



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 5

ACQUISITION AND PRESERVATION OF BUILDINGS OF SPECIAL INTEREST

Urgent preservation of listed buildings

145 Power to require owner to meet costs of preservation works

- (1) Where works for the preservation of a listed building have been carried out by a local authority or the Welsh Ministers under section 144, the local authority or (as the case may be) the Welsh Ministers may serve notice on any owner of the listed building requiring the owner to meet the costs of the works.
- (2) Where the works consist of or include works to provide temporary support or shelter for the listed building—
 - (a) the costs that may be recovered include any continuing expenditure involved in making available the equipment or materials used, and
 - (b) notices under subsection (1) may be given from time to time in respect of that continuing expenditure.
- (3) Subsection (4) applies if, within 28 days after the day a notice under subsection (1) is served, the owner complains in writing to the Welsh Ministers—
 - (a) that some or all of the works were unnecessary for the preservation of the listed building,
 - (b) in the case of works to provide temporary support or shelter, that the temporary arrangements have continued for an unreasonable length of time,
 - (c) that the amount specified in the notice is unreasonable, or

- (d) that the recovery of that amount would cause hardship to the owner.
- (4) The Welsh Ministers must—
 - (a) determine to what extent the owner’s complaint is well-founded, and
 - (b) serve notice of their determination on—
 - (i) the owner, and
 - (ii) if the notice under subsection (1) was given by a local authority, that authority.
- (5) The notice of the Welsh Ministers’ determination must state—
 - (a) the reasons for the determination, and
 - (b) the amount that they have decided may be recovered.
- (6) An owner or local authority on whom notice is served under subsection (4)(b) may, within 28 days after the day the notice is served, appeal to the county court against the Welsh Ministers’ decision.