

SCHEDULES

SCHEDULE 3

LISTED BUILDINGS, CONSERVATION AREAS AND HAZARDOUS SUBSTANCES

PART I

CHANGES RELATING TO ENFORCEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

4 For section 41(1) and (2) (power to correct or vary enforcement notice on appeal) there is substituted—

- “(1) On an appeal under section 39 the Secretary of State may—
- (a) correct any defect, error or misdescription in the listed building enforcement notice; or
 - (b) vary the terms of the listed building enforcement notice, if he is satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority.
- (2) Where the Secretary of State determines to allow the appeal, he may quash the notice.
- (2A) The Secretary of State shall give any directions necessary to give effect to his determination on the appeal.”