

Status: Point in time view as at 03/05/2023.

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SCHEDULES

SCHEDULE 7

HERITAGE

THE TABLE

BUILDINGS AUTHORISED TO BE EXTENDED AND ALTERED

Area	Building
GREATER LONDON	
London Borough of Camden	Flats 21 — 30 Stanley Buildings, Clarence Passage (north side). Grade II. Lock Keepers Cottage, Camley Street. Grade II. The Granary, York Way. Grade II. Gas holder, Goods Way (east side). Grade II.
London Borough of Islington	302 — 304 Liverpool Road. Grade II. 1 — 4 Highbury Place. Grade II. Church of St Jude, Mildmay Grove. Grade II. 111 Mildmay Grove. Grade II.
London Borough of Hackney	Lodge to west entrance of the German Hospital, Ritson Road. Grade II. Main block and attached extension to the east of the German Hospital, Ritson Road. Grade II. Church of St. Luke, Woodbine Terrace. Grade C. Mission Hall to the north of St. Mary of Eton, Eastway. Grade II.
COUNTY OF ESSEX	
Borough of Thurrock	Barn to north of High House, London Road, Purfleet. Grade II.
COUNTY OF KENT	
Borough of Gravesham, Town of Gravesend	24/25 The Hill (Coach and Horses public house) Northfleet. Grade II.

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Borough of Maidstone, Parish of Lenham	Oxley House, Boughton Road. Grade II. Old Cottage and Water Street Cottage, Lenham Heath Road. Grade II. Yew Tree Cottage, Hook Street, Lenham Heath. Grade II.
Borough of Ashford, Parish of Charing	Rose Cottage, Westwell Leacon. Grade II. The Old Parsonage Farmhouse, Maidstone Road. Grade II.
Borough of Ashford, Town of Ashford	Industrial building belonging to Knowles Removals and Storage, Station Road. Grade II. Willesborough and District Labour Club, Bentley Road. Grade II.
Borough of Ashford, Parish of Sevington	Orchard Cottage, Church Road. Grade II. Nos. 1 and 2 Maytree Cottages, Church Road. Grade II. Bridge Cottage, Highfield Lane, Sevington. Grade II.
Borough of Ashford, Parish of Mersham	Bridge House, Church Road. Grade II.
District of Shepway, Parish of Sellindge	Stream Cottage and Grove Bridge Cottage, Barrow Hill. Grade II.

- 3 Section 59 of the ^{M1}Planning (Listed Buildings and Conservation Areas) Act 1990 (acts causing or likely to result in damage to listed buildings) shall not apply to anything done in exercise of the powers conferred by this Part of this Act with respect to works.

Marginal Citations

M1 1990 c. 9.

Ancient monuments etc.

- 4 (1) This paragraph has effect in relation to the ^{M2}Ancient Monuments and Archaeological Areas Act 1979.
- (2) Section 2 (control of works affecting scheduled monuments) shall not apply to any works authorised by this Part of this Act.
- (3) The powers of entry conferred by section 6(1) (entry to ascertain condition of scheduled monument), section 6A(1) (entry to enforce control of works affecting scheduled monuments) and section 26 (entry to record matters of archaeological or historical interest) shall not be exercisable in relation to land used for or in connection with the carrying out of any of the works authorised by this Part of this Act.
- (4) The provisions of the Act with respect to the functions of a person as a guardian by virtue of the Act, and the provisions of any agreement under section 17 (agreement

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concerning ancient monuments and land in their vicinity), shall have effect subject to the powers conferred by this Part of this Act with respect to works.

