

SCHEDULE 3 **S**
 FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND
 IN RELATION TO LISTING AND CONSERVATION

PART 3 **S**

CONSERVATION AREAS

12 The 1997 Act is further amended as follows.

Commencement Information

- I1** Sch. 3 para. 12 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.
I2 Sch. 3 para. 12 in force at 1.10.2015 by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

13 In section 61(2) (designation of conservation areas)—
 (a) for “The Secretary of State” substitute “ Historic Environment Scotland ”,
 (b) for “he so determines, he” substitute “ Historic Environment Scotland so determines, it ”.

Commencement Information

- I3** Sch. 3 para. 13 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.
I4 Sch. 3 para. 13 in force at 1.10.2015 by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

14 In section 62 (designation of conservation areas: supplementary provisions)—
 (a) in subsection (1) after “State” insert “ and Historic Environment Scotland ”,
 (b) for subsection (2) substitute—
 “(2) Historic Environment Scotland must—
 (a) give notice to a planning authority of—
 (i) the designation of any part of their district as a conservation area under section 61(2), and
 (ii) any variation or cancellation of any such designation,
 (b) give notice to the Scottish Ministers of the designation and of any such variation or cancellation.”,
 (c) in subsection (4) for “the Secretary of State” substitute “ Historic Environment Scotland ”,
 (d) in subsection (5) for “the Secretary of State” substitute “ Historic Environment Scotland ”.

Commencement Information

- I5** Sch. 3 para. 14 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.
I6 Sch. 3 para. 14 in force at 1.10.2015 by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

*Changes to legislation: There are currently no known outstanding effects for the
Historic Environment Scotland Act 2014, PART 3. (See end of Document for details)*

- 15 In paragraph 2 of schedule 1 (buildings formerly subject to building preservation orders)—
- (a) for sub-paragraph (1) substitute—
- “(1) Historic Environment Scotland may at any time direct that paragraph 1 no longer applies to a particular building.
- (1A) The Scottish Ministers may direct that paragraph 1 no longer applies to a particular building if the building is referred to in a notice of appeal under section 5B, 18 or 35 relating to the building (whether or not they are requested to do so).”
- (b) in sub-paragraph (2) for “such a direction” substitute “ a direction under sub-paragraph (1) or (1A) ”,
- (c) after sub-paragraph (2) insert—
- “(2A) Where a direction is given under sub-paragraph (1) or (1A), Historic Environment Scotland or (as the case may be) the Scottish Ministers must notify the other.”,
- (d) in sub-paragraph (3)—
- (i) for “such a direction” substitute “ a direction under sub-paragraph (1) or (1A) ”,
- (ii) for “the Secretary of State” substitute “ Historic Environment Scotland or (as the case may be) the Scottish Ministers ”.

Commencement Information

- I7** [Sch. 3 para. 15](#) in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31, art. 2, Sch.](#)
- I8** [Sch. 3 para. 15](#) in force at 1.10.2015 by [S.S.I. 2015/196, art. 2, Sch.](#) (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

- 16 Paragraph 3 of schedule 1 is repealed.

Commencement Information

- I9** [Sch. 3 para. 16](#) in force at 27.2.2015 for specified purposes by [S.S.I. 2015/31, art. 2, Sch.](#)
- I10** [Sch. 3 para. 16](#) in force at 1.10.2015 by [S.S.I. 2015/196, art. 2, Sch.](#) (with transitional provisions and savings in [S.S.I. 2015/239](#), arts. 2-19)

Changes to legislation:

There are currently no known outstanding effects for the Historic Environment Scotland Act 2014, PART 3.