
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 26A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) provides that a local planning authority may make a heritage partnership agreement with any owner of a listed building situated in England. Section 26A and associated provisions of the Act were inserted by the Enterprise and Regulatory Reform Act 2013.

These Regulations set out the procedures for heritage partnership agreements which contain provision granting listed building consent under section 8(1) of the Act in respect of specified works for the alteration or extension (but not demolition) of the listed building to which the agreement relates. In particular, the Regulations require a local planning authority to publicise its intention to make a heritage partnership agreement granting listed building consent and consult English Heritage in certain circumstances.

Regulation 7 applies (with some modifications) specified sections of the Act to make listed building heritage partnership agreements work more effectively. This includes applying section 26 of the Act which provides for the Secretary of State to revoke listed building consent and section 28 of the Act which makes provision for compensation where listed building consent is revoked or modified.

An impact assessment has not been prepared for this instrument, as impacts were considered as part of the impact assessment for the Enterprise and Regulatory Reform Act 2013. This can be found at <http://www.legislation.gov.uk/ukpga/2013/24/impacts/2013/1065>.