

*These notes refer to the Historic Environment (Wales) Act
2016 (c.4) which received Royal Assent on 21 March 2016*

HISTORIC ENVIRONMENT (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Listed Buildings

Section 27 – Issue of certificate that building not intended to be listed: Wales

173. **Section 27** inserts new section 6A into the 1990 Act and amends section 6 of that Act (issue of certificate that building not intended to be listed) so that it applies only to buildings in England.
174. New section 6A allows a person to apply to the Welsh Ministers for the issue of a certificate of immunity from listing. The issue of a certificate of immunity from listing guarantees that a building will not be listed for 5 years from the date of issue and prevents a local planning authority from serving a building preservation notice in relation to the building during the same period.
175. An application for a certificate of immunity from listing may be made under section 6A at any time. This enables owners and developers to seek guarantees that buildings will be immune from listing without having to incur the cost associated with an application for planning permission, which is a prerequisite for an application for a certificate of immunity from listing under section 6.