

Status: Point in time view as at 22/07/2020.

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SCHEDULES

SCHEDULE 1

Section 1(6).

BUILDINGS FORMERLY SUBJECT TO BUILDING PRESERVATION ORDERS

Modifications etc. (not altering text)

- C1** Schs. 1, 2 modified by [S.I. 1990/1519, reg. 13\(1\)](#)
C2 Sch. 1 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, [Sch. 1](#) (with art. 1(2))

- 1 Subject to paragraph 2, every building which immediately before 1st January 1969 was subject to a building preservation order under Part III of the 1962 Act, but was not then included in a list compiled or approved under section 32 of that Act, shall be deemed to be a listed building.
- 2 (1) The Secretary of State may at any time direct, in the case of any building, that paragraph 1 shall no longer apply to it.
- (2) The local planning authority in whose area a building in respect of which such a direction is given is situated shall, on being notified of the direction, give notice of it to the owner and occupier of the building.
- (3) Before giving such a direction in relation to a building situated in England, the Secretary of State shall consult with the Commission who shall in turn consult with the local planning authority and the owner and occupier of the building.
- (4) Before giving such a direction in relation to a building not situated in England, the Secretary of State shall consult with the local planning authority and the owner and occupier of the building.
- 3 In the case of a building to which paragraph 1 applies—
- (a) a notice of appeal under section 20 may include a claim that the Secretary of State should give a direction under paragraph 2 with respect to the building and on such an appeal the Secretary of State may give such a direction; and
- (b) such a direction may also be given on an appeal under section 39.

[^{F1}SCHEDULE 1A

(introduced by section 2C)

LAPSE OF INTERIM PROTECTION

Textual Amendments

- F1** Sch. 1A, Sch. 1B inserted (21.3.2016 for specified purposes, 31.5.2017 in so far as not already in force) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), s. 41(1)(c)(3), [Sch. 2](#); [S.I. 2017/633](#), art. 5(f)

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- 1 This Schedule applies where interim protection ceases to have effect in relation to a building as a result of the issue of a notice under section 2B(4)(b).
- 2 The fact that the interim protection has ceased to have effect does not affect the liability of any person to be prosecuted and punished for an offence under section 9, 43 or 44C committed with respect to the building while the interim protection had effect.
- 3 Any proceedings on or arising out of an application for listed building consent with respect to the building lapse; and any such consent granted while it had effect lapses.
- 4 (1) Any listed building enforcement notice served by the local planning authority with respect to the building ceases to have effect.
- (2) Any proceedings on such a notice under sections 38 to 40 lapse.
- (3) Notwithstanding sub-paragraph (1), section 42(1) and (2) continue to have effect as respects any expenses incurred by the local planning authority, owner or occupier as mentioned in that section and with respect to any sums paid on account of such expenses.
- 5 Any temporary stop notice served by the local planning authority with respect to the building ceases to have effect.

SCHEDULE 1B

(introduced by section 2D)

DECISIONS ON REVIEWS BY PERSON APPOINTED BY WELSH MINISTERS

Decisions on reviews by appointed persons

- 1 (1) The Welsh Ministers may by regulations prescribe the classes of reviews under section 2D on which a decision is to be made by a person appointed by the Welsh Ministers for the purpose instead of by the Welsh Ministers.
- (2) Decisions on reviews of a prescribed class are to be made accordingly except in such classes of case as may for the time being be prescribed by the Welsh Ministers.
- (3) This paragraph does not affect any provision in this Act or any instrument made under it that an application for a review is to be made to the Welsh Ministers.
- (4) A person appointed under this paragraph is referred to in this Schedule as “an appointed person”.

Powers and duties of appointed person

- 2 (1) An appointed person has the same powers and duties in relation to a review under section 2D as the Welsh Ministers have—
- (a) under subsections (3)(a) and (b) and (5) of that section; and
- (b) by virtue of section 322C and 323A of the Town and Country Planning Act 1990 (costs and procedural matters: Wales), as applied to this Act by section 89 of this Act.
- (2) Where an appointed person makes a decision on a review under section 2D, the decision is to be treated as that of the Welsh Ministers.

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- (3) Except as provided by sections 62 and 63, the validity of the decision is not to be questioned in any legal proceedings.
- (4) No application may be made to the High Court under section 63 on the ground that the decision ought to have been made by the Welsh Ministers and not by an appointed person unless the person who made the application for the review challenges the appointed person's power to make the decision before the decision is made.
- (5) Where in any enactment (including this Act) there is a reference to the Welsh Ministers in a context relating or capable of relating—
 - (a) to a review under section 2D; or
 - (b) to anything done or authorised or required to be done by, to or before the Welsh Ministers in or in connection with any such review,then, so far as the context permits and subject to sub-paragraph (6), the reference is to be construed, in relation to a review on which a decision has been made or is to be made by an appointed person, as a reference to that person.
- (6) Sub-paragraph (5) does not permit references to the Welsh Ministers in section 2D(2)(c), (3)(c) or (6) to be construed as references to an appointed person.
- (7) Sub-paragraph (1) does not affect the generality of sub-paragraph (5).

Appointment of another person to make a decision on a review

- 3 (1) At any time before an appointed person has made a decision on a review under section 2D the Welsh Ministers may—
 - (a) revoke the person's appointment; and
 - (b) appoint another person under paragraph 1 to make the decision instead.
- (2) Where such a new appointment is made, the review, and any inquiry or other hearing in connection with the review, must be begun afresh.
- (3) Nothing in sub-paragraph (2) requires any person to be given an opportunity to make fresh representations or to modify or withdraw any representations already made.

Local inquiries, hearings and written representations

- 4 (1) An appointed person may appoint an assessor to provide advice on—
 - (a) any matters arising at a local inquiry or hearing held by the appointed person in connection with a review under section 2D or in consequence of such an inquiry or hearing; or
 - (b) any matters arising in written representations made to the appointed person in connection with such a review or in consequence of such representations.
- (2) Section 250(2) and (3) of the Local Government Act 1972 (local inquiries: evidence) applies to an inquiry held by an appointed person.

Directions

- 5 (1) The Welsh Ministers may direct that anything that would fall to be done by an appointed person in connection with a review under section 2D, other than the making of a decision on the review under subsection (3)(b) of that section, is to be done instead by the Welsh Ministers.

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- (2) A direction given under sub-paragraph (1) may be amended or withdrawn by a further direction.

Delegation

- 6 (1) An appointed person may delegate to another person anything that would fall to be done by the appointed person in connection with a review under section 2D, other than—
- (a) the conduct of a local inquiry or hearing; and
 - (b) the making of a decision on the review under subsection (3)(b) of that section.
- (2) A delegation under sub-paragraph (1) is to be to the extent, and on the terms, that the appointed person determines and may be amended or revoked.

Supplementary provision

- 7 Where an appointed person is a member of the staff of the Welsh Government, the functions of making a decision on a review under section 2D and doing anything in connection with it conferred on the person by this Schedule are to be treated for the purposes of the Public Services (Ombudsman) Wales Act 2005 [^{F2}and the Public Services Ombudsman (Wales) Act 2019] as functions of the Welsh Government.]

Textual Amendments

- F2** Words in [Sch. 1B para. 7](#) inserted (23.7.2019) by [Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#), s. 77(1), [Sch. 5 para. 13](#); S.I. 2019/1096, reg. 2

SCHEDULE 2

Section 5.

LAPSE OF BUILDING PRESERVATION NOTICES

Modifications etc. (not altering text)

- C3** Schs. 1, 2 modified by [S.I. 1990/1519](#), [reg. 13\(1\)](#)
- C4** Sch. 2 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, [Sch. 1](#) (with art. 1(2))

- 1 This Schedule applies where a building preservation notice ceases to be in force by virtue of—
- (a) the expiry of the six month period mentioned in subsection (3)(b) of section 3; ^{F3}...
 - (b) the service of a notification by the Secretary of State under subsection (4) (b) of that section.
 - ^{F4}(c) the expiry of the six month period mentioned in subsection (3)(b) of section 3A; or
 - (d) the service of a notification by the Welsh Ministers under subsection (4) (b) of that section.]

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Textual Amendments

- F3** Word in Sch. 2 para. 1 omitted (31.5.2017) by virtue of [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 25\(6\)\(a\)](#), [41\(3\)](#); S.I. 2017/633, [art. 4\(b\)](#) (with [art. 6\(3\)](#))
- F4** Sch. 2 para. 1(c)(d) inserted (31.5.2017) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 25\(6\)\(b\)](#), [41\(3\)](#); S.I. 2017/633, [art. 4\(b\)](#) (with [art. 6\(3\)](#))

- 2 The fact that the notice has ceased to be in force shall not affect the liability of any person to be prosecuted and punished for an offence under section 9^[F5], 43 or 44C committed with respect to the building while it was in force.

Textual Amendments

- F5** Words in Sch. 2 para. 2 substituted (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 29\(7\)\(a\)](#), [41\(2\)](#)

- 3 Any proceedings on or arising out of an application for listed building consent with respect to the building made while the notice was in force and any such consent granted while it was in force shall lapse.

- 4 (1) Any listed building enforcement notice served by the local planning authority while the building preservation notice was in force shall cease to have effect.

(2) Any proceedings on it under sections 38 to 40 shall lapse.

(3) Notwithstanding sub-paragraph (1), section 42(1) and (2) shall continue to have effect as respects any expenses incurred by the local authority, owner or occupier as mentioned in that section and with respect to any sums paid on account of such expenses.

[^{F6}(4) The reference to a local authority in sub-paragraph (3) above includes a reference to any National Park authority which is the local planning authority for any area.]

Textual Amendments

- F6** Sch. 2 para. 4(4) inserted (23.11.1995) by 1995 c. 25, s. 78, [Sch. 10 para. 33\(5\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#), [Sch. 8 para. 7](#)); S.I. 1995/2950, [art. 2](#)

- [^{F7}5 Any temporary stop notice served by the local planning authority with respect to the building while the building preservation notice was in force ceases to have effect.]

Textual Amendments

- F7** Sch. 2 para. 5 inserted (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 29\(7\)\(b\)](#), [41\(2\)](#)

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1^{F8}SCHEDULE 2A

Section 26D

LOCAL LISTED BUILDING CONSENT ORDERS: PROCEDURE

Textual Amendments

- F8** Sch. 2A inserted (25.4.2013 for specified purposes, 6.4.2014 in so far as not already in force) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(1)(i)(3), **Sch. 16**; S.I. 2014/416, art. 3(d)

Preparation

- 1 (1) A local listed building consent order must be prepared in accordance with such procedure as is prescribed by regulations under this Act.
- (2) The regulations may include provision as to—
- (a) the preparation, submission, approval, adoption, revision, revocation and withdrawal of a local listed building consent order;
 - (b) notice, publicity, and inspection by the public;
 - (c) consultation with and consideration of views of such persons and for such purposes as are prescribed;
 - (d) the making and consideration of representations.

Revision

- 2 (1) The local planning authority may at any time prepare a revision of a local listed building consent order.
- (2) An authority must prepare a revision of a local listed building consent order—
- (a) if the Secretary of State directs them to do so, and
 - (b) in accordance with such timetable as the Secretary of State directs.
- (3) This Schedule applies to the revision of a local listed building consent order as it applies to the preparation of the order.
- (4) A local listed building consent order may not be varied except by revision under this paragraph.

