

SCHEDULES

SCHEDULE 1

Section 1(5).

BUILDINGS FORMERLY SUBJECT TO BUILDING PRESERVATION ORDERS

- 1 Subject to paragraph 2, every building which immediately before 3rd August 1970 was subject to a building preservation order under section 27 of the Town and Country Planning (Scotland) Act 1947 but was not then included in a list compiled or approved under section 28 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 planning authority in whose district the building in respect of which such a direction is given is situated, on being notified of the direction, shall give notice of it to the owner, lessee and occupier of the building.
(3) Before giving such a direction in relation to a building, the Secretary of State shall consult the planning authority and the owner, lessee and occupier of the building.
- 3 In the case of a building to which paragraph 1 applies—
 - (a) a notice of appeal under section 18 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 35.