

Status: This version of this provision is prospective.

Changes to legislation: Historic Environment (Wales) Act 2023, Section 31 is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Historic Environment (Wales) Act 2023

2023 asc 3

PART 2 **E+W**

MONUMENTS OF SPECIAL HISTORIC INTEREST

CHAPTER 5 **E+W**

ENFORCEMENT OF CONTROLS RELATING TO SCHEDULED MONUMENTS

Temporary stop notices

PROSPECTIVE

31 Power of Welsh Ministers to issue temporary stop notice **E+W**

- (1) The Welsh Ministers may issue a temporary stop notice if they consider—
- that works have been or are being carried out in relation to a scheduled monument which involve a breach of section 11 (requirement for works to be authorised) or of a condition subject to which scheduled monument consent has been granted, and
 - that the works (or any of them) ought to be stopped immediately, having regard to the effect of the works on the monument as one of national importance.
- (2) A temporary stop notice must—
- specify the works to which it relates,
 - prohibit the carrying out of the works (or any of them specified in the notice),
 - set out the Welsh Ministers' reasons for issuing the notice, and
 - state the effect of section 33 (offence of breaching temporary stop notice).

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- (3) The Welsh Ministers must display a copy of a temporary stop notice on the monument or land to which it relates, and the copy must specify the date on which it is first displayed.
- (4) But if—
- (a) it is not reasonably practicable to display a copy of the notice on the monument or land, or
 - (b) the Welsh Ministers consider that displaying a copy of the notice on the monument or land might damage the monument,
- the Welsh Ministers may instead display a copy in a prominent place as near to the monument or land as is reasonably practicable.
- (5) The Welsh Ministers may serve a copy of the notice on any person they consider—
- (a) to be carrying out the works that the notice prohibits or causing or permitting them to be carried out,
 - (b) to be an occupier of the monument or land to which the notice relates, or
 - (c) to have an interest in the monument or land.

Commencement Information

- II** S. 31 not in force at Royal Assent, see [s. 212\(2\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11(3) inserted by [2024 asc 3 Sch. 3 para. 15\(2\)](#)
- s. 58(4)(c) inserted by [2024 asc 3 Sch. 3 para. 15\(3\)](#)
- s. 88(4) inserted by [2024 asc 3 Sch. 3 para. 15\(4\)](#)
- s. 118(2)(f) inserted by [2024 asc 3 Sch. 3 para. 15\(5\)](#)
- s. 161(6) inserted by [2024 asc 3 Sch. 3 para. 15\(6\)](#)