
Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross Heading: Listed buildings etc.. (See end of Document for details)

SCHEDULE 5 HMO AMENITY NOTICES: ENFORCEMENT ETC.

Listed buildings etc.

- 5 (1) This paragraph applies to a building which is—
- (a) included in a list of buildings of special architectural or historic interest, being a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c. 9) (“the 1997 Act”),
 - (b) subject to a building preservation notice under section 3 of the 1997 Act, or
 - (c) one to which section 66 of the 1997 Act (control of demolition in conservation areas) applies.
- (2) The local authority must, before it carries out any work in any living accommodation which is, or which forms part of, a building to which this paragraph applies in pursuance of paragraph 1, consult—
- [^{F1}(a) Historic Environment Scotland,]
 - (b) the planning authority (where the planning authority is not the local authority), and
 - (c) such other persons as the local authority thinks fit.
- (3) Any requirement under section 146(2) to carry out work in or in relation to a building to which this paragraph applies has effect only in so far as it is not inconsistent with any provision of the 1997 Act.

Textual Amendments

- F1** Sch. 5 para. 5(2)(a) substituted (1.10.2015) by [The Historic Environment Scotland Act 2014 \(Ancillary Provision\) Order 2015 \(S.S.I. 2015/271\)](#), arts. 1, **6(1)** (with art. 6(2))

Commencement Information

- II** Sch. 5 para. 5 in force at 31.8.2011 by [S.S.I. 2010/159](#), art. 3

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