
STATUTORY INSTRUMENTS

1995 No. 1625

**Historic Monuments and Archaeological
Objects (Northern Ireland) Order 1995**

PART II

HISTORIC MONUMENTS

Acquisition and guardianship of land in the vicinity of an historic monument

Acquisition and guardianship of land in the vicinity of an historic monument

18.—(1) References in Articles 13 to 15 to an historic monument shall include references to any land adjoining or in the vicinity of an historic monument which appears to the Department to be reasonably required for any of the following purposes, that is to say—

- (a) the maintenance of the monument or its amenities;
- (b) providing or facilitating access to the monument;
- (c) the exercise of proper control or management with respect to the monument;
- (d) the storage of equipment or materials for the purpose mentioned in sub-paragraph (a); and
- (e) the provision of facilities and services for the public for or in connection with affording public access to the monument;

(and one of those purposes shall accordingly be sufficient to support the compulsory acquisition of any such land under Article 13(1), instead of the purpose there mentioned).

(2) Land may be acquired or taken into guardianship by virtue of this Article for any of the purposes relating to an historic monument mentioned in paragraph (1) either at the same time as the monument or subsequently.

(3) The Department shall have full control and management of any land which is under its guardianship after being taken into guardianship by virtue of this Article for a purpose relating to any historic monument, and shall have power to do all such things as may be necessary or expedient—

- (a) for the exercise by it of proper control and management with respect to the land; and
- (b) for the use of the land for any of the purposes relating to the monument mentioned in paragraph (1)

(4) A person authorised by the Department may at any reasonable time enter any land which is under the Department's guardianship for the purpose of exercising on behalf of the Department its power under paragraph (3).

(5) Article 17(1) and (3) to (5) shall apply in relation to any land taken into guardianship by virtue of this Article for any purpose relating to an historic monument as they apply in relation to a monument, but, apart from any termination of guardianship by virtue of Article 17, any such land shall also cease to be under guardianship if the monument in question ceases to be under guardianship otherwise than by virtue of being acquired by the Department or ceases to exist.

(6) The power to acquire land under this Article includes power to acquire, by the creation of a new right, any easement over land; and any such right may be enforced by the Department as if it were the absolute owner in possession of the monument for whose benefit the right was acquired.

(7) References in this Order, in relation to any monument of which the Department is the owner or guardian, to land associated with that monument (or to associated land) are references to any land acquired or taken into guardianship by virtue of this Article for a purpose relating to that monument, or appropriated for any such purpose under a power conferred by any other statutory provision.