

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, SCHEDULE 16. (See end of Document for details)

SCHEDULES

SCHEDULE 16

Section 60(5)

LOCAL LISTED BUILDING CONSENT ORDERS: PROCEDURE

Commencement Information

- I1** Sch. 16 partly in force; sch. 16 in force for specified purposes at Royal Assent, see s.103(1)(i)
I2 Sch. 16 in force at 6.4.2014 in so far as not already in force by S.I. 2014/416, art. 3(d)

In the Planning (Listed Buildings and Conservation Areas) Act 1990, after Schedule 2 insert—

“SCHEDULE 2A

Section 26D

LOCAL LISTED BUILDING CONSENT ORDERS: PROCEDURE

Preparation

- 1 (1) A local listed building consent order must be prepared in accordance with such procedure as is prescribed by regulations under this Act.
- (2) The regulations may include provision as to—
- (a) the preparation, submission, approval, adoption, revision, revocation and withdrawal of a local listed building consent order;
 - (b) notice, publicity, and inspection by the public;
 - (c) consultation with and consideration of views of such persons and for such purposes as are prescribed;
 - (d) the making and consideration of representations.

Revision

- 2 (1) The local planning authority may at any time prepare a revision of a local listed building consent order.
- (2) An authority must prepare a revision of a local listed building consent order—
- (a) if the Secretary of State directs them to do so, and
 - (b) in accordance with such timetable as the Secretary of State directs.
- (3) This Schedule applies to the revision of a local listed building consent order as it applies to the preparation of the order.
- (4) A local listed building consent order may not be varied except by revision under this paragraph.

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Order to be adopted

- 3 A local listed building consent order is of no effect unless it is adopted by resolution of the local planning authority.

Annual report

- 4 (1) While a local listed building consent order is in force the local planning authority must prepare reports containing such information as is prescribed as to the extent to which the order is achieving its purposes.
- (2) A report under this paragraph must—
- (a) be in respect of a period—
 - (i) which the authority considers appropriate in the interests of transparency,
 - (ii) which begins with the end of the period covered by the authority's most recent report under this paragraph (or, in the case of the first report, with the day the order comes into force), and
 - (iii) which is not longer than 12 months or such shorter period as is prescribed;
 - (b) be in such form as is prescribed;
 - (c) contain such other matter as is prescribed.
- (3) The authority must make its reports under this section available to the public.”

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