- (5) Section 19 (public access to monuments under public control) shall not apply in relation to a monument which is closed by the nominated undertaker for the purposes of, in connection with or in consequence of the carrying out of any of the works authorised by this Part of this Act.
- (6) Regulations under section 19(3) or (4A) (which may include provision prohibiting or regulating any act or thing which would tend to injure or disfigure a monument or its amenities or disturb the public in their enjoyment of it) shall not apply to anything done in exercise of the powers conferred by this Part of this Act with respect to works.
- (7) The power conferred by section 19(6) (power to refuse admission to monuments under public control) shall not be exercisable so as to prevent or restrict the exercise of the powers conferred by this Part of this Act with respect to works.
- (8) In section 25 (treatment of ancient monuments)—
 - (a) subsection (2) (superintendence by the Historic Buildings and Monuments Commission for England) shall not authorise the superintendence of the carrying out of any of the works authorised by this Part of this Act, and
 - (b) subsection (3) (power of the Commission to charge for advice under subsection (1)) shall not apply in relation to advice given in connection with the carrying out of any of those works.
- (9) Section 28 (offence of damaging certain ancient monuments) shall not apply to anything done in exercise of the powers conferred by this Part of this Act with respect to works.
- (10) Section 35 (notice required of operations in areas of archaeological importance) shall not apply to operations carried out in exercise of the powers conferred by this Part of this Act with respect to works.
- (11) Section 39(1) (power to investigate in advance of operations notice any site which may be acquired compulsorily) shall have effect as if operations carried out in exercise of the powers conferred by this Part of this Act with respect to works were exempt works for the purposes of that provision.
- (12) Section 42(1) (prohibition on use of metal detectors in protected places without consent) shall not apply to the use of a metal detector for the purposes of or in connection with the exercise of the powers conferred by this Part of this Act with respect to works.
- (13) Section 42(3) (prohibition on removal without consent of object discovered by use of a metal detector in a protected place) shall not apply to the removal of objects discovered by the use of a metal detector for the purposes of or in connection with the exercise of the powers conferred by this Part of this Act with respect to works.

Marginal Citations

M2 1979 c. 46.

- 5 (1) The power of entry conferred by section 36(1) of the ^{M3}National Heritage Act 1983 (entry to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission

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for England) shall only be exercisable in relation to land used, or intended for use, for or in connection with the carrying out of any of the works authorised by this Part of this Act with the consent of the nominated undertaker, such consent not to be unreasonably withheld.

- (2) Consent for the purposes of sub-paragraph (1) above may be granted subject to compliance with any reasonable requirements or conditions imposed for reasons of safety or for the purpose of preventing interference with or delay to the works.
- (3) Section 36(6) of the ^{M4}National Heritage Act 1983 (which, in relation to land on which works are being carried out, regulates the exercise of the right to enter land to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall not apply in relation to land on which works authorised by this Part of this Act are being carried out.
- (4) Any dispute under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by [^{F1}the appropriate Minister].
- (5) In sub-paragraph (4) above, “appropriate [^{F2}Minister]” means—
- (a) in relation to a dispute about entry for the purpose of obtaining information about an ancient monument, [^{F3}[^{F4}the Secretary of State for Culture, Media and Sport] and [^{F5}the Secretary of State for Transports] acting jointly], and
 - (b) in relation to a dispute about entry for the purpose of obtaining information about an historic building, [^{F6}the Secretary of State].
- (6) In sub-paragraph (5) above, “ancient monument” and “historic building” have the meanings given by section 33(8) of the National Heritage Act 1983.

Textual Amendments

- F1** Words in Sch. 7 para. 5(4) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(a)**
- F2** Word in Sch. 7 para. 5(5) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(i)**
- F3** Words in Sch. 7 para. 5(5)(a) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(ii)**
- F4** Words in Sch. 7 para. 5(5)(a) substituted (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), art. 1(2), **Sch. para. 8(3)** (with art. 17)
- F5** Words in Sch. 7 para. 5(5)(a) substituted (25.11.2002) by S.I. 2002/2626, art. 20, **Sch. 2 para. 21(5)**
- F6** Words in Sch. 7 para. 5(5)(b) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, **33(b)(iii)**

Modifications etc. (not altering text)

- C1** Sch. 7 para. 5(4): functions transferred (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), arts. 1(2), **13(2)** (with art. 17)

Marginal Citations

- M3** 1983 c. 47.
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