



# Historic Environment (Wales) Act 2023

2023 asc 3

## PART 3

### BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

#### CHAPTER 5

#### ACQUISITION AND PRESERVATION OF BUILDINGS OF SPECIAL INTEREST

##### *Urgent preservation of listed buildings*

PROSPECTIVE

#### **146 Further provision about recovery of costs of preservation works**

- (1) The costs which a local authority or the Welsh Ministers may recover under section 145 carry interest, at the rate specified in regulations made by the Welsh Ministers, from the time when the notice under subsection (1) of that section becomes operative until all of the amounts due under that section are recovered.
- (2) The costs and any interest are recoverable by the local authority or (as the case may be) the Welsh Ministers as a debt.
- (3) The costs and any interest are, from the time when the notice under section 145(1) becomes operative until they are recovered, a charge on the land on which the listed building in question is situated.
- (4) The charge takes effect, at the time when the notice becomes operative, as a legal charge which is a local land charge.
- (5) For the purpose of enforcing the charge, the local authority or (as the case may be) the Welsh Ministers have the same powers and remedies under the [Law of Property Act](#)

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the  
Historic Environment (Wales) Act 2023, Section 146. (See end of Document for details)*

1925 (c. 20) and otherwise as if they were a mortgagee by deed with powers to sell the land, make leases, accept surrenders of leases and appoint a receiver.

- (6) The power to appoint a receiver is exercisable at any time after the end of 1 month beginning with the day the charge takes effect.
- (7) For the purposes of this section a notice under section 145(1) becomes operative—
- (a) where no complaint is made to the Welsh Ministers within the period referred to in section 145(3), at the end of that period;
  - (b) where a complaint is made but no appeal is made to the county court within the period referred to in section 145(6), at the end of that period;
  - (c) where an appeal is made and the decision on the appeal confirms the Welsh Ministers' determination under section 145(4) (with or without variation), at the time of the decision;
  - (d) where an appeal is made but is withdrawn, at the time of the withdrawal.

**Commencement Information**

- II** S. 146 not in force at Royal Assent, see [s. 212\(2\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Historic Environment (Wales) Act 2023, Section 146.