



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER IV

ENFORCEMENT

[^{F1}44AA Temporary stop notices in England

- (1) This section applies where it appears to a local planning authority in England that—
 - (a) works have been or are being executed to a listed building in their area, and
 - (b) the works are such as to involve a contravention of section 9(1) or (2).
- (2) The authority may issue a temporary stop notice if, having regard to the effect of the works on the character of the building as one of special architectural or historic interest, they consider it is expedient that the works (or part of them) be stopped immediately.
- (3) A temporary stop notice must be in writing and must—
 - (a) specify the works in question,
 - (b) prohibit execution of the works (or so much of them as is specified in the notice),
 - (c) set out the authority's reasons for issuing the notice, and
 - (d) include a statement of the effect of section 44AB.
- (4) A temporary stop notice may be served on a person who appears to the authority—
 - (a) to be executing the works or causing them to be executed,
 - (b) to have an interest in the building, or
 - (c) to be an occupier of the building.

Status: Point in time view as at 25/04/2024.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 44AA is up to date with all changes known to be in force on or before 13 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)

- (5) The authority must display a copy of the notice on the building; and the copy must specify the date on which it is first displayed.
- (6) A temporary stop notice takes effect when the copy of it is first displayed in accordance with subsection (5).
- (7) A temporary stop notice ceases to have effect—
 - (a) at the end of the period of 56 days beginning with the day on which the copy of it is first displayed in accordance with subsection (5), or
 - (b) if the notice specifies a shorter period beginning with that day, at the end of that period.
- (8) But if the authority withdraws the notice before the time when it would otherwise cease to have effect under subsection (7), the notice ceases to have effect on its withdrawal.
- (9) A local planning authority may not issue a subsequent temporary stop notice in relation to the same works unless the authority have, since issuing the previous notice, taken other enforcement action in relation to the contravention referred to in subsection (1)(b).
- (10) The reference in subsection (9) to taking other enforcement action includes a reference to obtaining an injunction under section 44A.
- (11) A temporary stop notice does not prohibit the execution of works of such description, or the execution of works in such circumstances, as the Secretary of State may by regulations prescribe.]

Textual Amendments

- F1** Ss. 44AA-44AC inserted (25.4.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 103(2)**, 255(3)(b) (with s. 247); [S.I. 2024/452](#), reg. 3(a)

Status:

Point in time view as at 25/04/2024.

Changes to legislation:

Planning (Listed Buildings and Conservation Areas) Act 1990, Section 44AA is up to date with all changes known to be in force on or before 13 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.