



Historic Environment (Wales) Act 2023

2023 asc 3

PART 3

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

CHAPTER 5

ACQUISITION AND PRESERVATION OF BUILDINGS OF SPECIAL INTEREST

Compulsory acquisition of listed buildings in need of repair

140 Direction for minimum compensation where building deliberately allowed to fall into disrepair

- (1) A compulsory purchase order for the acquisition of a listed building under section 137 may include a direction for minimum compensation if the acquiring authority is satisfied that the building has been deliberately allowed to fall into disrepair for the purpose of justifying its demolition and the development of the site or any adjoining site.
- (2) A direction for minimum compensation is a direction that, in assessing compensation for the compulsory acquisition of the listed building, it is to be assumed—
 - (a) that planning permission would not be granted for any development of the site of the building, and
 - (b) that listed building consent would not be granted for any works for the demolition, alteration or extension of the building other than works necessary for restoring it to and maintaining it in a proper state of repair.
- (3) Where a direction for minimum compensation is included in an order made by a planning authority or prepared in draft by the Welsh Ministers, the statement of the effect of the order in the notice required by section 12 of the [Acquisition of Land Act 1981 \(c. 67\)](#) or paragraph 3(1) of Schedule 1 to that Act must—
 - (a) include a statement that the direction has been included, and

- (b) explain the effect of the direction.
- (4) If the Welsh Ministers confirm or make a compulsory purchase order which includes a direction for minimum compensation, the compensation for the compulsory acquisition is to be assessed in accordance with the direction, despite anything to the contrary in—
- (a) the [Land Compensation Act 1961 \(c. 33\)](#),
 - (b) the [Town and Country Planning Act 1990 \(c. 8\)](#),
 - (c) section 49 of the [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(c. 9\)](#), or
 - (d) this Act.