



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 1

LISTING BUILDINGS OF SPECIAL INTEREST

List of buildings

76 Duty to maintain and publish list of buildings

- (1) The Welsh Ministers must maintain a list of buildings which must include every building in Wales they consider to be of special architectural or historic interest, and must publish the up-to-date list.
- (2) The Welsh Ministers may amend the list by—
 - (a) adding a building,
 - (b) removing a building, or
 - (c) amending the entry for a building.
- (3) In considering whether a building should be included in the list, the Welsh Ministers may take into account not only the building itself but also—
 - (a) any way in which the exterior of the building contributes to the architectural or historic interest of any group of buildings of which it forms part, and
 - (b) the desirability of preserving any artificial feature of the building on the ground of its architectural or historic interest.
- (4) In subsection (3)(b) “artificial feature” means any feature of the building consisting of a structure or artificial object that—
 - (a) is fixed to the building, or
 - (b) forms part of the land and is within the curtilage of the building.

- (5) In this Act “listed building” means a building included in the list maintained under this section, and includes—
- (a) any structure or artificial object that is fixed to the building and ancillary to it;
 - (b) any other structure or artificial object that—
 - (i) forms part of the land and has done so since before 1 July 1948, and
 - (ii) was within the curtilage of the building, and ancillary to it, on the date on which the building was first included in the list, or on 1 January 1969, whichever was later.
- (6) In this Part—
- (a) “listing” a building means amending the list by adding the building;
 - (b) “de-listing” a building means amending the list by removing the building.

77 Notification of listing or de-listing of building

- (1) As soon as possible after the Welsh Ministers list or de-list a building, they must serve notice that they have done so on—
- (a) every owner and occupier of the building, and
 - (b) every relevant local authority in whose area the building is situated.
- (2) Where the Welsh Ministers have listed a building—
- (a) the notice must specify the date on which they did so, and
 - (b) they must include with the notice a copy of the entry for the building in the list maintained under section 76.
- (3) A copy of an entry served under this section is a local land charge, and for the purposes of the [Local Land Charges Act 1975 \(c. 76\)](#) the county council or county borough council on which the copy is served is the originating authority as respects the charge.
- (4) A relevant local authority must keep available for public inspection—
- (a) copies of entries in the list that have been served on it under this section, and
 - (b) copies of any parts of the list that were deposited with it under section 2(1) of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(c. 9\)](#) or a corresponding provision of any earlier Act, so far as those parts remain up-to-date.
- (5) The copies must be available for inspection—
- (a) free of charge,
 - (b) at reasonable times, and
 - (c) at a convenient place.
- (6) In this section “relevant local authority” means—
- (a) a county council or county borough council;
 - (b) a National Park authority;
 - (c) a joint planning board.