



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER III

RIGHTS OF OWNERS ETC.

Listed building purchase notices

29 Action by planning authority on whom listed building purchase notice served.

- (1) The planning authority on whom a listed building purchase notice is served under section 28 shall serve on the owner or lessee by whom the notice was served a notice stating—
 - (a) that the authority are willing to comply with the purchase notice,
 - (b) that another planning authority or statutory undertakers specified in the notice under this subsection have agreed to comply with it in their place, or
 - (c) that for reasons specified in the notice under this subsection the authority are not willing to comply with the purchase notice and have not found any other planning authority or statutory undertakers who will agree to comply with it in their place, and that they have sent to the Secretary of State a copy of the purchase notice and of the notice under this subsection.
- (2) A notice under subsection (1) must be served before the end of the period of 3 months beginning with the date of service of the listed building purchase notice.
- (3) Where the planning authority on whom a listed building purchase notice is served by an owner or lessee have served on him a notice in accordance with subsection (1)(a)

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 29 is up to date with all changes known to be in force on or before 16 April 2024. 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](#)

or (b) the authority, or the other planning authority or statutory undertakers specified in the notice, as the case may be, shall be deemed—

- (a) to be authorised to acquire the interest of the owner or lessee compulsorily in accordance with the provisions of section 42, and
 - (b) to have served a notice to treat in respect of it on the date of service of the notice under that subsection.
- (4) Where the planning authority propose to serve such a notice as is mentioned in subsection (1)(c), they shall first send to the Secretary of State a copy of—
- (a) the proposed notice, and
 - (b) the listed building purchase notice which was served on them.

Modifications etc. (not altering text)

- C1** S. 29: power to modify conferred (27.5.1997) by 1980 c. 65, **Sch. 30 Pt. II para. 10** (as substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 31(12)**)
- C2** Ss. 28-41I applied (with modifications) (1.10.2015) by [The Planning \(Listed Building Consent and Conservation Area Consent Procedure\) \(Scotland\) Regulations 2015](#) (S.S.I. 2015/243), regs. 1, 15, **sch. 3** (with reg. 2)

Changes to legislation:

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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\(5\)](#)