
WELSH STATUTORY INSTRUMENTS

2017 No. 642

The Ancient Monuments (Applications for Scheduled Monument Consent) (Wales) Regulations 2017

Consequential amendments to the Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992

6.—(1) The Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992⁽¹⁾ are amended as follows.

(2) In regulation 2 (interpretation) insert at the appropriate place—

““the 2017 Regulations” means the Ancient Monuments (Applications for Scheduled Monument Consent) (Wales) Regulations 2017;”.

(3) In regulation 4(2), for “and the Ancient Monuments Regulations” substitute “, the Ancient Monuments Regulations and the 2017 Regulations”.

(4) In Schedule 2—

(a) in the heading to the Schedule, for “and the Ancient Monuments Regulations”, substitute “, the Ancient Monuments Regulations and the 2017 Regulations”; and

(b) after paragraph 2, insert—

“**3.—**(1) The 2017 Regulations are modified as follows.

(2) For regulation 3(1)(e) substitute—

“(e) be accompanied by—

(i) a plan identifying the monument to which the application relates;

(ii) such other plans and drawings as are necessary to describe the works and which may include—

(aa) detailed plans, drawings and sections; or

(bb) extracts from the plans, drawings and sections submitted with the concurrent application; or

(cc) where no plans, drawings or sections have been prepared, a clear written description of the works supported by such other materials as the applicant is reasonably able to provide;

(iii) a statement that the application is made for the purpose of proposals included in the concurrent application, which must give (where known) the date and reference number of the concurrent application.”

(3) After regulation 3(4) insert—

“(5) In this regulation, “concurrent application” has the meaning given by paragraph 2(4A) of Schedule 1 to the Act⁽²⁾.”

(4) After regulation 3 insert—

(1) [S.I. 1992/3138](#).

(2) For paragraph 2(4A) see paragraph 1(4) of Schedule 2 to [S.I. 1992/3138](#).

“Certificate

3A.—(1) A certificate which by virtue of paragraph 2(1)(aa) of Schedule 1 to the Act accompanies an application must be in the form set out in paragraph (2).

(2) The form of certificate is as follows—

Certificate in accordance with paragraph 2(1)(aa) of Schedule 1 to the 1979 Act

It is hereby certified—

(1) that the applicant has served, in accordance with rules made under section 6 of the Transport and Works Act 1992, all the notices required to be served upon the persons (other than the applicant) who were, at the beginning of the period of 28 days ending with the date of an application under section 6, owners of the monument;

(2) every such notice contains a statement that the accompanying application for scheduled monument consent has been made in respect of the monument.

Signature

Date

(5) For regulation 4 substitute—

“4. In relation to any monument, a person is to be treated for the purpose of paragraph 2 of Schedule 1 to the Act as the owner of the monument if the person, not being a mortgagee not in possession, is for the time being entitled to dispose of the fee simple of the monument (whether in possession or reversion) or is a person holding, or entitled to the rents and profits of the land under a lease or agreement the unexpired term of which exceeds three years.””