Order to be adopted

- 3 A local listed building consent order is of no effect unless it is adopted by resolution of the local planning authority.

Annual report

- 4 (1) While a local listed building consent order is in force the local planning authority must prepare reports containing such information as is prescribed as to the extent to which the order is achieving its purposes.
- (2) A report under this paragraph must—
- (a) be in respect of a period—
 - (i) which the authority considers appropriate in the interests of transparency,

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- (ii) which begins with the end of the period covered by the authority's most recent report under this paragraph (or, in the case of the first report, with the day the order comes into force), and
 - (iii) which is not longer than 12 months or such shorter period as is prescribed;
- (b) be in such form as is prescribed;
 - (c) contain such other matter as is prescribed.
- (3) The authority must make its reports under this section available to the public.]

SCHEDULE 3

Sections 22 and 40.

DETERMINATION OF CERTAIN APPEALS BY PERSON APPOINTED BY SECRETARY OF STATE

Modifications etc. (not altering text)

- C5** Sch. 3 applied (Isles of Scilly) (with modifications) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), arts. 1(1), 3, **Sch. 1** (with art. 1(2))

Determination of appeals by appointed person

- 1 (1) The Secretary of State may by regulations prescribe the classes of appeals under sections 20 [^{F9}, 26K] and 39 which are to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.
- (2) Appeals of a prescribed class shall be so determined except in such classes of case as may for the time being be prescribed or as may be specified in directions given by the Secretary of State.
- (3) Regulations made for the purpose of this paragraph may provide for the giving of publicity to any directions given by the Secretary of State under this paragraph.
- (4) This paragraph shall not affect any provision in this Act or any instrument made under it that an appeal shall lie to, or a notice of appeal shall be served on, the Secretary of State.
- (5) A person appointed under this paragraph is referred to in this Schedule as “an appointed person”.

Textual Amendments

- F9** Word in Sch. 3 para. 1(1) inserted (6.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 17 para. 19(2)**; S.I. 2014/416, art. 3(e)

Powers and duties of appointed person

- 2 (1) An appointed person shall have the same powers and duties—
- (a) in relation to an appeal under section 20, as the Secretary of State has under subsection (1) of section 22 and paragraph 2 of Schedule 1;

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- [^{F10}(aa) in relation to an appeal under section 26K, as the Secretary of State has under section 26K(4) to (6);] and
- (b) in relation to an appeal under section 39, as he has under section 41(1), (2) [^{F11}(2A)], (5) or (6) and paragraph 2 of Schedule 1.
- (2) Sections 22(2) and 40(2) shall not apply to an appeal which falls to be determined by an appointed person, but before it is determined the Secretary of State shall ask the appellant and the local planning authority whether they wish to appear before and be heard by the appointed person.
- (3) If both the parties express a wish not to appear and be heard the appeal may be determined without their being heard.
- (4) If either of the parties expresses a wish to appear and be heard, the appointed person shall give them both an opportunity of doing so.
- [^{F12}(4B) Sub-paragraph (2) does not apply in the case of an appeal to which section 88E applies.]
- (5) Where an appeal has been determined by an appointed person, his decision shall be treated as that of the Secretary of State.
- (6) Except as provided by sections 62 to 65, the validity of that decision shall not be questioned in any proceedings whatsoever.
- (7) It shall not be a ground of application to the High Court under section 63, or of appeal to the High Court under section 65, that an appeal ought to have been determined by the Secretary of State and not by an appointed person, unless the appellant or the local planning authority challenge the appointed person's power to determine the appeal before his decision on the appeal is given.
- (8) Where in any enactment (including this Act) there is a reference to the Secretary of State in a context relating or capable of relating—
- (a) to an appeal under section 20 [^{F13}, 26K] or 39, or
- (b) to anything done or authorised or required to be done by, to or before the Secretary of State on or in connection with any such appeal,
- then so far as the context permits it shall be construed, in relation to an appeal determined or falling to be determined by an appointed person, as a reference to him.
- [^{F14}(10) Sub-paragraph (8) does not apply to references to the Welsh Ministers in section 88E (determination of procedure for certain proceedings: Wales).]

Textual Amendments

- F10** Sch. 3 para. 2(1)(aa) inserted (6.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 17 para. 19\(3\)](#); S.I. 2014/416, art. 3(e)
- F11** Word in Sch. 3 para. 2(1)(b) inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34\)](#), SIF 123:1, s. 25, [Sch. 3 Pt. II para.28](#); S.I. 1991/2905, [art.3](#)
- F12** Sch. 3 para. 2(4B) inserted (11.11.2014) by [The Town and Country Planning \(Determination of Procedure\) \(Wales\) Order 2014 \(S.I. 2014/2773\)](#), art. 1(2), [Sch. 1 para. 23\(2\)\(a\)](#)
- F13** Word in Sch. 3 para. 2(8)(a) inserted (6.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 17 para. 19\(2\)](#); S.I. 2014/416, art. 3(e)
- F14** Sch. 3 para. 2(10) inserted (11.11.2014) by [The Town and Country Planning \(Determination of Procedure\) \(Wales\) Order 2014 \(S.I. 2014/2773\)](#), art. 1(2), [Sch. 1 para. 23\(2\)\(b\)](#)

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Determination of appeals by Secretary of State

- 3 (1) The Secretary of State may, if he thinks fit, direct that an appeal which would otherwise fall to be determined by an appointed person shall instead be determined by the Secretary of State.
- (2) Such a direction shall state the reasons for which it is given and shall be served on the appellant, the local planning authority, any person who made representations relating to the subject matter of the appeal which the authority were required to take into account by regulations made under section 11(4) and, if any person has been appointed under paragraph 1, on him.
- (3) Where in consequence of such a direction an appeal under section 20 [F15, 26K] or 39 falls to be determined by the Secretary of State himself, the provisions of this Act which are relevant to the appeal shall, subject to the following provisions of this paragraph, apply to the appeal as if this Schedule had never applied to it.
- (4) The Secretary of State shall give the appellant, the local planning authority and any person who has made such representations as are referred to in sub-paragraph (2) an opportunity of appearing before and being heard by a person appointed by the Secretary of State for that purpose if—
- (a) the reasons for the direction raise matters with respect to which any of those persons have not made representations; or
 - (b) in the case of the appellant and the local planning authority, either of them was not asked in pursuance of paragraph 2(2) whether they wished to appear before and be heard by the appointed person, or expressed no wish in answer to that question, or expressed a wish to appear and be heard but was not given an opportunity of doing so.
- [F16(4C) Sub-paragraph (4) does not apply in the case of an appeal to which section 88E applies.
- (4D) In the case of an appeal to which section 88E applies, the Welsh Ministers must give the appellant, the local planning authority and any person who has made any representations mentioned in sub-paragraph (2) an opportunity to make further representations if the reasons for the direction raise matters with respect to which any of those persons have not made representations.]
- (5) Except as provided by sub-paragraph (4) [F17 or (4D)], the Secretary of State need not give any person an opportunity of appearing before and being heard by a person appointed for the purpose, or of making fresh representations or making or withdrawing any representations already made.
- (6) In determining the appeal the Secretary of State may take into account any report made to him by any person previously appointed to determine it.

Textual Amendments

- F15** Word in Sch. 3 para. 3(3) inserted (6.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 17 para. 19(2)**; S.I. 2014/416, art. 3(e)
- F16** Sch. 3 para. 3(4C)(4D) inserted (11.11.2014) by The Town and Country Planning (Determination of Procedure) (Wales) Order 2014 (S.I. 2014/2773), art. 1(2), **Sch. 1 para. 23(3)(a)**
- F17** Words in Sch. 3 para. 3(5) inserted (11.11.2014) by The Town and Country Planning (Determination of Procedure) (Wales) Order 2014 (S.I. 2014/2773), art. 1(2), **Sch. 1 para. 23(3)(b)**

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- 4 (1) The Secretary of State may by a further direction revoke a direction under paragraph 3 at any time before the determination of the appeal.
- (2) Such a further direction shall state the reasons for which it is given and shall be served on the person, if any, previously appointed to determine the appeal, the appellant, the local planning authority and any person who made representations relating to the subject matter of the appeal which the authority were required to take into account by regulations made under section 11(4).
- (3) Where such a further direction has been given the provisions of this Schedule relevant to the appeal shall apply, subject to sub-paragraph (4), as if no direction under paragraph 3 had been given.
- (4) Anything done by or on behalf of the Secretary of State in connection with the appeal which might have been done by the appointed person (including any arrangements made for the holding of a hearing or local inquiry) shall unless that person directs otherwise, be treated as having been done by him.

Appointment of another person to determine appeal

- 5 (1) At any time before the appointed person has determined the appeal the Secretary of State may—
- (a) revoke his appointment; and
 - (b) appoint another person under paragraph 1 to determine the appeal instead.
- (2) Where such a new appointment is made the consideration of the appeal or any inquiry or other hearing in connection with it shall be begun afresh.
- (3) Nothing in sub-paragraph (2) shall require—
- (a) the question referred to in paragraph 2(2) to be asked again with reference to the new appointed person if before his appointment it was asked with reference to the previous appointed person (any answers being treated as given with reference to the new appointed person); or
 - (b) any person to be given an opportunity of making fresh representations or modifying or withdrawing any representations already made.

Local inquiries and hearings

- 6 (1) Whether or not the parties to an appeal have asked for an opportunity to appear and be heard, an appointed person—
- (a) may hold a local inquiry in connection with the appeal; and
 - (b) shall do so if the Secretary of State so directs.

[^{F18}(1B) Sub-paragraph (1) does not apply in the case of an appeal to which section 88E applies, but an appointed person may hold a hearing or local inquiry in connection with such an appeal pursuant to a determination under that section.]

- (2) Where an appointed person—
- (a) holds a hearing by virtue of paragraph 2(4) [^{F19}or this paragraph]; or
 - (b) holds an inquiry by virtue of this paragraph,
- an assessor may be appointed by the Secretary of State to sit with the appointed person at the hearing or inquiry to advise him on any matters arising, notwithstanding that the appointed person is to determine the appeal.

