

*These notes relate to the Historic Environment (Amendment) (Scotland)  
Act 2011 (asp 3) which received Royal Assent on 23 February 2011*

# **HISTORIC ENVIRONMENT (AMENDMENT) (SCOTLAND) ACT 2011**

---

## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 3 – Modifications of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997**

##### ***Section 18 – Certificate that building not intended to be listed***

72. **Section 18** inserts a new section 5A into the 1997 Act enabling Scottish Ministers to issue a certificate that they do not intend to list a building during the five years from the date of the certificate. Any person can apply for such a certificate.
73. Subsection (2)(b) of section 5A states that for that 5 year period a local planning authority may not serve a building preservation notice in relation to the building or affix such a notice under the terms of section 4(1) of the 1979 Act.
74. Subsection (3) requires that a person applying for a certificate must, at the same time, inform the local planning authority within whose district the building is situated of the application.