

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—

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- (a) subsections (1) and (2) are repealed,
- (b) in subsection (4) “(1) or” is repealed.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

Changes to legislation:

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