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- (3) Subject to sub-paragraph (4), the costs of any such hearing or inquiry shall be paid by the Secretary of State.
- (4) Section 250(2) to (5) of the ^{M1}Local Government Act 1972 (local inquiries: evidence and costs) applies to an inquiry held by virtue of this paragraph [^{F20}in England] with the following adaptations—
- (a) for the references in subsection (4) (recovery of costs of holding the inquiry) to the Minister causing the inquiry to be held, there shall be substituted references to the Secretary of State; and
 - (b) for the reference in subsection (5) (orders as to the costs of the parties) to the Minister causing the inquiry to be held, there shall be substituted a reference to the appointed person or the Secretary of State.
- [^{F21}(4A) Subsections (2) and (3) of that section apply to an inquiry held under this paragraph in Wales.]
- (5) Subject to sub-paragraph (6), at any [^{F22}inquiry held by virtue of this paragraph] oral evidence shall be heard in public and documentary evidence shall be open to public inspection.
- (6) If the Secretary of State is satisfied in the case of any such inquiry—
- (a) that giving evidence of a particular description or, as the case may be, making it available for inspection would be likely to result in the disclosure of information as to any of the matters mentioned in sub-paragraph (7); and
 - (b) that the public disclosure of that information would be contrary to the national interest,
- he may direct that evidence of the description indicated in the direction shall only be heard or, as the case may be, open to inspection at that inquiry by such persons or persons of such descriptions as he may specify in that direction.
- (7) The matters referred to in sub-paragraph (6)(a) are—
- (a) national security; and
 - (b) the measures taken or to be taken to ensure the security of any premises or property.
- [^{F23}(8) The appointed person or the Secretary of State has the same power to make orders under section 250(5) of the ^{M2}Local Government Act 1972 (orders with respect to costs of the parties) in relation to proceedings [^{F24}in England] under this Schedule which do not give rise to an inquiry as he has in relation to such an inquiry.]

Textual Amendments

- F18** Sch. 3 para. 6(1B) inserted (11.11.2014) by [The Town and Country Planning \(Determination of Procedure\) \(Wales\) Order 2014 \(S.I. 2014/2773\)](#), art. 1(2), **Sch. 1 para. 23(4)(a)**
- F19** Words in Sch. 3 para. 6(2)(a) inserted (11.11.2014) by [The Town and Country Planning \(Determination of Procedure\) \(Wales\) Order 2014 \(S.I. 2014/2773\)](#), art. 1(2), **Sch. 1 para. 23(4)(b)**
- F20** Words in Sch. 3 para. 6(4) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), **Sch. 5 para. 22(a)**; S.I. 2016/52, art. 4(g) (with art. 17)
- F21** Sch. 3 para. 6(4A) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), **Sch. 5 para. 22(b)**; S.I. 2016/52, art. 4(g) (with art. 17)

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- F22** Words in Sch. 3 para. 6(5) substituted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 5 para. 22\(c\)](#); S.I. 2016/52, art. 4(g) (with art. 17)
- F23** Sch. 3 para. 6(8) omitted (*temp.*) by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 6, [Sch. 4 paras. 1, 12](#) (which temp. omission ceases to have effect (2.1.1992 for specified purposes and 6.4.2009 for further specified purposes) by virtue of S.I. 1991/2698, [art. 3](#) (with art. 4); S.I. 2009/849, [art. 2](#) (with art. 3))
- F24** Words in Sch. 3 para. 6(8) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 5 para. 22\(d\)](#); S.I. 2016/52, art. 4(g) (with art. 17)

Modifications etc. (not altering text)

- C6** Sch. 3 para. 6(6): functions made exercisable by the Assembly concurrently with the Secretary of State (1.7.1999) by [S.I. 1999/672](#), [art. 2](#), [Sch.](#)
- C7** [Sch. 3 para. 6\(6\)](#) functions made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 1 (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), [Sch. 4 para. 1](#) (with [Sch. 7 paras. 1, 6](#)); S.I. 2017/1179, [reg. 3\(p\)](#))

Marginal Citations

- M1** 1972 c.70.
M2 1972 c. 70.

- [^{F25}6A (1) If the Secretary of State is considering giving a direction under paragraph 6(6) the Attorney General may appoint a person to represent the interests of any person who will be prevented from hearing or inspecting any evidence at a local inquiry if the direction is given.
- (2) If before the Secretary of State gives a direction under paragraph 6(6) no person is appointed under sub-paragraph (1), the Attorney General may at any time appoint a person as mentioned in sub-paragraph (1) for the purposes of the inquiry.
- (3) The Lord Chancellor may by rules make provision—
- (a) as to the procedure to be followed by the Secretary of State before he gives a direction under paragraph 6(6) in a case where a person has been appointed under sub-paragraph (1);
 - (b) as to the functions of a person appointed under sub-paragraph (1) or (2).
- (4) If a person is appointed under sub-paragraph (1) or (2) (the appointed representative) the Secretary of State may direct any person who he thinks is interested in the inquiry in relation to a matter mentioned in paragraph 6(7) (the responsible person) to pay the fees and expenses of the appointed representative.
- (5) If the appointed representative and the responsible person are unable to agree the amount of the fees and expenses, the amount must be determined by the Secretary of State.
- (6) The Secretary of State must cause the amount agreed between the appointed representative and the responsible person or determined by him to be certified.
- (7) An amount so certified is recoverable from the responsible person as a civil debt.
- (8) Rules made under sub-paragraph (3) must be contained in a statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) Sub-paragraph (10) applies if—

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- (a) a person is appointed under sub-paragraph (1) or (2), but
 - (b) no inquiry is held as mentioned in paragraph 6(1).
- (10) Sub-paragraphs (4) to (7) above apply in respect of the fees and expenses of the person appointed as if the inquiry had been held.
- (11) For the purposes of sub-paragraph (10) the responsible person is the person to whom the Secretary of State thinks he would have given a direction under sub-paragraph (4) if an inquiry had been held.
- (12) Sub-paragraphs (9) to (11) do not affect paragraph 6(8).]

Textual Amendments

F25 Sch 3 para. 6A inserted (6.8.2004 for specified purposes, otherwise 7.6.2006) by Planning and Compulsory Purchase Act 2004, ss. 80(3), 121(1) (with s. 111); [S.I. 2004/2097, art. 2](#); [S.I. 2006/1281, art. 2\(a\)](#)

Supplementary provisions

- 7 (1) The ^{M3}Tribunals and Inquiries Act [^{F26}1992] shall apply to a local inquiry or other hearing held in pursuance of this Schedule as it applies to a statutory inquiry held by the Secretary of State, but as if in [^{F26}section 10(1)] of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State were a reference to a decision taken by an appointed person.
- (2) Where an appointed person is an officer of [^{F27}the Ministry of Housing, Communities and Local Government]^{F28} ... the functions of determining an appeal and doing anything in connection with it conferred on him by this Schedule shall be treated for the purposes of the ^{M4}Parliamentary Commissioner Act 1967—
- (a) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to England, as functions of that Department; ^{F29}...
 - ^{F29}(b)
- [^{F30}(3) Where an appointed person is a ^{F31}member of the staff of the Welsh Government, the functions of determining an appeal and doing anything in connection with it conferred on the person by this Schedule are to be treated for the purposes of the Public Services Ombudsman (Wales) Act 2005 [^{F31}and the Public Services Ombudsman (Wales) Act 2019] as functions of the Welsh Government.]

Textual Amendments

- F26** Words in Sch. 3 para. 7(1) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53, SIF 123:1\)](#), ss. 18(1), 19(2), [Sch. 3 para. 32\(a\)\(b\)](#)
- F27** Words in Sch. 3 para. 7(2) substituted (11.4.2018) by [The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions \(Commonhold Land\) Order 2018 \(S.I. 2018/378\)](#), art. 1(2), [Sch. para. 6](#) (with art. 14)
- F28** Words in Sch. 3 para. 7(2) omitted (21.5.2016) by virtue of [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 33\(1\)\(a\)](#), 41(2)
- F29** Sch. 3 para. 7(2)(b) and word omitted (21.5.2016) by virtue of [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), [ss. 33\(1\)\(b\)](#), 41(2)

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F30 Sch. 3 para. 7(3) inserted (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 33(2), 41(2)**

F31 Words in Sch. 3 para. 7(3) inserted (23.7.2019) by [Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#), s. 77(1), **Sch. 5 para. 14**; S.I. 2019/1096, reg. 2

Modifications etc. (not altering text)

C8 Sch. 3 para. 7(2)(b) modified (1.7.1999) by S.I. 1999/672, art. 2, **Sch.**

Marginal Citations

M3 1971 c.62.

M4 1967 c.13.

[^{F32}Local inquiries: Wales

Textual Amendments

F32 Sch 3 para. 8 and cross-heading inserted (6.8.2004 for specified purposes, otherwise 7.6.2006) by [Planning and Compulsory Purchase Act 2004](#), ss. 81(2), 121(1) (with s. 111); S.I. 2004/2097, **art. 2**; S.I. 2006/1281, **art. 2(a)**

- 8 (1) This paragraph applies in relation to a local inquiry held in pursuance of this Schedule if the matter in respect of which the inquiry is to be held relates to Wales.
- (2) The references in paragraph 6A(1) and (2) to the Attorney General must be read as references to the Counsel General to the [^{F33}Welsh Assembly Government].
- (3) The Assembly may by regulations make provision as mentioned in paragraph 6A(3) in connection with a local inquiry to which this section applies.
- (4) If the Assembly acts under sub-paragraph (3) rules made by the Lord Chancellor under paragraph 6A(3) do not have effect in relation to the inquiry.

^{F34}(5)

^{F35}(6)]

Textual Amendments

F33 Words in Sch. 3 para. 8(2) substituted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160(1), **Sch. 10 para. 36(a)** (the amending provision coming into force immediately after the 2007 election (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act)

F34 Sch. 3 para. 8(5) repealed by [Government of Wales Act 2006 \(c. 32\)](#), ss. 160(1), 163, **Sch. 10 para. 36(b)**, **Sch. 12** (the amending provision coming into force immediately after the 2007 election (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act)

F35 Sch. 3 para. 8(6) omitted (21.3.2016) by virtue of [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), **ss. 40(10), 41(1)(f)**

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SCHEDULE 4

Section 81.

FURTHER PROVISIONS AS TO EXERCISE OF FUNCTIONS BY DIFFERENT AUTHORITIES

1 ^{F36}(1) Subsection (3) of section 1 of the principal Act (which provides that outside London, the metropolitan counties and the Isles of Scilly planning functions are exercisable by both county and district planning authorities) shall have effect subject to paragraphs 2, 4 and 5, and that section and section 2 of the principal Act (joint planning boards) shall have effect subject to paragraph 3.

^{F37}(2) This Schedule shall apply in relation to Wales as if—

- (a) paragraphs 2 to 5 were omitted;
- (b) in paragraph 7, each reference to a district planning authority (or which is to be construed as such a reference) were a reference to the local planning authority.]

Textual Amendments

- F36** Sch. 4 para. 1 renumbered as Sch. 4 para. 1(1) (1.4.1996) by virtue of 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 25(10)** (with ss. 54(5)(7), 55(5), 66(7), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F37** Sch. 4 para. 1(2) inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 25(10)** (with ss. 54(5)(7), 55(5), 66(7), Sch. 17 para. 22(1), 23(2); S.I. 1996/396, art. 3, **Sch. 1**

2 Subject to sections ^{F38} . . . [^{F39}4A], 6, 7, [^{F40}8 and 8A] of the principal Act (which make provision as to the exercise of planning functions in National Parks, enterprise zones, urban development areas [^{F41}, housing action areas and areas for which the Homes and Communities Agency is the local planning authority]) and to the following provisions, outside Greater London the functions of a local planning authority under sections 7 to 26, 38, 42, paragraph 2(2) of Schedule 1 and Schedule 2 shall be exercised by the district planning authority.

