

# HISTORIC ENVIRONMENT (WALES) ACT 2023

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3 — Buildings of special architectural or historic interest**

##### *Chapter 1 — Listing buildings of special interest*

##### *Section 77 — Notification of listing or de-listing of building*

271. When the Welsh Ministers list or de-list a building, section 77(1) requires them to serve notice on every owner and occupier and every relevant local authority in whose area the building is located.
272. Subsection (6) defines a “relevant local authority” for the purposes of this section as:
- a. a county council or county borough council,
  - b. a National Park authority, or
  - c. a joint planning board.
273. A joint planning board may be constituted under section 2(1B) and (1C) of the [Town and Country Planning Act 1990 \(c.8\)](#) (“the 1990 Planning Act”) as the planning authority for two or more areas, each of which is the whole or part of a Welsh county or county borough. At the time of writing, there is none in Wales.
274. When a property is listed, the notice served by the Welsh Ministers must specify the date of its addition to the list and must include a copy of the list entry (subsection (2)).
275. Under subsection (3), a copy of a list entry served under this section is a local land charge. A [local land charge](#) will alert a purchaser to the restrictions imposed on the use of the land by the listing of the building.
276. Subsections (4) and (5) require relevant local authorities to keep available for public inspection copies of the list entries they are served with under this section and any list entries that remain up to date served under earlier Acts (subsection (4)(b)). In practice, authorities normally provide routine access to all up-to-date list entries via Cof Cymru, for example, by means of free internet access in public libraries and similar venues.