
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 239

The Historic Environment Scotland Act 2014 (Saving, Transitional and Consequential Provisions) Order 2015

PART 3

Listed Buildings and Conservation Areas

Building preservation notices

14.—(1) Where a building preservation notice (as defined in section 3(1) of the Listed Buildings Act) served before 1st October 2015 remains in force on that date, a request made by the planning authority to the Scottish Ministers to consider including the building which is the subject of the notice in the List is, if no decision has been made by the Scottish Ministers in response to that request before that date, to be treated as having been made to Historic Environment Scotland.

(2) Where, in respect of a building preservation notice, notification is given to the planning authority under section 3(4)(b) of the Listed Buildings Act before 1st October 2015, the provisions of Schedule 2 to the Listed Buildings Act continue to have effect as they did immediately before that date.

(3) Where the Scottish Ministers have before 1st October 2015 notified the planning authority in accordance with section 3(6) of the Listed Buildings Act that they do not propose to include a building in the List—

- (a) the provisions of section 3(6)(a) of the Listed Buildings Act continue to have effect as they did immediately before 1st October 2015 in respect of that decision; and
- (b) for the purposes of section 3(6)(b) of the Listed Buildings Act the reference to the date of Historic Environment Scotland's notification is to be treated as the date of notification of that decision by the Scottish Ministers.