



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

Appeals

19 Appeals: supplementary provisions

- (1) An appeal under section 18 must be made by notice served in the prescribed manner within such period as may be prescribed.
- (2) The period which may be prescribed under subsection (1) must not be less than—
 - (a) in the case of an appeal under section 18(1), 28 days from the receipt by the applicant of notification of the decision, or
 - (b) in the case of an appeal under section 18(2), 28 days from the end of the relevant period within the meaning of that section or, as the case may be, the extended period there mentioned.
- (3) The notice of appeal may include as the ground or one of the grounds of the appeal a claim that the building is not of special architectural or historic interest and ought to be removed from any list compiled or approved by the Secretary of State under section 1.
- (4) In the case of a building in respect of which a building preservation notice is in force, the notice may include a claim that the building should not be included in such a list.

Status: This is the original version (as it was originally enacted).

- (5) Regulations may provide that an appeal in respect of an application for listed building consent, or for the variation or discharge of conditions subject to which such consent has been granted, shall not be entertained unless it is accompanied by a certificate in the prescribed form as to the interests in the building to which the appeal relates.
- (6) Any such regulations may include provisions corresponding to those which may be included in regulations under section 10 by virtue of section 10(2).
- (7) If any person—
- (a) issues a certificate which purports to comply with the requirements of regulations made by virtue of subsection (5) or (6) and which contains a statement which he knows to be false or misleading in a material particular, or
 - (b) recklessly issues a certificate which purports to comply with those requirements and which contains a statement which is false or misleading in a material particular,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.