

## SCHEDULES

### SCHEDULE 3

#### LISTED BUILDINGS, CONSERVATION AREAS AND HAZARDOUS SUBSTANCES

#### PART II

##### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Local Government, Planning and Land Act 1980 (c. 65.)*

- 17 In Part I of Schedule 29 to the Local Government, Planning and Land Act 1980, the following are inserted at the appropriate places among the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 there listed: 44A, 88 and 88A.

##### *Housing Act 1988 (c. 50.)*

- 18 In section 67(3A) of the Housing Act 1988 for “25 and 36” there is substituted “26AA, 36 and 36A”.

##### *Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9.)*

- 19 In section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990—
- (a) in subsection (2) “within such period as may be so specified” is omitted,
  - (b) for subsection (3) there is substituted—
    - “(3) A listed building enforcement notice—
    - (a) shall specify the date on which it is to take effect and, subject to sections 39(3) and 65(3A), shall take effect on that date, and
    - (b) shall specify the period within which any steps are required to be taken and may specify different periods for different steps,and, where different periods apply to different steps, references in this Part to the period for compliance with a listed building enforcement notice, in relation to any step, are to the period within which the step is required to be taken.”, and
  - (c) in subsection (4) for “specified date” there is substituted “date specified in it as the date on which it is to take effect”.

- 20 In section 39(7) of that Act “in writing” is omitted.

- 21 In section 42 of that Act—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) in subsection (1) for “compliance period” there is substituted “period for compliance with the notice”, and
  - (b) subsection (7) is omitted.
- 22 In section 46(4) of that Act for “sections 42 and 43” there is substituted “section 42” and for “those sections” there is substituted “that section”.
- 23 Section 55(6) of that Act is omitted.
- 24 In section 82 of that Act—
- (a) in subsection (1) for “39(6), 42(6) and 55(6)” there is substituted “and 39(6)”, and
  - (b) in subsection (3) for “sections 39(6) and 42(6)” there is substituted “section 39(6)”.
- 25 In section 88(6) of that Act for “subsection (7)” there is substituted “section 88B(8)” and “or the presence of minerals in it” is omitted.
- 26 In section 90(6)(b) of that Act “and 42(6)” is omitted.
- 27 In section 92(2)(b) of that Act “and 42(6)” is omitted.
- 28 In Schedule 3 to that Act, in paragraph 2(1)(b), after “section 41(1), (2)” there is inserted “(2A)”.
- 29 In Schedule 4 to that Act, in paragraph 5(b) for “and 88(2)(a) and (b)” there is substituted “44A, 88(2)(a) and (b) and 88A”.

*Planning (Hazardous Substances) Act 1990 (c. 10)*

- 30 In section 25(1) of the Planning (Hazardous Substances) Act 1990—
- (a) in paragraph (b)(v) for “175(1) to (4)” there is substituted “175(1) to (3)”, and
  - (b) in paragraph (c) “(1) to (5) and (7)” is omitted.
- 31 In section 31(2) of that Act for “or 24” there is substituted “24 or 26AA”.
- 32 In section 36(5) of that Act “Subject to subsection (6)” is omitted.