



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 3

### BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

#### CHAPTER 2

##### CONTROL OF WORKS AFFECTING LISTED BUILDINGS

PROSPECTIVE

##### *Authorisation of works*

#### **88 Requirement for works to be authorised**

- (1) A person must not carry out works to which this section applies, or cause such works to be carried out, unless the works are authorised under section 89.
- (2) This section applies to—
  - (a) works for the alteration or extension of a listed building in any way that would affect its character as a building of special architectural or historic interest;
  - (b) works for the demolition of a listed building.
- (3) But this section does not apply to—
  - (a) works in relation to a building which is a scheduled monument (but see section 11);
  - (b) works in relation to an exempt religious building;
  - (c) works for the demolition of a building closed for regular public worship, or a part of such a building, in accordance with provision made under Part 6 of the [Mission and Pastoral Measure 2011 \(No. 3\)](#) by a pastoral church buildings scheme or a pastoral (church buildings disposal) scheme;

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*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Cross Heading: Authorisation of works. (See end of Document for details)*

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- (d) works carried out by or on behalf of the Crown in the circumstances set out in paragraphs (a) to (d) of section 117(4) (emergency works).

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**Commencement Information**

**I1** S. 88 not in force at Royal Assent, see [s. 212\(2\)](#)

**89 Authorisation of works by listed building consent**

- (1) Works to which section 88 applies are authorised if—
- (a) written consent to carry them out has been granted by the planning authority in whose area the building is situated or the Welsh Ministers, and
  - (b) the works are carried out in accordance with the terms of the consent (including any conditions attached to it).
- (2) Where—
- (a) works to which section 88 applies have been carried out without being authorised under subsection (1), and
  - (b) the planning authority or the Welsh Ministers grant written consent for the works,
- the works are authorised from the grant of that consent.
- (3) Consent under subsection (1) or (2) is referred to in this Act as listed building consent.

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**Commencement Information**

**I2** S. 89 not in force at Royal Assent, see [s. 212\(2\)](#)

**Status:**

This version of this cross heading contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023,  
Cross Heading: Authorisation of works.