

SCHEDULE 3
FUNCTIONS OF HISTORIC ENVIRONMENT SCOTLAND
IN RELATION TO LISTING AND CONSERVATION

PART 2

LISTED BUILDING CONSENT

- 7 The 1997 Act is further amended as follows.
- 8 In section 7 (authorisation of works: listed building consent)—
- (a) in subsection (2)—
 - (i) in paragraph (b) for “the Royal Commission” substitute “Historic Environment Scotland”,
 - (ii) in paragraph (c)(i) for “members or officers of the Commission” substitute “Historic Environment Scotland”,
 - (iii) for paragraph (c)(ii) substitute—
 - “(ii) Historic Environment Scotland has stated in writing that it has completed its recording of that building or that it does not wish to record it,”,
 - (b) subsection (4) is repealed,
 - (c) in subsection (5) for “the Royal Commission” substitute “Historic Environment Scotland”.
- 9 In section 9 (making of applications for listed building consent)—
- (a) in subsection (3)—
 - (i) the “and” after paragraph (b) is repealed,
 - (ii) after paragraph (c) insert “, and
 - (d) the procedure to be followed by planning authorities or, as the case may be, the Scottish Ministers in considering and determining such applications.”,
 - (b) after subsection (5) insert—
 - “(6) The regulations must also require planning authorities, before granting or refusing applications for listed building consent in such cases or classes of case as may be prescribed, to consult—
 - (a) Historic Environment Scotland,
 - (b) such other persons as may be—
 - (i) prescribed, or
 - (ii) specified in directions given to planning authorities by the Scottish Ministers.
 - (7) Directions given by virtue of subsection (6)(b)(ii) for the purposes of regulations under this section may be given to—
 - (a) planning authorities generally,
 - (b) a particular planning authority, or
 - (c) a description of planning authority.”.

Status: This is the original version (as it was originally enacted).

Revocation and modification of listed building consent

- 10 In section 22(2) (procedure for orders revoking or modifying listed building consent: opposed cases) after paragraph (c) insert—
- “(ca) Historic Environment Scotland,
 - (cb) such other persons as may be prescribed,”.
- 11 In section 23(1)(b) (procedure for orders revoking or modifying listed building consent: unopposed cases) after “land” insert “, Historic Environment Scotland, such other persons as may be prescribed”.