

**2017 No. 640 (W. 146)**

**TOWN AND COUNTRY  
PLANNING, WALES**

**The Listed Buildings (Urgent  
Works) (Interest Rate on Expenses)  
(Wales) Order 2017**

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) enables a local authority or the Welsh Ministers to execute works which appear to them to be urgently necessary for the preservation of listed buildings.

This Order makes provision in relation to the rate of interest carried by expenses which a local authority or the Welsh Ministers may recover under section 55 of the 1990 Act in relation to such works.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a Regulatory Impact Assessment as to the likely costs and benefits of complying with this Order.

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**The Listed Buildings (Urgent  
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(Wales) Order 2017**

*Made* 4 May 2017

*Laid before the National Assembly  
for Wales* 8 May 2017

*Coming into force* 31 May 2017

The Welsh Ministers, in exercise of the powers conferred on them by section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990(1), and the powers conferred on the Secretary of State by section 93 of that Act and now exercisable by the Welsh Ministers(2), make the following Order:

**Title, commencement and application**

1.—(1) The title of this Order is the Listed Buildings (Urgent Works) (Interest Rate on Expenses) (Wales) Order 2017 and it comes into force on 31 May 2017.

(2) This Order applies to Wales.

**Recovery of interest on expenses**

2.—(1) The rate of interest carried by expenses which a local authority or the Welsh Ministers may recover under section 55(5B) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is 2% per annum above the Bank of England base rate.

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- (1) 1990 c. 9; section 55 was amended by section 30(6) of the Historic Environment (Wales) Act 2016 (anaw 4). There are other amendments which are not relevant to this instrument.
- (2) The functions of the Secretary of State were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraphs 30 and 32 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(2) In paragraph (1), “Bank of England base rate” (“*cyfradd sylfaenol Banc Lloegr*”) for any particular day means—

- (a) except where sub-paragraph (b) applies, the rate as last announced at a meeting of the Monetary Policy Committee of the Bank of England held prior to that day as the official dealing rate, being the rate at which the Bank is willing to enter into transactions for providing short-term liquidity in the money markets; or
- (b) if an order under section 19 (reserve powers) of the Bank of England Act 1998<sup>(1)</sup> is in force, any equivalent rate determined by the Treasury under that section.

*Ken Skates*

Cabinet Secretary for Economy and Infrastructure, one of the Welsh Ministers

4 May 2017

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<sup>(1)</sup> 1998 c. 11.