

SCHEDULES

^{F1}SCHEDULE 2

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Textual Amendments

F1 Sch. 2 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

- 27 In section 93 (which relates to appeals against listed building enforcement notices)
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- (a) in subsection (1)—
- (i) for the words from “within the” to “end of” there shall be substituted the words— “ before the date specified in the notice as the date on ” and ;
- (ii) after paragraph (h) there shall be added the following paragraphs—
- “(i) that the steps specified under sub-paragraph (ii) of section 92(1)(b) of this Act exceed what is necessary to bring the building to the state mentioned in that sub-paragraph ;
- (j) that the steps specified under sub-paragraph (iii) of the said section 92(1)(b) exceed what may reasonably be required in terms of that subparagraph ;
- (k) that the breach of listed building control alleged in the notice has not taken place.” ;
- (b) for subsection (2) there shall be substituted the following subsections—
- “(2) An appeal under this section shall be made by notice in writing to the Secretary of State.
- (2A) The provisions of subsections (2A) to (2D) of section 85 of this Act (which relates to appeals against enforcement notices) shall apply to appeals under this section as they apply to appeals under that section.” ; and
- (c) for subsection (6) there shall be substituted the following subsection—
- “(6) Any listed building consent granted by the Secretary of State under subsection (5) above shall be treated as granted on an application for such consent made under Part I of Schedule 10 to this Act.”.

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Planning (Scotland) Act 1982, Paragraph 27.