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*Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 3. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### LISTED BUILDINGS, CONSERVATION AREAS AND HAZARDOUS SUBSTANCES

##### PART I

##### CHANGES RELATING TO ENFORCEMENT

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

- 3 (1) Section 39 of that Act (appeals) is amended as follows.
- (2) For subsection (1)(b) and (c) there is substituted—
- “(b) that the matters alleged to constitute a contravention of section 9(1) or (2) have not occurred;
  - (c) that those matters (if they occurred) do not constitute such a contravention”.
- (3) For subsection (2) there is substituted—
- “(2) An appeal under this section shall be made either—
  - (a) by giving written notice of the appeal to the Secretary of State before the date specified in the listed building enforcement notice as the date on which it is to take effect; or
  - (b) by sending such notice to him in a properly addressed and pre-paid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date.”
- (4) In subsection (3) after “shall” there is inserted “ subject to any order under section 65(3A) ”.

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##### Commencement Information

**II** Sch. 3 para. 3 wholly in force at 2.1.1992, see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5

**Changes to legislation:**

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