Textual Amendments

- F38** Word in Sch. 4 para. 2 repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**
- F39** Word in Sch. 4 para. 2 inserted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(6)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, art. 2, **Sch.**
- F40** Words in Sch. 4 paras. 2 and 4 substituted (1.10.1993) by 1993 c. 28, s. 187(1), **Sch. 21 para. 31**; S.I. 1993/2762, **art. 3**.
- F41** Words in Sch. 4 para. 2 substituted (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 56, 325(1), **Sch. 8 para. 53**; S.I. 2008/3068, **art. 2(1)(w)** (with arts. 6-18)

Modifications etc. (not altering text)

- C9** Sch. 4 paras. 2, 4(1) modified by S.I. 1990/1519, **reg. 13(1)**

^{F42} 3 Where an application for listed building consent under section 10 relating to land in a National Park falls to be determined by a [^{F43}National Park authority]]. . . , that authority—

- (a) shall send a copy of the application, as soon as practicable and in any event not later than seven days after they have received it, to [^{F44}any authority which (but for section 4A) would be ^{F45} . . .] the district planning authority for the area in which the land to which the application relates is situated; and

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(b) shall before determining the application consult [^{F46}any such] authority.

Textual Amendments

- F42** Sch. 4 para. 3 substituted (2.1.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 61**; S.I. 1991/2905, **art. 3 Sch. 1**
- F43** Words in Sch. 4 para. 3 inserted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(7)(a)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**
- F44** Words in Sch. 4 para. 3(a) inserted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(7)(b)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**
- F45** Words in Sch. 4 para. 3 repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, **art. 2 Sch.**
- F46** Words in Sch. 4 para. 3(b) substituted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(7)(c)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**

- 4 (1) Subject to sections ^{F47} . . . , 6, 7, [^{F48}8 and 8A] of the principal Act, the functions of a local planning authority under sections 67(2) and (3), 69, 70 and 74 and paragraph 2(3) and (4) of Schedule 1 shall be exercisable—
- (a) in Greater London or a metropolitan county [^{F49}or in any National Park for which a National Park authority is the local planning authority], by the local planning authority;
 - (b) in any part of a National Park [^{F50}to which paragraph (a) above does not apply], by the county planning authority; and
 - (c) elsewhere, by the district planning authority;
- but outside a National Park a county planning authority shall also have power to make determinations and designations under section 69.
- (2) Before making a determination under section 69 a county planning authority [^{F51}or National Park authority] shall consult the council of each district of which any part is included in the area to which the proposed determination relates.
- (3) Where it is the duty of the district planning authority to take the steps required by section 67(2) in relation to an application which falls to be determined by the county planning authority, the district planning authority shall as soon as possible after taking those steps notify the county planning authority of the steps which they have taken and the date on which they took them.

Textual Amendments

- F47** Words in Sch. 4 para. 4(1) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, **art. 2 Sch.**
- F48** Words in Sch. 4 para. 4 substituted (10.11.1993) by 1993 c. 28, s. 187(1), **Sch. 21 para. 31**; S.I. 1993/2762, **art. 3**.
- F49** Words in Sch. 4 para. 4(1)(a) inserted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(8)(a)(i)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**
- F50** Words in Sch. 4 para. 4(1)(b) substituted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(8)(a)(ii)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**
- F51** Words in Sch. 4 para. 4(2) inserted (1.4.1997) by 1995 c. 25, s. 78, **Sch. 10 para. 33(8)(b)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1996/2560, **art. 2 Sch.**

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Modifications etc. (not altering text)

C10 Sch. 4 para. 4 extended (1.11.1993) by 1993 c. 28, s. 70(14)(b); S.I. 1993/2134, art. 5(a).

C11 Sch. 4 paras. 2, 4(1) modified by S.I. 1990/1519, reg. 13(1)

- 5 For the purposes of sections 3 and 4, 7 to 26, 38, 42, 56, 66(1), 67, 69 to 75, 82, 84 and 88(2)(c) and (d) and the provisions of this Schedule so far as they relate to those provisions, the Broads Authority shall be the sole district planning authority in respect of the Broads, and in relation to a building or land within the Broads—
- (a) the references to the district planning authority in section 2(1)(b)(iii) and in paragraph 4(1)(c) of this Schedule, so far as that paragraph relates to paragraph 2(3) and (4) of Schedule 1, include that Authority; and
 - (b) for the purposes of sections 6 [F5244A, 88(2)(a) and (b) and 88A]“local planning authority” includes that Authority.

Textual Amendments

F52 Words in Sch. 4 para. 5(b) substituted (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 25, Sch. 3 Pt. II para.29; S.I. 1991/2905, art.3

Modifications etc. (not altering text)

C12 Sch. 4 para. 5 extended (1.11.1993) by 1993 c. 28, s. 70(14)(b); S.I. 1993/2134, art. 5(a).

- 6 The validity of any consent or determination granted or made or purported to be granted or made by a local planning authority in respect of an application for listed building consent or conservation area consent shall not be called in question in any legal proceedings, or in any proceedings under this Act which are not legal proceedings, on the ground that the consent or determination should have been granted or made by some other local planning authority.
- 7 (1) The Secretary of State may from time to time direct a district planning authority to submit to him for his approval within a period specified in the direction the arrangements which the authority propose to make to obtain specialist advice in connection with their functions under sections 3, [F533A,] 4, 8, 10 to 26, 38, 42, [F5444D,] 66(1), 69 to 72, 74 and 75.
- (2) If the Secretary of State is not satisfied about any such arrangements he may direct the district planning authority and another local planning authority specified in the direction—
- (a) to enter into an agreement under section 113 of the ^{M5}Local Government Act 1972 for the placing at the disposal of the district planning authority, for the purpose of giving them any such specialist advice, of the services of officers employed by that other authority who are qualified to give such advice; or
 - (b) to enter into arrangements, containing terms specified in the direction or terms on lines laid down by him, for the discharge by that other authority of any of those functions.
- (3) Before giving a direction under sub-paragraph (2) the Secretary of State shall consult with the district planning authority and the other authority concerned.

Table of Derivations

Notes:

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1. The following abbreviations are used in this Table:—

1953 c. 49 =	The Historic Buildings and Ancient Monuments Act 1953
1962 c. 36 =	The Local Authorities (Historic Buildings) Act 1962
1969 c. 22 =	The Redundant Churches and Other Religious Buildings Act 1969
1969 c. 48 =	The Post Office Act 1969
1971 c. 78 =	The Town and Country Planning Act 1971
1972 c. 42 =	The Town and Country Planning (Amendment) Act 1972
1972 c. 70 =	The Local Government Act 1972
1974 c. 7 =	The Local Government Act 1974
1974 c. 32 =	The Town and Country Amenities Act 1974
1975 c. 10 =	The Statute Law (Repeals) Act 1975
1975 c. 76 =	The Local Land Charges Act 1975
1977 c. 38 =	The Administration of Justice Act 1977
1978 c. 30 =	The Interpretation Act 1978
1979 c. 46 =	The Ancient Monuments and Archaeological Areas Act 1979
1980 c. 43 =	The Magistrates' Courts Act 1980
1980 c. 65 =	The Local Government, Planning and Land Act 1980
1981 c. 41 =	The Local Government and Planning (Amendment) Act 1981
1981 c. 54 =	The Supreme Court Act 1981
1981 c. 67 =	The Acquisition of Land Act 1981
1982 c. 16 =	The Civil Aviation Act 1982.
1982 c. 21 =	The Planning Inquiries (Attendance of Public) Act 1982
1982 c. 30 =	The Local Government (Miscellaneous Provisions) Act 1982
1982 c. 48 =	The Criminal Justice Act 1982
1983 c. 47 =	The National Heritage Act 1983
1984 c. 10 =	The Town and Country Planning Act 1984

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1984 c. 12 =	The Telecommunications Act 1984
1985 c. 51 =	The Local Government Act 1985
1986 c. 44 =	The Gas Act 1986
1986 c. 63 =	The Housing and Planning Act 1986
1987 c. 3 =	The Coal Industry Act 1987
1988 c. 4 =	The Norfolk and Suffolk Broads Act 1988
1989 c. 15 =	The Water Act 1989
1989 c. 29 =	The Electricity Act 1989

2. The Table does not show the effect of Transfer of Function orders.

3. The letter R followed by a number indicates that the provision gives effect to the Recommendation bearing that number in the Law Commission's Report on the Consolidation of Certain Enactments relating to Town and Country Planning (Cmnd. 958).

4. The entry "drafting" indicates a provision of a mechanical or editorial nature only affecting the arrangement of the consolidation.

Provision	Derivation
1 (1)	1971 c. 78 s. 54(1); 1983 c. 47 Sch. 4 para. 16(2).
(2)	1971 c. 78 s. 54(1)(part); 1983 c. 47 Sch. 4 para. 16(2).
(3)	1971 c. 78 s. 54(2).
(4)	1971 c. 78 s. 54(3); 1983 c. 47 Sch. 4 para. 16(3).
(5)	1971 c. 78 s. 54(9); 1986 c. 63 Sch. 9 para. 1(1).
(6)	Drafting.
2 (1)	1971 c. 78 s. 54(4),(5); 1972 c. 70 s. 179(3), Sch. 16 para. 28, Sch. 30; 1985 c. 51 Sch. 2 para. 1(3); R 34.
(2)	1971 c. 78 s. 54(6); 1972 c. 70 Sch. 30; 1975 c. 76 Sch. 1.
(3)	1971 c. 78 s. 54(7); 1972 c. 70 s. 179(3), Sch. 30.
(4)	1971 c. 78 s. 54(8).
(5)	1971 c. 78 s. 54(8); 1985 c. 51 Sch. 2 para. 1(3); R 34.
(6)	1971 c. 78 s. 54(8); 1985 c. 51 Sch. 2 para. 1(3).

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3 (1)	1971 c. 78 s. 58(1); 1980 c. 65 Sch. 15 para. 12; 1985 c. 51 Sch. 2 para. 1(5).
(2)	1971 c. 78 s. 58(1); 1980 c. 65 Sch. 15 para. 12; 1985 c. 51 Sch. 2 para. 1(5).
(3)	1971 c. 78 s. 58(3); 1980 c. 65 Sch. 15 para. 12; 1985 c. 51 Sch. 2 para. 1(5).
(4)	1971 c. 78 s. 58(3); 1980 c. 65 Sch. 15 para. 12; 1985 c. 51 Sch. 2 para. 1(5).
(5)	1971 c. 78 s. 58(4)(part).
(6)	1971 c. 78 s. 58(5)(a); 1980 c. 65 Sch. 15 para. 12; 1985 Sch. 2 para. 1(5).
(7)	1971 c. 78 s. 58(5)(b); 1980 c. 65 Sch. 15 para. 12; 1985 c. 51 Sch. 2 para. 1(5).
(8)	1971 c. 78 s. 58(7); 1985 c. 51 Sch. 2 para. 1(5)(c).
4 (1) to (3)	1971 c. 78 s. 58(6); 1972 c. 42 s. 7(1); 1985 c. 51 Sch. 2 para. 1(5).
(4)	1971 c. 78 s. 58(7); 1985 c. 51 Sch. 2 para. 1(5)(c).
5	Drafting
6 (1)	1971 c. 78 s. 54A(1); 1980 c. 65 Sch. 15 para. 5.
(2)	1971 c. 78 s. 54A(2); 1980 c. 65 Sch. 15 para. 5; R 35.
(3)	1971 c. 78 s. 54A(3); 1980 c. 65 Sch. 15 para. 5.
(4)	1971 c. 78 s. 54A(4); 1980 c. 65 Sch. 15 para. 5; 1985 c. 51 Sch. 2 para. 1(4).
7	1971 c. 78 s. 55(1)(part); 1980 c. 65 Sch. 15 para. 6(1).
8(1), (2)	1971 c. 78 s. 55(2); 1980 c. 65 Sch. 34, Pt X; R 36.
(3)	1971 c. 78 s. 55(2A); 1980 c. 65 Sch. 15 para. 6(2).
(4) to (6)	1971 c. 78 s. 55(3).
(7)	1971 c. 78 s. 55(3A); 1980 c. 65 Sch. 15 para. 6(3).
9 (1)	1971 c. 78 s. 55(1)(part).
(2)	1971 c. 78 s. 55(4); 1986 c. 63 Sch. 11 para. 19.

