

SCHEDULE 2
FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND
IN RELATION TO SCHEDULED MONUMENTS

PART 2

SCHEDULED MONUMENT CONSENT

- 5 In section 2 (control of works affecting scheduled monuments)—
- (a) in subsection (3)(a) after “State” insert “or Historic Environment Scotland”,
 - (b) in subsection (3A) for paragraph (b) substitute—
 - “(b) consent for the retention of the works is granted by the Scottish Ministers or by Historic Environment Scotland,”
 - (c) in subsection (5) in paragraph (b) and in the fullout for “the Secretary of State” in each place substitute “Historic Environment Scotland”,
 - (d) after that subsection insert—
 - “(5A) The conditions that may be attached to scheduled monument consent under subsection (4) include a condition reserving specified details of the works (whether or not set out in the application for consent) for subsequent approval by Historic Environment Scotland.”
 - (e) in subsection (9) for “the Secretary of State” substitute “Historic Environment Scotland”.