

EXPLANATORY NOTES

HISTORIC ENVIRONMENT (AMENDMENT) (SCOTLAND) ACT 2011

INTRODUCTION

THE ACT

COMMENTARY ON SECTIONS

The main provisions of the Act

THE ACT – SECTION BY SECTION

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PART 2 – MODIFICATIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

Section 2 – Control of works affecting scheduled monuments

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Section 5 – Powers of entry to inspect condition of scheduled monument

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Section 7 – Control and management of monuments and land under guardianship

Section 8 – Provision of facilities, etc. at ancient monuments

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Section 11 – Inventories of gardens and designed landscapes and of battlefields

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Section 14 – Meaning of “monument” in the 1979 Act

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Section 16 – Refusal to entertain certain applications for scheduled monument consent

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Section 21 – Hearings in connection with applications for listed building consent and appeals

Section 22 – Enforcement notice: requirement to cease works

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Section 26 – Liability of owner and successors for expenses of urgent works

New section 50A – Liability of owner and successors for expenses of works executed under section 49

New section 50B – Notice of liability for expenses: further provision

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New section 50D – Notice of determination following representations under section 50

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PARLIAMENTARY HISTORY