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| (3) | 1971 c. 78 s. 55(6); 1986 c. 63 Sch. 9 para. 2(1). |
| (4), (5) | 1971 c. 78 s. 55(5); 1980 c. 43 s. 32(2); 1982 c. 48 s. 74(1). |
| 10 (1) | 1971 c. 78 s. 56(6) (part), Sch. 11 para. 1(1A) (part); 1986 c. 63 Sch. 9 para. 9. |
| (2) | 1971 c. 78 Sch. 11 para. 1(1); 1986 c. 63 Sch. 9 para. 9. |
| (3) | 1971 c. 78 Sch. 11 para. 1(1A); 1986 c. 63 Sch. 9 para. 9. |
| 11 (1) to (5) | 1971 c. 78 ss. 27(1) (except (cc)), (2), (4), 29(3), Sch. 11 para. 2(1). |
| (6) | 1971 c. 78 Sch. 11 para. 2(2); 1982 c. 48 ss. 38, 46. |
| (7) | 1971 c. 78 s. 27(7), Sch. 11 para. 2(1). |
| 12 (1) | 1971 c. 78 Sch. 11 para. 4(1). |
| (2) | 1971 c. 78 Sch. 11 para. 4(2). |
| (3) | 1971 c. 78 Sch. 11 para. 4(3). |
| (4) | 1971 c. 78 Sch. 11 para. 4(4). |
| (5) | 1971 c. 78 Sch. 11 para. 4(5). |
| 13 (1) | 1971 c. 78 Sch. 11 para. 5(1), (3); 1985 c. 51 Sch. 2 para. 1(17). |
| (2) | 1971 c. 78 Sch. 11 para. 5(1). |
| (3) | 1971 c. 78 Sch. 11 para. 5(2); 1986 c. 63 Sch. 9 para. 10(1). |
| 14 (1) | 1971 c. 78 Sch. 11 para. 6(1); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| (2) | 1971 c. 78 Sch. 11 para. 6(2); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| (3) | 1971 c. 78 Sch. 11 para. 6(3); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| (4) | 1971 c. 78 Sch. 11 para. 6(5); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| (5) | 1971 c. 78 Sch. 11 para. 6(4),(6); 1985 c. 51 Sch. 2 para. 1 (17)(b); 1986 c. 63 Sch. 9 para. 10. |
| (6) | 1971 c. 78 Sch. 11 para. 6(3),(4); 1985 c. 51 Sch. 2 para. 1(17)(b); 1986 c. 63 Sch. 9 para. 10. |
| (7) | 1971 c. 78 Sch. 11 para. 6(5); 1985 c. 51 Sch. 2 para. 1(17)(b). |

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Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990 is up to date with all changes known to be in force on or before 07 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)

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| (8) | 1971 c. 78 Sch. 11 para. 6(7); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| (9) | 1971 c. 78 Sch. 11 para. 6(8); 1985 c. 51 Sch. 2 para. 1(17)(b). |
| 15 (1) | 1971 c. 78 Sch. 11 para. 7(1); 1986 c. 63 Sch. 9 para. 11(2). |
| (2) | 1971 c. 78 Sch. 11 para. 7(1); 1985 c. 51 Sch. 2 para. 1(17)(c). |
| (3) | 1971 c. 78 Sch. 11 para. 7(1A); 1986 c. 63 Sch. 9 para. 11(2). |
| (4) | 1971 c. 78 Sch. 11 para. 7(1B); 1986 c. 63 Sch. 9 para. 11(3). |
| (5) | 1971 c. 78 Sch. 11 para. 7(2). |
| (6) | 1971 c. 78 Sch. 11 para. 7(3); 1986 c. 63 Sch. 9 para. 11(4). |
| 16 (1) | 1971 c. 78 s. 56(3)(part),(4); 1980 c. 65 Sch. 15 para. 9. |
| (2) | 1971 c. 78 s. 56(3) (part); 1980 c. 65 Sch. 15 para. 8. |
| (3) | 1971 c. 78 Sch. 11 para. 1(2). |
| 17 (1) | 1971 c. 78 s. 56(4A); 1980 c. 65 Sch. 15 para. 9. |
| (2) | 1971 c. 78 s. 56(4B); 1986 c. 63 Sch. 9 para. 3(1). |
| (3) | 1971 c. 78 s. 56(5); 1980 c. 65 Sch. 15 para. 10. |
| 18 (1) | 1971 c. 78 s. 56A(1); 1980 c. 65 Sch. 15 para. 11. |
| (2) | 1971 c. 78 s. 56A(2); 1980 c. 65 Sch. 15 para. 11. |
| (3) | 1971 c. 78 s. 56A(5); 1980 c. 65 Sch. 15 para. 11. |
| 19 (1) | 1971 c. 78 s. 56B(1); 1986 c. 63 Sch. 9 para. 4. |
| (2) | 1971 c. 78 s. 56B(2); 1986 c. 63 Sch. 9 para. 4. |
| (3) | 1971 c. 78 s. 56B(2); 1986 c. 63 Sch. 9 para. 4. |
| (4) | 1971 c. 78 s. 56B(3); 1986 c. 63 Sch. 9 para. 4. |

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20 (1)	1971 c. 78 s. 56B(2)(part), Sch. 11 para. 8(1); 1986 c. 63 Sch. 9 para. 3(2), para. 4.
(2), (3)	1971 c. 78 Sch. 11 para. 9; 1986 c. 63 Sch. 9 para. 3(3).
(4)	1971 c. 78 Sch. 11 para. 9(1) (part); 1986 c. 63 Sch. 9 para. 3(3); R 8(a).
21 (1)	1971 c. 78 Sch. 11 para. 8(1), 9; 1986 c. 63 Sch. 9 para. 3(2),(3).
(2)	1971 c. 78 Sch. 11 para. 8(1),9; 1986 c. 63 Sch. 9 para. 3(2),(3).
(3), (4)	1971 c. 78 Sch. 11 para. 8(2) (part).
(5), (6)	1971 c. 78 s. 56B(2)(part), Sch. 11 para. 2(part); 1986 c. 63 Sch. 9 para. 4.
(7)	1971 c. 78 Sch. 11 para. 2(2); 1982 c. 48 ss. 38, 46.
22 (1)	1971 c. 78 Sch. 11 para. 8(3).
(2)	1971 c. 78 Sch. 11 para. 8(4).
(3)	1971 c. 78 Sch. 11 para. 8(5).
(4)	1971 c. 78 Sch. 11 para. 8(6).
23 (1), (2)	1971 c. 78 Sch. 11 para. 10(1).
(3)	1971 c. 78 Sch. 11 para. 10(4).
24 (1)	1971 c. 78 Sch. 11 para. 10(2) (part).
(2) to (4)	1971 c. 78 Sch. 11 para. 10(3).
(5)	1971 c. 78 Sch. 11 para. 10(2) (part).
25 (1)	1971 c. 78 Sch. 11 para. 12(1), (6); 1980 c. 65 Sch. 15 para. 25.
(2)	1971 c. 78 Sch. 11 para. 12(2),(3),(4); 1980 c. 65 Sch. 34 Pt.X.
(3)	1971 c. 78 Sch. 11 para. 12(5).
(4)	1971 c. 78 Sch. 11 para. 12(2)(a).
(5)	1971 c. 78 Sch. 11 para. 12(2)(b).
26	1971 c. 78 Sch. 11 para. 11; 1974 c. 7 Sch. 6 para. 25(14).
27 (1)	1971 c. 78 s. 171(1).
(2)	1971 c. 78 s. 171(2).
(3)	1971 c. 78 s. 171(3).
(4)	1971 c. 78 s. 171(4).
(5)	1971 c. 78 s. 173(1) (part),(2).

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28 (1),(2)	1971 c. 78 s. 172(1).
(3)	1971 c. 78 s. 172(3).
(4)	1971 c. 78 s. 172(2).
29 (1)	1971 c. 78 s. 173(1),(3).
(2)	1971 c. 78 s. 173(3).
(3)	1971 c. 78 s. 173(4).
30 (1)	1972 c. 70 Sch. 16 para. 34(1),(2); R 37.
(2)	1972 c. 70 Sch. 16 para. 34(3).
(3)	1972 c. 70 Sch. 16 para. 52.
31 (1)	1971 c. 78 s. 178(1).
(2)	1971 c. 78 s. 178(2).
(3)	1971 c. 78 s. 178(3).
(4)	1971 c. 78 s. 179(1).
(5)	1971 c. 78 s. 179(2).
32 (1)	1971 c. 78 s. 190(1),(3),(5); 1972 c. 70 s. 179(3); 1975 c. 10 Sch. Pt. XII.
(2)	1971 c. 78 s. 190(1); 1975 c. 10 Sch. Pt. XII.
(3)	1971 c. 78 s. 190(3).
(4)	1971 c. 78 s. 190(2).
(5)	1971 c. 78 s. 190(3),drafting.
33 (1),(2)	1971 c. 78 Sch. 19 para. 1(1); 1986 c. 63 Sch. 11 para. 5(2)(a).
(3)	1971 c. 78 Sch. 19 para. 1(2).
(4)	1971 c. 78 Sch. 19 para. 1(3); 1986 c. 63 Sch. 11 para. 5(2)(b).
34 (1)	1971 c. 78, s. 182(1), Sch. 19 para. 1(3).
(2)	1971 c. 78 s. 182(2), Sch. 19 para. 1(3); 1972 c. 70 Sch. 16 paras. 37, 52.
(3),(4)	1971 c. 78 s. 182(3), Sch. 19 para. 1(3).
(5)	1971 c. 78 s. 182(4), Sch. 19 para. 1(3).
35 (1),(2)	1971 c. 78 Sch. 19 para. 2(1).
(3)	1971 c. 78 Sch. 19 para. 2(2).
(4)	1971 c. 78 Sch. 19 para. 2(3),(4).
(5)	1971 c. 78 Sch. 19 para. 2(5),(6).
(6)	1971 c. 78 Sch. 19 para. 2(7).

