

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 144 — Urgent works to preserve listed building

540. *Section 144(1) to (4)* enables local authorities and the Welsh Ministers to carry out works that they consider urgently necessary for the preservation of listed buildings. These may include works to a building that is in residential use as long as it does not interfere unreasonably with that use. Such urgent works might include:
- a. relatively minor works to arrest a building's decline and remove the need for more extensive work at a later date
 - b. works to provide temporary shelter or support for a building to keep it weatherproof or safe from collapse
 - c. actions to prevent vandalism or theft.
541. Urgent works are often intended to be short-term and designed to allow time to develop and agree long-term conservation plans for a building.
542. Subsections (5) and (6) provide that, prior to any urgent works being carried out, at least 7 days' written notice must be given to every owner of the listed building and to every occupier (if any part of the building is in residential use). This notice must include a description of the proposed works.
543. Subsection (7) establishes that the powers in this section may not be used to carry out urgent works on: an building which is also a scheduled monument, an exempt religious building (defined in section 156) or a listed building on Crown land (defined in section 207).