Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 4

ENFORCEMENT OF CONTROLS RELATING TO LISTED BUILDINGS

Injunctions

PROSPECTIVE

135   Injunction to restrain unauthorised works or failure to comply with condition of consent

(1) A planning authority may apply to the High Court or the county court for an injunction restraining—

   (a) an actual or expected breach of section 88 (requirement for works to be authorised) in relation to a listed building in its area, or

   (b) an actual or expected failure to comply with a condition of listed building consent for works to a listed building in its area.

(2) An authority may make an application whether or not it has exercised or is proposing to exercise any of its other powers under this Part.

(3) The court may grant an injunction on any terms it considers appropriate for the purpose of restraining the breach.

(4) Rules of court may provide for an injunction to be issued against a person whose identity is unknown.

Status: *Point in time view as at 15/06/2023. This version of this provision is prospective.*
Changes to legislation: *Historic Environment (Wales) Act 2023, Section 135 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(5) An injunction may not be issued under this section against the Crown.

Commencement Information

I1   S. 135 not in force at Royal Assent, see **s. 212(2)**

Status:
Point in time view as at 15/06/2023. This version of this provision is prospective.

Changes to legislation:
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