic Environment (Wales) Act 2023 makes equivalent provision for monuments in Wales”.