

2001 No. 24

TOWN AND COUNTRY PLANNING, ENGLAND

**The Authorisation of Works (Listed Buildings) (England)
Order 2001**

Made - - - - - *8th January 2001*

Coming into force - - - - - *19th February 2001*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by sections 8 and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Authorisation of Works (Listed Buildings) (England) Order 2001 and shall come into force on 19th February 2001.

(2) This Order extends to England only.

(3) This Order shall apply to works for the demolition of a listed building executed or to be executed on or after 19th February 2001.

Substitution of references to the Royal Commission

2. Section 8(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (authorisation of works: listed building consent) shall have effect with the substitution for each of the references to “the Royal Commission” of references to “the Commission”.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions

Nick Raynsford
Minister of State,
Department of the Environment,
Transport and the Regions

8th January 2001

(a) 1990 c. 9. The functions of the Secretary of State under section 8 are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2; see the entry in Schedule 1 of that Order for the Planning (Listed Buildings and Conservation Areas) Act 1990. There are also amendments to the Act which are not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies to works for the demolition of a listed building executed or to be executed on or after 19th February 2001. For each of the references in section 8(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to “the Royal Commission” (the Royal Commission on the Historical Monuments of England) the Order substitutes “the Commission” (the Historic Buildings and Monuments Commission for England also known as English Heritage). Section 8(2) sets out the requirements for authorisation of works for the demolition of a listed building.

This means that notice of any proposal to execute works for the demolition of a listed building under section 8(2)(b) has to be given to English Heritage instead of the Royal Commission. Also, after such notice is given, members or officers of English Heritage have to be given access to the building for at least one month after listed building consent is granted but before works commence for the purpose of recording it. Alternatively, English Heritage have to state in writing that they have completed their recording of the building or do not wish to record it.

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