



Planning (Listed Buildings and Conservation Areas) Act 1990

1990 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER VI

MISCELLANEOUS AND SUPPLEMENTAL

Validity of instruments, decisions and proceedings

62 Validity of certain orders and decisions

- (1) Except as provided by section 63, the validity of—
 - (a) any order under section 23 or 26 (whether before or after it has been confirmed); or
 - (b) any such decision by the Secretary of State as is mentioned in subsection (2), shall not be questioned in any legal proceedings whatsoever.
- (2) Those decisions are—
 - (a) any decision on an application referred to the Secretary of State under section 12 or on an appeal under section 20;
 - (b) any decision to confirm or not to confirm a listed building purchase notice including—
 - (i) any decision not to confirm such a notice in respect of part of the land to which it relates, and
 - (ii) any decision to grant any consent, or give any direction, in lieu of confirming such a notice, either wholly or in part;

Status: This is the original version (as it was originally enacted).

- (c) any decision to grant listed building consent under paragraph (a) of section 41(6) or to discharge a condition or limitation under paragraph (b) of that section.
- (3) Nothing in this section shall affect the exercise of any jurisdiction of any court in respect of any refusal or failure on the part of the Secretary of State to take any such decision as is mentioned in subsection (2).