

Status: This is the original version (as it was originally enacted).

SCHEDULE 8

(introduced by section 42)

LISTED BUILDINGS

- 1 (1) Subject to sub-paragraph (2), if a listed building was such a building immediately before 17th January 2006 and is specified in columns (1), (2) and (3) of the following table—
- (a) section 6 of the Listed Buildings Act (restriction on works affecting listed buildings) shall not apply to works carried out in relation to the building in exercise of the powers conferred by Part 1 of this Act;
 - (b) to the extent that a notice issued in relation to the building under section 34(1) of that Act (enforcement) requires the taking of steps which would be rendered ineffective, or substantially ineffective, by works proposed to be carried out in exercise of the powers conferred by Part 1 of this Act, it shall not have effect or, as the case may be, shall cease to have effect;
 - (c) no steps may be taken in relation to the building under section 38(1) of that Act (execution of works specified in notice under section 34(1)) which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b) above; and
 - (d) no works may be executed for the preservation of the building under section 49 of that Act (urgent works to preserve unoccupied listed buildings) which would be rendered ineffective, or substantially ineffective, by such works as are mentioned in paragraph (b) above.
- (2) In the case of any building specified in columns (1), (2) and (3) of the following table in relation to which any description of works is specified in column (4) of that table, sub-paragraph (1) shall have effect as if the references to works carried out in exercise of the powers conferred by Part 1 of this Act were, so far as concerns works of demolition or alteration (as opposed to extension), to works so carried out which are of a description specified in relation to it in that column.
- (3) Paragraphs (a) to (d) of sub-paragraph (1) shall also apply in relation to a listed building which was not such a building immediately before 17th January 2006.
- (4) Anything which, by virtue of section 1(4) of the Listed Buildings Act (objects or structures fixed to, or within the curtilage of, a building), is treated as part of a building for the purposes of that Act shall be treated as part of the building for the purposes of this paragraph.

TABLE

<i>Local government area</i>	<i>Sheet of Parliamentary plans</i>	<i>Buildings authorised to be demolished or altered</i>	<i>Extent of authorised demolition or alteration</i>
(1)	(2)	(3)	(4)
West Lothian and City of Edinburgh	54	Birdsmill Viaduct (Underbridge 240/004)	Attachment of overhead line equipment

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- 2 Section 53 of the Listed Buildings Act (acts causing or likely to result in damage to listed buildings) shall not apply to anything done in exercise of the powers conferred by Part 1 of this Act with respect to works.
- 3 In this schedule—
“the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9); and
“building” and “listed building” have the same meanings as in the Listed Buildings Act.