



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER VI

MISCELLANEOUS AND SUPPLEMENTAL

Validity of instruments, decisions and proceedings

62 Validity of certain orders and decisions.

- (1) Except as provided by section 63, the validity of—
- (a) any order under section 23 or 26 (whether before or after it has been confirmed); or
 - (b) any such decision by the Secretary of State as is mentioned in subsection (2), shall not be questioned in any legal proceedings whatsoever.
- (2) Those decisions are—
- (a) any decision on an application referred to the Secretary of State under section 12 or on an appeal under section 20;
 - (b) any decision to confirm or not to confirm a listed building purchase notice including—
 - (i) any decision not to confirm such a notice in respect of part of the land to which it relates, and
 - (ii) any decision to grant any consent, or give any direction, in lieu of confirming such a notice, either wholly or in part;

Status: Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) Act 1990, Section 62 is up to date with all changes known to be in force on or before 07 September 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)

- (c) any decision to grant listed building consent under paragraph (a) of section 41(6) or to discharge a condition or limitation under paragraph (b) of that section;
 - [^{F1}(d) any decision on an application for listed building consent under section 82B.]
- (3) Nothing in this section shall affect the exercise of any jurisdiction of any court in respect of any refusal or failure on the part of the Secretary of State to take any such decision as is mentioned in subsection (2).

Textual Amendments

- F1** S. 62(2)(d) inserted (6.8.2004 for specified purposes, otherwise 7.6.2006) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **ss. 83(2)**, 121(1) (with s. 111); [S.I. 2004/2097](#), **art. 2**; [S.I. 2006/1281](#), **art. 2(a)**

Modifications etc. (not altering text)

- C1** Ss. 62–65 modified by [S.I. 1990/1519](#), **reg. 13(1)**; applied (with modifications) by [S.I. 1990/1519](#), **reg. 12**, **Sch. 3**

Status:

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Changes to legislation:

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