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 STATUTORY INSTRUMENTS
 

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1981 No. 1302

## ANCIENT MONUMENTS

## The Ancient Monuments (Class Consents) Order 1981

<i>Made - - - -</i>	<i>8th September 1981</i>
<i>Laid before Parliament</i>	<i>18th September 1981</i>
<i>Coming into Operation</i>	<i>9th October 1981</i>

The Secretary of State for the Environment and the Secretary of State for Wales, in exercise of the powers conferred by section 3 of the Ancient Monuments and Archaeological Areas Act 1979(a), hereby make the following order:—

1.—(1) This order may be cited as the Ancient Monuments (Class Consents) Order 1981, and shall come into operation on 9th October 1981.

(2) This order applies only to England and Wales.

2.—(1) Subject to the provisions of this article, scheduled monument consent is hereby granted under section 3 of the Ancient Monuments and Archaeological Areas Act 1979 for the execution of works of any class or description specified in the Schedule to this order.

(2) The consent granted is subject to any condition specified in the said Schedule in relation to works of a particular class or description.

(3) Nothing in this article shall operate so as to grant consent contrary to any limitation or condition specified in a consent granted under Part I of the Ancient Monuments and Archaeological Areas Act 1979 otherwise than by this order.

## SCHEDULE

## CLASSES OR DESCRIPTIONS OF WORKS FOR THE EXECUTION OF WHICH CONSENT IS GRANTED BY ARTICLE 2 OF THIS ORDER

- Class I    Agricultural, horticultural or forestry works, being works of the same kind as works previously executed in the same field or location during the period of five years immediately preceding the coming into operation of this order; but not including subsoiling, drainage works, the planting or uprooting of trees, hedges or shrubs, or any other works likely to disturb the soil below the maximum depth affected by normal ploughing.

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- Class II Works executed more than ten metres below ground level by the National Coal Board, or any person acting pursuant to a licence granted by the said Board under section 36(2) of the Coal Industry Nationalisation Act 1946(a).
- Class III Works executed by the British Waterways Board in relation to land owned or occupied by them, being—
- (a) works of repair or maintenance not involving a material alteration to a monument;
  - (b) works which are essential for the purpose of ensuring the functioning of a canal.
- Class IV Works for the repair or maintenance of machinery, being works which do not involve a material alteration to a monument.
- Class V Works which are essential for the purposes of health or safety.

8th September 1981.

*Michael R. D. Heseltine,*  
Secretary of State for the Environment.

3rd September 1981.

*Michael Roberts,*  
Parliamentary Under  
Secretary of State for Wales.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order, which applies only to England and Wales, grants scheduled monument consent under Part I of the Ancient Monuments and Archaeological Areas Act 1979 for the execution of certain classes or descriptions of works.

The works for which consent is granted comprise—

- (a) certain agricultural, horticultural or forestry works;
- (b) works executed more than ten metres below ground level by the National Coal Board or its licensees;
- (c) certain works executed by the British Waterways Board;
- (d) certain works for the repair or maintenance of machinery; and
- (e) works which are essential for the purposes of health or safety.

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(a) 1946 c.59.



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