



Historic Environment (Wales) Act 2023

2023 asc 3

PART 5

SUPPLEMENTARY PROVISION ABOUT BUILDINGS OF SPECIAL INTEREST AND CONSERVATION AREAS

CHAPTER 1

EXERCISE OF FUNCTIONS BY PLANNING AUTHORITIES AND OTHER LOCAL AUTHORITIES

169 Arrangements for obtaining specialist advice

- (1) The Welsh Ministers may at any time direct a planning authority to submit for their approval the arrangements the authority proposes to make for obtaining specialist advice in connection with its relevant functions.
- (2) The authority must submit its proposed arrangements to the Welsh Ministers within the period specified in the direction.
- (3) If the Welsh Ministers are not satisfied with the arrangements that the authority (“authority A”) proposes to make, they may direct authority A and another planning authority specified in the direction (“authority B”)—
 - (a) to make an agreement under section 113 of the [Local Government Act 1972 \(c. 70\)](#) to place the services of persons employed by authority B who are qualified to give the specialist advice at the disposal of authority A, or
 - (b) to make arrangements for authority B to exercise of any of the relevant functions of authority A.
- (4) A direction under subsection (3)(b) may make provision about the terms of the arrangements.
- (5) Before giving a direction under subsection (3) the Welsh Ministers must consult both planning authorities.

- (6) For the purposes of this section the relevant functions of a planning authority are its functions under or by virtue of—
- (a) sections 83 and 84 (temporary listing of buildings),
 - (b) Chapter 2 (grant, modification and revocation of consent) of Part 3,
 - (c) Chapter 3 (listed building partnership agreements) of that Part,
 - (d) Chapter 4 (enforcement of controls) of that Part,
 - (e) section 314A(1) of the [Town and Country Planning Act 1990 \(c. 8\)](#) (planning permission for development affecting listed buildings), and
 - (f) sections 158 to 163 of this Act (designation of conservation areas, duties of planning authorities and control of demolition).