

HISTORIC ENVIRONMENT (WALES) ACT 2023

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 — Buildings of special architectural or historic interest

Chapter 5 — Acquisition and preservation of buildings of special interest

Section 136 — Power of planning authority to acquire building by agreement

514. [Section 136](#) provides that a planning authority may acquire by agreement any building that is wholly or mainly in Wales that it considers to be of special architectural or historic interest. While such a building may be listed, it is not necessary. The acquiring planning authority must only be satisfied that the building is “of special architectural or historic interest”.
515. The acquisition of a building might be motivated by a local authority’s concern for its immediate preservation, but it could equally be prompted by other aims, for instance securing the future of a building of special interest and providing public access.
516. Associated land may be included in the acquisition provided the conditions in subsection (2) are met.
517. Subsection (3) applies standard provisions governing the exercise of compulsory purchase from Part 1 of the [Compulsory Purchase Act 1965 \(c. 56\)](#), so far as they are relevant, to an acquisition by agreement.
518. Subsection (4) provides that, where lessees are entitled to compensation for certain damage because of the execution of works, it includes damage from works carried out under section 203 of the Housing and [Planning Act 2016 \(c. 22\)](#).