

SCHEDULE 3
FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND
IN RELATION TO LISTING AND CONSERVATION

PART 5

OTHER MATTERS IN RELATION TO LISTING

24 The 1997 Act is further amended as follows.

Compensation

25 In section 26(1) (compensation for loss or damage caused by service of building preservation notice) for “the Secretary of State” substitute “Historic Environment Scotland”.

Application of 1997 Act to land and works of planning authorities

26 In section 73 (application of 1997 Act to land and works of planning authorities)—

- (a) in subsection (1) for “sections 1(1) and (3) and 2” substitute “section 1(1) and (3)”,
- (b) in subsection (4) “section 2(2) and” is repealed.

Powers of entry

27 In section 76 (rights of entry)—

- (a) in subsection (1) for “the Secretary of State” substitute “Historic Environment Scotland”,
- (b) in subsection (2) for “the Secretary of State” in both places substitute “Historic Environment Scotland”,
- (c) in subsection (3) for “the Secretary of State” substitute “Historic Environment Scotland”.

Building preservation notices

28 In schedule 2 (lapse of building preservation notice) in paragraph 1(b) for “the Secretary of State” substitute “Historic Environment Scotland”.