



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

141 Application for removal of direction for minimum compensation

- (1) This section applies where a direction for minimum compensation is included in a compulsory purchase order for the acquisition of a listed building under section 137 that is made by a planning authority or prepared in draft by the Welsh Ministers.
- (2) Any person who has an interest in the listed building may apply to a magistrates' court for an order that no direction for minimum compensation is to be included in the compulsory purchase order as confirmed or made by the Welsh Ministers.
- (3) The application must be made within 28 days after the day 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 is served.
- (4) If the magistrates' court is satisfied that the listed building has not been deliberately allowed to fall into disrepair for the purpose mentioned in section 140(1), it must make the order applied for.
- (5) Any person aggrieved by the decision of the magistrates' court on the application may appeal against the decision to the Crown Court.
- (6) The rights conferred by this section are in addition to, and do not limit, the rights conferred by section 139.