

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, SCHEDULE 1 is up to date with all changes known to be in force on or before 12 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

Section 1(5).

BUILDINGS FORMERLY SUBJECT TO BUILDING PRESERVATION ORDERS

- 1 Subject to paragraph 2, every building which immediately before 3rd August 1970 was subject to a building preservation order under section 27 of the ^{M1}Town and Country Planning (Scotland) Act 1947 but was not then included in a list compiled or approved under section 28 of that Act shall be deemed to be a listed building.

Marginal Citations

M1 1947 c. 53.

- 2 ^{F1}(1) Historic Environment Scotland may at any time direct that paragraph 1 no longer applies to a particular building.
- (1A) The Scottish Ministers may direct that paragraph 1 no longer applies to a particular building if the building is referred to in a notice of appeal under section 5B, 18 or 35 relating to the building (whether or not they are requested to do so).]
- (2) The planning authority in whose district the building in respect of which ^{F2}a direction under sub-paragraph (1) or (1A)] is given is situated, on being notified of the direction, shall give notice of it to the owner, lessee and occupier of the building.
- ^{F3}(2A) Where a direction is given under sub-paragraph (1) or (1A), Historic Environment Scotland or (as the case may be) the Scottish Ministers must notify the other.]
- (3) Before giving ^{F4}a direction under sub-paragraph (1) or (1A)] in relation to a building, ^{F5}Historic Environment Scotland or (as the case may be) the Scottish Ministers] shall consult the planning authority and the owner, lessee and occupier of the building.

Textual Amendments

- F1** Sch. 1 para. 2(1)(1A) substituted for Sch. 1 para. 2(1) (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 15(a)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F2** Words in Sch. 1 para. 2(2) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 15(b)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F3** Sch. 1 para. 2(2A) inserted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 15(c)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.
- F4** Words in Sch. 1 para. 2(3) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 15(d)(i)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

Changes to legislation: *Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, SCHEDULE 1 is up to date with all changes known to be in force on or before 12 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F5 Words in Sch. 1 para. 2(3) substituted (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 15(d)(ii)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

F63

Textual Amendments

F6 Sch. 1 para. 3 repealed (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Historic Environment Scotland Act 2014 \(asp 19\)](#), s. 31(2), **sch. 3 para. 16** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

Changes to legislation:

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, SCHEDULE 1 is up to date with all changes known to be in force on or before 12 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)