

HISTORIC ENVIRONMENT (WALES) ACT 2023

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 — Buildings of special architectural or historic interest

Chapter 4 — Enforcement of controls relating to listed buildings

Section 132 — Recovery of costs of compliance with enforcement notice

495. [Section 132](#) provides for the recovery from any owner of reasonable costs incurred by a planning authority after exercising the power in [section 131](#) and entering land to take the steps required to comply with an enforcement notice.
496. Subsections (2) and (3) provide for the recovery of such costs from an owner of the land acting as an agent or trustee for another person, or from that other person, or from a combination of the two.
497. The section also provides for the recoverable costs to be a local land charge until such time as they are recovered (subsections (5) and (6)).
498. Finally, the section provides for certain circumstances whereby the planning authority may recover some or all of its costs by selling materials recovered while undertaking the steps required following a failure to comply with an enforcement notice. If there is any surplus after deducting the recoverable costs, the remaining proceeds must be paid to the person who owned the materials (subsections (7) and (8)).