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| (7) | 1971 c. 78 Sch. 19 para. 2(8). |
| 36 (1) | 1971 c. 78 Sch. 19 para. 3(1). |
| (2) | 1971 c. 78 Sch. 19 para. 3(2). |
| (3) | 1971 c. 78 Sch. 19 para. 3(3)(a). |
| (4) | 1971 c. 78 Sch. 19 para. 3(1). |
| (5) | 1971 c. 78 Sch. 19 para. 3(3)(b); 1986 c. 63 Sch. 11 para. 7(2). |
| (6) | 1971 c. 78 Sch. 19 para. 3(3A); 1986 c. 63 Sch. 11 para. 7(2). |
| (7) | 1971 c. 78 Sch. 19 para. 3(4); R 38. |
| (8) | 1971 c. 78 Sch. 19 para. 3(5); R 39. |
| 37 | 1971 c. 78 Sch. 19 para. 4. |
| 38 (1) | 1971 c. 78 s. 96(1),(2); 1981 c. 41 Sch. para. 9. |
| (2) | 1971 c. 78 s. 96(1); 1981 c. 41 Sch. para. 9. |
| (3) | 1971 c. 78 s. 96(3),(4); 1981 c. 41 Sch. para. 9. |
| (4) | 1971 c. 78 s. 96(3); 1981 c. 41 Sch. para. 9. |
| (5) to (7) | 1971 c. 78 s. 96(5) to (7); 1981 c. 41 Sch. para. 9. |
| 39 (1) | 1971 c. 78 s. 97(1); 1981 c. 41 Sch. para. 9; 1984 c. 10 s. 4(2); 1986 c. 63 Sch. 9 para. 2(2). |
| (2) | 1971 c. 78 s. 97(1),(2); 1981 c. 41 Sch. para. 9. |
| (3) | 1971 c. 78 s. 97(9); 1981 c. 41 Sch. para. 9. |
| (4) | 1971 c. 78 s. 97(3); 1981 c. 41 Sch. para. 9. |
| (5) | 1971 c. 78 s. 97(8); 1981 c. 41 Sch. para. 9. |
| (6) | 1971 c. 78 s. 110(2)(part). |
| (7) | 1984 c. 10 s. 4(2). |
| 40 (1) | 1971 c. 78 ss. 88(5), 97(4); 1981 c. 41 Sch. paras. 1, 9. |
| (2) | 1971 c. 78 s. 97(6); 1981 c. 41 Sch. para. 9. |

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| (3) | 1971 c. 78 s. 97(10); 1981 c. 41 Sch. para. 9. |
| 41 (1) | 1971 c. 78 s. 97A(1); 1981 c. 41 Sch. para. 9. |
| (2) | 1971 c. 78 s. 97A(2); 1981 c. 41 Sch. para. 9. |
| (3) | 1971 c. 78 s. 97(5); 1981 c. 41 Sch. para. 9. |
| (4) | 1971 c. 78 s. 97(7); 1981 c. 41 Sch. para. 9. |
| (5) | 1971 c. 78 s. 97A(3); 1981 c. 41 Sch. para. 9. |
| (6) | 1971 c. 78 s. 97A(4); 1981 c. 41 Sch. para. 9. |
| (7) | 1971 c. 78 s. 97A(5); 1981 c. 41 Sch. para. 9. |
| 42 (1) | 1971 c. 78 s. 99(1). |
| (2) | 1971 c. 78 s. 99(2). |
| (3) | 1971 c. 78 ss. 91(3),(4), 99(3); 1974 c. 7 Sch. 8. |
| (4) | 1971 c. 78 ss. 91(3), 99(3). |
| (5) | 1971 c. 78 s. 99(3). |
| (6) | 1971 c. 78 s. 111. |
| (7) | 1971 c. 78 s. 99(1). |
| 43 (1) | 1971 c. 78 s. 98(1); 1980 c. 43 s. 32(2), (9); 1982 c. 48 s. 74(1). |
| (2) | 1971 c. 78 s. 98(2). |
| (3) | 1971 c. 78 s. 98(3). |
| (4) | 1971 c. 78 s. 98(4); 1980 c. 43 s. 32(2), (9); 1981 c. 41 Sch. para. 10; 1986 c. 63 Sch. 11 para. 13. |
| 44(1) | 1971 c. 78 s. 99A(1), (2); 1980 c. 65 Sch. 15 para. 17. |
| (2) | 1971 c. 78 s. 99A(3); 1980 c. 65 Sch. 15 para. 17. |
| 45 | 1971 c. 78 s. 99B; 1985 c. 51 Sch. 2 para. 1(7). |
| 46(1) | 1971 c. 78 ss. 100(1), 276(5A); 1981 c. 41 Sch. paras. 11, 24; 1985 c. 51 Sch. 17. |

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- (2) 1971 c. 78 ss. 100(1), 276(5A); 1981 c. 41 Sch. paras. 11, 24; 1983 c. 47 Sch. 4 para. 17; 1985 c. 51 Sch. 17.
- (3) 1971 c. 78 ss. 100(1), 276(5A); 1981 c. 41 Sch. para. 11; 1983 c. 47 Sch. 4 para. 17; 1985 c. 51 Sch. 17.
- (4) 1971 c. 78 ss. 100(2), 276(5B); 1981 c. 41 Sch. paras. 11, 24; R 40.
- (5) 1972 c. 70 Sch. 16 paras. 47(2), 52.
- 47(1) 1971 c. 78 s. 114(1) to (3); 1972 c. 70 Sch. 30; 1985 c. 51 Sch. 2 para. 1(9); 1988 c. 4 Sch. 3 para. 15.
- (2) 1971 c. 78 s. 114(5); 1981 c. 67 Sch. 4 para. 1, Sch. 6 Pt. I.
- (3) 1971 c. 78 s. 114(3A), (4); 1983 c. 47 Sch. 4 para. 19; 1985 c. 51 Sch. 2 para. 1(9).
- (4) 1971 c. 78 s. 114(6); 1981 c. 67 Sch. 4 para. 21(1),(2); R 41.
- (5) 1971 c. 78 s. 114(6); 1981 c. 67 Sch. 4 para. 21(1),(2).
- (6) 1971 c. 78 s. 114(7).
- (7) 1971 c. 78 s. 114(1), (1A); 1972 c. 70 s. 179(3), Sch. 16 paras. 31, 52; 1988 c. 4 Sch. 3 para. 16.
- 48(1) 1971 c. 78 s. 115(1); 1985 c. 51 Sch. 2 para. 1(10)(a).
- (2) 1971 c. 78 s. 115(2); 1985 c. 51 Sch. 2 para. 1(10)(b).
- (3) 1971 c. 78 s. 115(3); 1985 c. 51 Sch. 2 para. 1(10)(b).
- (4) 1971 c. 78 s. 115(3A); 1983 c. 47 Sch. 4 para. 20; 1985 c. 51 Sch. 2 para. 1(10)(c).
- (5) 1971 c. 78 ss. 180(5), 190(4); R 12.
- (6) 1971 c. 78 ss. 115(4), 180(6), 190(4); 1981 c. 67 Sch. 4 para. 21(3); 1985 c. 51 Sch. 2 para. 1(10)(d); R 12, R 41.
- (7) 1971 c. 78 ss. 114(1), 115(5); 1972 c. 70 s. 179(3), Sch. 16 paras. 31, 52; 1988 c. 4 Sch. 3 para. 16.
- 49 1971 c. 78 s. 116; 1974 c. 32 s. 6.

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50(1)	1971 c. 78 s. 117(1), (8); 1974 c. 7 Sch. 6 para. 25(8); 1985 c. 51 Sch. 2 para. 1(11)(a); 1988 c. 4 Sch. 3 para. 17; R 42.
(2)	1971 c. 78 s. 117(2).
(3)	1971 c. 78 s. 117(3); 1974 c. 7 Sch. 6 para. 25(8); 1981 c. 67 Sch. 4 para. 21(4)(b); R 41.
(4)	1971 c. 78 s. 117(4).
(5)	1971 c. 78 s. 117(4).
(6)	1971 c. 78 s. 117(5); 1974 c. 7 Sch. 6 para. 25(8), Sch. 8; 1981 c. 67 Sch. 4 para. 21(5)(b); 1985 c. 51 Sch. 2 para. 1(11)(b).
(7)	1971 c. 78 s. 117(5).
(8)	1971 c. 78 s. 117(6).
(9)	1971 c. 78 s. 117(7).
51(1)	1971 c. 78 s. 118(1).
(2)	1971 c. 78 s. 118(2); 1984 c. 12 Sch. 4 para. 53(3).
(3) to (5)	1971 c. 78 s. 118(3) to (5).
52(1)	1971 c. 78 s. 119(1); 1972 c. 70 s. 179(3), Sch. 16 paras. 31, 52, Sch. 30.
(2)	1971 c. 78 ss. 119(3), 132(4)(a),(c).
53(1)	1971 c. 78 s. 126(1); 1972 c. 70 Sch. 16 paras. 31, 52; 1985 c. 51 Sch. 2 para. 1(12); R 43.
(2)	1953 c. 49 s. 5(3); 1971 c. 78 s. 126(2).
(3)	1953 c. 49 s. 5(3A); 1983 c. 47 Sch. 4 para. 6(2).
54(1)	1971 c. 78 s. 101(1); 1986 c. 63 Sch. 9 para. 7.
(2)	1971 c. 78 s. 101(1),(5)(c); 1986 c. 63 Sch. 9 para. 7.
(3)	1971 c. 78 s. 101(1); 1986 c. 63 Sch. 9 para. 7.
(4)	1971 c. 78 s. 101(3); 1986 c. 63 Sch. 9 para. 7.
(5),(6)	1971 c. 78 s. 101(4); 1986 c. 63 Sch. 9 para. 7.

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(7)	1971 c. 78 s. 101(5)(a); 1986 c. 63 Sch. 9 para. 7.
55(1) to (5)	1971 c. 78 s. 101A(1) to (5); 1986 c. 63 Sch. 9 para. 7.
(6)	1971 c. 78 s. 111; R 40.
56	1971 c. 78 s. 56C(1); 1986 c. 63 Sch. 9 para. 6(1).
57(1) to (3)	1962 c. 36 s. 1(1).
(4),(5)	1962 c. 36 s. 1(2).
(6)	1962 c. 36 s. 1(3).
(7)	1962 c. 36 s. 1(4),(5); 1988 c. 4. Sch. 3 para. 4.
58(1)	1962 c. 36 s. 2(1).
(2),(3)	1962 c. 36 s. 2(2).
(4)	1962 c. 36 s. 2(2); R 44.
(5)	1962 c. 36 s. 2(3); R 45.
59(1)	1971 c. 78 s. 57(1)(part); 1982 c. 48 ss. 38, 46.
(2)	1971 c. 78 s. 57(1)(part).
(3)	1971 c. 78 s. 57(2).
(4)	1971 c. 78 s. 57(3); 1982 c. 48 ss. 38, 46; 1986 c. 63 Sch. 11 para. 13.
60(1) to (3)	1971 c. 78 ss. 56(1), 57(1), 58(2), 101(3), 114(3); 1979 c. 46 Sch. 4 para. 11; 1986 c. 63 Sch. 9 para. 7.
(4)	1971 c. 78 s. 56(1)(a).
(5)	1971 c. 78 s. 58AA(1); 1986 c. 63 Sch. 9 para. 5(1).
(6)	1971 c. 78 s. 58AA(2); 1986 c. 63 Sch. 9 para. 5(1).
(7)	1969 c. 22 s. 2; 1971 c. 78 Sch. 23 Pt II; 1978 c. 30 ss. 17(2)(a), 22(3).
61	1971 c. 78 ss. 56(1)(part), 57(1), 58(2), 101(3), 114(3); 1979 c. 46 Sch. 4 para. 11; 1986 c. 63 Sch. 9 para. 7.
62(1)	1971 c. 78 ss. 242(1)(d)(e),(2)(e).
(2)	1971 c. 78 s. 242(3)(h) to (k); 1982 c. 30 Sch. 6 para. 7(b).
(3)	1971 c. 78 s. 242(4).
63(1)	1971 c. 78 s. 245(1).

