



# Historic Environment Scotland Act 2014

## 2014 asp 19

### PART 6

#### FURTHER MODIFICATIONS IN RELATION TO THE HISTORIC ENVIRONMENT

##### *Listed buildings*

#### **22 Meaning of “listed building”**

- (1) The 1997 Act is amended as follows.
- (2) In section 1 (listing of buildings of special architectural or historic interest)—
- (a) in subsection (4) after “shall” insert “, subject to subsection (4A), ”,
  - (b) after that subsection insert—
    - “(4A) In a list compiled or approved under this section, an entry for a building may provide—
    - (a) that an object or structure mentioned in subsection (4)(a) or (b) is not to be treated as part of the building for the purposes of this Act,
    - (b) that any part or feature of the building is not of special architectural or historic interest.”.

#### **Commencement Information**

- II** S. 22 in force at 1.10.2015 by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

#### **23 Applications for listed building consent**

- (1) The 1997 Act is amended as follows.
- (2) In section 12 (duty to notify Scottish Ministers of applications)—
- (a) in subsection (1) after “shall” insert “, where subsection (1A) applies, ”,
  - (b) after that subsection insert—

*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Historic Environment Scotland Act 2014, Cross Heading: Listed buildings. (See end of Document for details)*

“(1A) This subsection applies where—

- (a) regulations, or
- (b) directions given to planning authorities by the Scottish Ministers,

provide that the application must be so notified.

(1B) Directions under subsection (1A)(b) may be given to—

- (a) planning authorities generally,
- (b) a particular planning authority, or
- (c) a description of planning authority.”.

(3) In section 13 (directions concerning notification of applications etc.)—

- (a) subsections (1) and (2) are repealed,
- (b) in subsection (4) “(1) or” is repealed.

(4) In section 14 (decision on application for listed building consent) after subsection (2) insert—

“(2A) A planning authority, if minded to grant listed building consent for any works—

- (a) must consider imposing a condition specified in, or of a nature indicated in, directions given to them by the Scottish Ministers, and
- (b) must not grant such consent without first satisfying the Scottish Ministers that such consideration has been given and that such a condition either will be imposed or is not needed.”.

#### **Commencement Information**

**I2** S. 23 in force at 27.2.2015 for specified purposes by S.S.I. 2015/31, art. 2, Sch.

**I3** S. 23 in force at 1.10.2015 in so far as not already in force by S.S.I. 2015/196, art. 2, Sch. (with transitional provisions and savings in S.S.I. 2015/239, arts. 2-19)

**Status:**

Point in time view as at 01/10/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment Scotland Act 2014, Cross Heading: Listed buildings.