

# HISTORIC ENVIRONMENT (WALES) ACT 2023

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

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

#### *Chapter 2 — Control of works affecting listed buildings*

#### *Section 98 — Condition about period within which works must start*

343. **Section 98(1)** requires a listed building consent to be granted subject to a condition that works must start within a period specified in the condition. The period begins on the day on which the consent is granted. If the consented works do not start within that period, the consent will lapse. Once works are started within the specified period, a consent will have effect for the benefit of the listed building and the land on which it is situated and all persons with an interest in the building and land, subject to any terms of the consent (section 96(3)).
344. Subsection (2) sets out that if a consent fails to include a condition specifying a period within which works must begin, works must begin within five years of the day on which consent was granted.
345. Subsection (3) provides that this section does not apply where listed building consent is granted:
- a. under section 89(2) for works carried out before the consent was granted  
Since the consent authorises works that have already been completed, a requirement for works to begin is unnecessary.
  - b. by a listed building partnership agreement under section 113(6).  
Partnership agreements may run for ten to fifteen years and the consents that they grant last for the lifetime of the agreements, irrespective of when works begin.