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| (2) | 1971 c. 78 s. 245(2). |
| (3) | 1971 c. 78 s. 245(1), (2); R 25(b). |
| (4) | 1971 c. 78 s. 245(4). |
| (5) | 1971 c. 78 s. 245(6). |
| (6) | 1971 c. 78 s. 245(7); 1972 c. 70 Sch. 16 para. 46. |
| (7) | 1971 c. 78 s. 245(3),(7); 1972 c. 70 Sch. 16 para. 46; R 26. |
| 64 | 1971 c. 78 s. 243(1)(b); 1981 c. 41 Sch. para. 18(1). |
| 65(1) | 1971 c. 78 s. 246(1); 1981 c. 41 Sch. para. 19. |
| (2), (3) | 1971 c. 78 s. 246(2); 1981 c. 54 Sch. 5. |
| (4) | 1971 c. 78 s. 246(3). |
| (5) | 1971 c. 78 s. 246(4); 1977 c. 38 Sch. 5 Pt. IV. |
| (6) | 1971 c. 78 s. 246(5). |
| (7) | 1971 c. 78 s. 246(6); 1985 c. 51 Sch. 2 para. 1(13). |
| 66(1) | 1971 c. 78 s. 56(3); 1980 c. 65 Sch. 15 para. 8. |
| (2) | 1971 c. 78 ss. 125(1),(3),(4); 1974 c. 7 Sch. 6 para. 25(10). |
| (3) | 1980 c. 65 s. 119(3). |
| 67(1) | 1971 c. 78 s. 28(1); 1974 c. 7 Sch. 6 para. 25(1); 1974 c. 32 s. 4(1). |
| (2) | 1971 c. 78 s. 28(2); 1972 c. 70 Sch. 16 para. 21(1); 1985 c. 51 Sch. 2 para. 1(2). |
| (3) | 1971 c. 78 s. 28(2A); 1983 c. 47 Sch. 4 para. 15(2). |
| (4) | 1971 c. 78 s. 28(2B); 1983 c. 47 Sch. 4 para. 15(2). |
| (5) | 1971 c. 78 s. 28(2C); 1983 c. 47 Sch. 4 para. 15(2). |
| (6) | 1971 c. 78 s. 28(3); 1983 c. 47 Sch. 4 para. 15(3). |
| (7) | 1971 c. 78 s. 29(4). |
| (8) | 1971 c. 78 s. 32(2) proviso. |

Status: Point in time view as at 22/07/2020.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990 is up to date with all changes known to be in force on or before 07 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)

68(1)	1971 c. 78 s. 58A(1); 1985 c. 51 Sch. 2 para. 1(6).
(2)	1971 c. 78 s. 58A(2); 1985 c. 51 Sch. 2 para. 1(6).
(3)	1971 c. 78 s. 58A(3); 1985 c. 51 Sch. 2 para. 1(6).
69(1)	1971 c. 78 s. 277(1); 1974 c. 32 s. 1(1).
(2)	1971 c. 78 s. 277(2); 1974 c. 32 s. 1(1); 1980 c. 65 Sch. 15 para. 26(1).
(3)	1971 c. 78 s. 277(4); 1974 c. 32 s. 1(1).
(4)	1971 c. 78 s. 277(9); 1974 c. 32 s. 1(1); 1975 c. 76 Sch. 1.
70(1)	1971 c. 78 s. 277(10)(a); 1974 c. 32 s. 1(1); 1985 c. 51 Sch. 2 para. 1(14)(b).
(2)	1971 c. 78 s. 277(5); 1974 c. 32 s. 1(1); 1985 c. 51 Sch. 2 para. 1(14)(a).
(3)	1971 c. 78 s. 277(4)(part); 1974 c. 32 s. 1(1).
(4)	1971 c. 78 s. 277(5); 1974 c. 32 s. 1(1); 1985 c. 51 Sch. 2 para. 1(14)(a).
(5)	1971 c. 78 s. 277(6), (6A); 1974 c. 32 s. 1(1); 1983 c. 47 Sch. 4 para. 21.
(6)	1971 c. 78 s. 277(6), (6A); 1974 c. 32 s. 1(1); 1983 c. 47 Sch. 4 para. 21.
(7)	1971 c. 78 s. 277(6); 1974 c. 32 s. 1(1).
(8)	1971 c. 78 s. 277(7); 1974 c. 32 s. 1(1).
71(1)	1971 c. 78 s. 277B(1); 1974 c. 32 s. 1(1); 1980 c. 65 Sch. 15 para. 26(3).
(2), (3)	1971 c. 78 s. 277B(2); 1974 c. 32 s. 1(1).
72	1971 c. 78 s. 277(8); 1974 c. 32 s. 1(1).
73(1)	1971 c. 78 ss. 28(1) to (3), 29(4); 1972 c. 70 Sch. 16 para. 21; 1974 c. 7 Sch. 6 para. 25(1); 1974 c. 32 s. 4(1); 1983 c. 47 Sch. 4 para. 15(2), (3); 1985 c. 51 Sch. 2 para. 1(2).
(2)	1971 c. 78 s. 32(2) proviso.
74(1)	1971 c. 78 s. 277A(1),(2); 1974 c. 32 s. 1(1).
(2)	1971 c. 78 s. 277A(7); 1974 c. 32 s. 1(1).

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| (3) | 1971 c. 78 s. 277A(8); 1974 c. 32 s. 1(1); 1984 c. 10 s. 4(3); 1986 c. 63 Sch. 9 para. 8(2). |
| (4) | 1971 c. 78 s. 277A(9); 1974 c. 32 s. 1(1). |
| 75(1) | 1971 c. 78 ss. 58(2),277A(1); 1974 c. 32 s. 1(1); 1979 c. 46 Sch. 4 para. 11. |
| (2) | 1971 c. 78 s. 277A(4); 1974 c. 32 s. 1(1); 1980 c. 65 Sch. 15 para. 26(2)(b). |
| (3) | 1971 c. 78 s. 277A(5); 1974 c. 32 s. 1(1). |
| (4) | 1971 c. 78 s. 277A(6); 1974 c. 32 s. 1(1). |
| (5) | 1971 c. 78 ss. 58(2),277A(1); 1974 c. 32 s. 1(1). |
| (6) | 1971 c. 78 s. 56(1). |
| (7) | 1971 c. 78 s. 58AA(1); 1986 c. 63 Sch. 9 para. 5(1). |
| (8) | 1971 c. 78 s. 58AA(2); 1986 c. 63 Sch. 9 para. 5(1). |
| (9) | 1971 c. 78 s. 277A(8),(9); 1974 c. 32 s. 1(1); 1986 c. 63 Sch. 9 para. 8(2). |
| (10), (11) | 1971 c. 78 s. 277A(10); 1974 c. 32 s. 1(1). |
| 76(1) | 1971 c. 78 s. 101(1)(b), (2); 1986 c. 63 Sch. 9 para. 7. |
| (2) | 1971 c. 78 s. 101(5)(b); 1986 c. 63 Sch. 9 para. 7. |
| 77(1) | 1972 c. 42 s. 10(1AA); 1983 c. 47 Sch. 4 para. 22. |
| (2) | 1972 c. 42 s. 10(1); 1980 c. 65 Sch. 15 para. 27; 1983 c. 47 Sch. 4 para. 22. |
| (3) | 1972 c. 42 s. 10(1), (1AA); 1980 c. 65 Sch. 15 para. 27; 1983 c. 47 Sch. 4 para. 22. |
| (4) | 1972 c. 42 s. 10(2); 1983 c. 47 Sch. 4 para. 22. |
| (5) | 1972 c. 42 s. 10(3A); 1983 c. 47 Sch. 4 para. 22. |
| (6) | 1972 c. 42 s. 10(3); 1983 c. 47 Sch. 4 para. 22. |
| (7) | 1972 c. 42 s. 10(4); 1983 c. 47 Sch. 6. |

Status: Point in time view as at 22/07/2020.

Changes to legislation: *Planning (Listed Buildings and Conservation Areas) Act 1990 is up to date with all changes known to be in force on or before 07 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)*

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| (8) | 1972 c. 42 s. 10(5). |
| (9) | 1972 c. 42 s. 10(5). |
| 78(1) | 1972 c. 42 s. 10A(1); 1979 c. 46 s. 48(1); 1983 c. 47 Sch. 4 para. 23(2). |
| (2) | 1972 c. 42 s. 10A(1),(4); 1979 c. 46 s. 48(1); 1983 c. 47 Sch. 4 para. 23(2). |
| (3) | 1972 c. 42 s. 10A(2); 1979 c. 46 s. 48(1). |
| (4) | 1972 c. 42 s. 10A(5); 1979 c. 46 s. 48(1); 1983 c. 47 Sch. 4 para. 23(2), (3). |
| (5) | 1972 c. 42 s. 10A(7); 1979 c. 46 s. 48(1). |
| (6) | 1972 c. 42 s. 10A(6); 1979 c. 46 s. 48(1). |
| (7) | 1972 c. 42 s. 10A(3); 1979 c. 46 s. 48(1); 1983 c. 47 Sch. 4 para. 23(2),(3). |
| (8) | 1972 c. 42 s. 10A(8); 1979 c. 46 s. 48(1); 1983 c. 47 Sch. 4 para. 23(2); R 45. |
| 79(1) | 1972 c. 42 s. 10B(3),(4); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(4),(5). |
| (2) | 1972 c. 42 s. 10B(3); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(4). |
| (3) | 1972 c. 42 s. 10B(11); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(11); 1988 c. 4 Sch. 3 para. 27. |
| 80(1) | 1972 c. 42 s. 10B(1A),(2); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(3). |
| (2) | 1972 c. 42 s. 10B(1),(2); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(2). |
| (3) | 1972 c. 42 s. 10B(5); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(6). |
| (4) | 1972 c. 42 s. 10B(6),(7); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(7). |
| (5) | 1972 c. 42 s. 10B(8); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(8). |
| (6) | 1972 c. 42 s. 10B(9); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(9). |

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(7)	1972 c. 42 s. 10B(10)(part); 1980 c. 65 Sch. 15 para. 28; 1983 c. 47 Sch. 4 para. 24(10); R 44.
81	Drafting
82(1)	1971 c. 78 s. 270(1), Sch. 21 Pt. V.
(2)	1971 c. 78 s. 271; 1974 c. 32 s. 7(1).
(3)	1971 c. 78 s. 271, Sch. 21 Pt. VI; 1974 c. 32 s. 7(1); 1986 c. 63 Sch. 9 para. 12; R 47, R 48.
(4)	1971 c. 78 ss. 270(2)(b), 271; 1974 c. 32 s. 7(1); 1981 c. 41 Sch. paras. 21, 22.
83(1)	1971 c. 78 s. 266(1)(part).
(2)	1971 c. 78 s. 266(2)(part); 1981 c. 41 Sch. para. 20.
(3)	1971 c. 78 s. 266(4); 1981 c. 41 Sch. para. 20.
(4)	1971 c. 78 s. 266(5).
(5)	1971 c. 78 s. 266(7).
(6)	1984 c. 10 s. 4(1).
(7), (8)	1971 c. 78 s. 266(7)
84(1)	1984 c. 10 s. 1(1)(a).
(2)	1984 c. 10 s. 1(2)
(3)	1984 c. 10 s. 1(3).
(4)	1984 c. 10 s. 1(5).
(5)	1984 c. 10 s. 1(7).
(6)	1984 c. 10 ss. 1(6), 6(1).
(7)	1984 c. 10 s. 6(1).
(8)	1984 c. 10 s. 4(1).
85	1971 c. 78 s. 273; 1987 c. 3 Sch. 1 para. 19; R 48.
86(1)	1971 c. 78 s. 274(1); 1981 c. 41 Sch. para. 23; 1981 c. 67 Sch. 4 para. 1.
(2)	1971 c. 78 s. 274(2).
(3)	1971 c. 78 s. 274(3).
(4)	1971 c. 78 s. 274(5).
87	1971 c. 78 s. 275(2).
88(1)	1971 c. 78 s. 280(2).

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| (2) | 1971 c. 78 s. 280(1)(c),(3),(8),(10);
1981 c. 41 Sch. para. 25; 1985 c. 51
Sch. 2 para. 1(16). |
| (3) | 1971 c. 78 s. 280(4),(10); 1985 c. 51
Sch. 2 para. 1(16); R 49. |
| (4) | 1971 c. 78 s. 280(6). |
| (5) | 1971 c. 78 s. 280(7). |
| (6) | 1971 c. 78 s. 280(9). |
| (7) | 1971 c. 78 s. 281. |
| 89(1) | 1971 c. 78 ss. 282, 282A, 282B, 283,
284, 285; 1986 c. 63 Sch. 11 paras. 9,
10. |
| (2) | 1971 c. 78 s. 285(1). |
| 90(1) | 1971 c. 78 s. 254; R 50. |
| (2) | 1971 c. 78 s. 255(2). |
| (3) | 1971 c. 78 s. 255(3). |
| (4) | 1971 c. 78 s. 255(5). |
| (5) | 1971 c. 78 s. 263(1); 1972 c. 70 Sch. 29
Pt. I para. 3(b). |
| (6) | 1971 c. 78 s. 263(1); R 47, R 48. |
| (7) | 1971 c. 78 s. 260(1)(b)(f), (2). |
| (8) | 1971 c. 78 s. 262. |
| 91(1) | 1971 c. 78 s. 290(1). |
| (2) | 1971 c. 78 s. 290(1); 1972 c. 70 Sch.
30; 1985 c. 51 Sch. 17; 1986 c. 63 Sch.
12 Pt III; 1988 c. 4 Sch. 3 para. 25. |
| (3) | 1969 c. 48 Sch. 4 para. 93(1)(xxxiii);
1971 c. 78 s. 191A; 1982 c. 16 Sch. 2
para. 4; 1984 c. 12 Sch. 4 para. 53(5);
1986 c. 44 Sch. 7 para. 2; 1989 c. 15
Sch. 25 para. 1(1),(2); 1989 c. 29 Sch.
16 para. 1(1)(xxii). |
| (4) | 1971 c. 78 s. 290(8). |
| (5) | 1971 c. 78 s. 290(3). |
| (6) | 1971 c. 78 ss. 101(6), 126(3), 280(10),
Sch. 19 para. 1(4); 1988 c. 4 Sch. 3
paras. 14, 18, 23, 26. |
| (7) | 1962 c. 36 s. 1. |
| 92(1) | 1971 c. 78 s. 269(1). |

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(2)	1971 c. 78 s. 269(1); 1984 c. 10 s. 6(3); R 47, R 48.
(3)	1971 c. 78 s. 269(3); 1972 c. 70 s. 179(3).
(4)	1971 c. 78 s. 269(4).
93(1)	1971 c. 78 s. 287(1).
(2),(3)	1971 c. 78 s. 287(2).
(4)	1971 c. 78 s. 287(4); 1986 c. 63 Sch. 9 para. 5(2).
(5)	1971 c. 78 s. 287(5)(b); 1986 c. 63 Sch. 9 para. 5(2).
(6)	1971 c. 78 s. 287(9); 1986 c. 63 Sch. 9 para. 5(2); R 51.
(7)	1971 c. 78 s. 287(3).
94	Drafting.
Sch. 1 para. 1	1971 c. 78 s. 54(10).
para. 2(1)	1971 c. 78 ss. 54(10).
(2)	1971 c. 78 s. 54(10); 1972 c. 70 s. 179(3), Sch. 30.
(3)	1971 c. 78 s. 54(12); 1983 c. 47 Sch. 4 para. 16(5).
(4)	1971 c. 78 s. 54(11); 1972 c. 70 Sch. 16 para. 28(2); 1983 c. 47 Sch. 4 para. 16(4); 1985 c. 51 Sch. 2 para. 1(3).
para. 3	1971 c. 78 s. 97A(4)(c)(ii), Sch. 11 paras. 8(2)(a), (3)(b); 1981 c. 41 Sch. para. 9.
Sch. 2 para. 1	1971 c. 78 Sch. 11 para. 13.
para. 2	1971 c. 78 Sch. 11 para. 14.
para. 3	1971 c. 78 Sch. 11 para. 15.
para. 4	1971 c. 78 Sch. 11 para. 16.
Sch. 3 para. 1(1), (2)	1971 c. 78 Sch. 9 para. 1(1).
(3)	1971 c. 78 Sch. 9 para. 1(2).
(4)	1971 c. 78 Sch. 9 para. 1(3).
(5)	Drafting.
para. 2(1)	1971 c. 78 Sch. 9 para. 2(1)(d), (f); 1981 c. 41 Sch. para. 27.
(2)	1971 c. 78 Sch. 9 para. 2(2); 1981 c. 41 Sch. para. 27.

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| (3) | 1971 c. 78 Sch. 9 para. 2(2)(a); 1981 c. 41 Sch. para. 27. |
| (4) | 1971 c. 78 Sch. 9 para. 2(2)(b); 1981 c. 41 Sch. para. 27. |
| (5) | 1971 c. 78 Sch. 9 para. 2(3). |
| (6) | 1971 c. 78 Sch. 9 para. 2(3)(a). |
| (7) | 1971 c. 78 Sch. 9 para. 2(3)(b). |
| (8) | 1971 c. 78 Sch. 9 para. 2(4). |
| para. 3(1) | 1971 c. 78 Sch. 9 para. 3(1). |
| (2) | 1971 c. 78 Sch. 9 para. 3(2); R 52. |
| (3) | 1971 c. 78 Sch. 9 para. 3(3). |
| (4) | 1971 c. 78 Sch. 9 para. 3(4); R 52. |
| (5), (6) | 1971 c. 78 Sch. 9 para. 3(5). |
| para. 4(1) | 1971 c. 78 Sch. 9 para. 3A(1); 1986 c. 63 Sch. 11 para. 11. |
| (2) | 1971 c. 78 Sch. 9 para. 3A(2); 1986 c. 63 Sch. 11 para. 11; R 52. |
| (3) | 1971 c. 78 Sch. 9 para. 3A(3); 1986 c. 63 Sch. 11 para. 11. |
| (4) | 1971 c. 78 Sch. 9 para. 3A(4); 1986 c. 63 Sch. 11 para. 11. |
| para. 5(1) | 1971 c. 78 Sch. 9 para. 4(1). |
| (2) | 1971 c. 78 Sch. 9 para. 4(2)(a). |
| (3) | 1971 c. 78 Sch. 9 para. 4(2). |
| para. 6(1) | 1971 c. 78 Sch. 9 para. 5(1). |
| (2) | 1971 c. 78 Sch. 9 para. 5(1A); 1986 c. 63 Sch. 11 para. 12. |
| (3) | 1971 c. 78 Sch. 9 para. 5(2). |
| (4) | 1971 c. 78 Sch. 9 para. 5(3); 1986 c. 63 Sch. 11 para. 8(2). |
| (5) | 1982 c. 21 s. 1(1). |
| (6) | 1982 c. 21 s. 1(2), (3). |
| (7) | 1982 c. 21 s. 1(4). |
| (8) | 1971 c. 78 Sch. 9 para. 5(4); 1986 c. 63 Sch. 11 para. 9(2). |
| para. 7(1) | 1971 c. 78 Sch. 9 para. 7(1). |
| (2) | 1971 c. 78 Sch. 9 para. 7(2). |
| Sch. 4 para. 1 | Drafting. |

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para. 2	1971 c. 78 s. 54(10); 1972 c. 70 s. 179(3), Sch. 16 paras. 25(1), 52; R 46.
para. 3(1)	1972 c. 70 Sch. 16 paras. 16(1), 52.
(2)	1972 c. 70 Sch. 16 paras. 16(2), 52.
para. 4(1)	1971 c. 78 ss. 28(2), (2A), 54(11), (12), 277(10), 277A(11); 1972 c. 70 Sch. 16 paras. 21(1), 28; 1974 c. 32 s. 1(1); 1983 c. 47 Sch. 4 para. 15; 1985 c. 51 Sch. 2 para. 1(2), (3), (14), (15); 1986 c. 63 Sch. 9 para. 8(3).
(2)	1971 c. 78 s. 277(5); 1974 c. 32 s. 1(1); 1985 c. 51 Sch. 2 para. 1(14).
(3)	1972 c. 70 Sch. 16 para. 21(2).
para. 5	1971 c. 78 ss. 54(13), 54A(4), 273A, 280(10); 1984 c. 10 s. 6(5),(6); 1985 c.51 Sch. 2 para. 1(16); 1988 c. 4 Sch. 3 paras. 7, 8, 12, 13, 23, 32.
para. 6	1972 c. 70 Sch. 16 para. 51(1); R 53.
para. 7(1)	1972 c. 70 Sch. 16 para. 58.
(2)	1972 c. 70 Sch. 16 para. 59; 1978 c. 30 s. 17(2)(a).
(3)	1972 c. 70 Sch. 16 para. 59(part).

Textual Amendments

- F53** Word in Sch. 4 para. 7(1) inserted (31.5.2017) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), ss. [26\(15\)](#), [41\(3\)](#); S.I. 2017/633, art. 4(c) (with art. 6(3))
- F54** Word in Sch. 4 para. 7(1) inserted (21.5.2016) by [Historic Environment \(Wales\) Act 2016 \(anaw 4\)](#), ss. [29\(8\)](#), [41\(2\)](#)

Marginal Citations

- M5** 1972 c. 70.

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