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Mr James Tinney  
Natural Resources Wales  
Llandovery Forest District Office  
Llanfair Road  
Llandovery  
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SA20 0AL

Eich cyfeirnod  
Your reference

CM200 & CM208

Ein cyfeirnod  
Our reference

DH

Dyddiad  
Date

18 March 2020

Llinell uniongyrchol  
Direct line

0300 0256004

Ebost  
Email:

[scheduledmonuments@gov.wales](mailto:scheduledmonuments@gov.wales)

Dear Mr Tinney,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979  
APPLICATION FOR SCHEDULED MONUMENT CONSENT  
Dolaucothi Roman Aqueduct (CM200) and Dolaucothi Gold Mines (CM208)**

**1. Introduction**

1.1 Thank you for your application of 29 July 2019 to Cadw for scheduled monument consent for tree works at the above scheduled monument.

1.2 Cadw is a Department within the Welsh Government that undertakes the statutory functions of the Welsh Ministers in determining applications for scheduled monument consent.

1.3 Each application for scheduled monument consent is considered on its own merits in accordance with *Conservation Principles for the Sustainable Management of the Historic Environment in Wales* ([Conservation Principles](#)) and Annex A of *Technical Advice Note 24: The Historic Environment* ([TAN 24](#)). In particular, TAN 24 explains that the main purpose of scheduling is to ensure the preservation of ancient monuments and, when considering an application for scheduled monument consent, there is a presumption against proposals which would involve significant alteration or cause damage or which would have a significant impact on the setting of remains.

Mae Gwasanaeth Amgylchedd Hanesyddol Llywodraeth Cymru (Cadw) yn hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

The Welsh Government Historic Environment Service (Cadw) promotes the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL  
INVESTOR IN PEOPLE



## **2 Assessment**

2.1. Your application and supporting documentation has been assessed by our Regional Inspector of Ancient Monuments who has recommended that conditional scheduled monument consent should be approved for felling and extraction of the forest crop within the scheduled area. The reasons for the Inspector's conclusions are set out in Annex A of this letter.

2.2. I have carefully considered the impact of the proposed development on the scheduled monument and its setting in light of the advice that I have received from our Regional Inspector of Ancient Monuments.

2.3. After very careful consideration I have no reason to disagree with the advice of our Regional Inspector and am satisfied that his recommendation is consistent with the objectives of Conservation Principles and TAN 24.

## **3. Decision**

3.1. Accordingly, I hereby approve conditional scheduled monument consent for the proposed felling and extraction of the forest crop within the scheduled area. As I have mentioned previously, I have no reason to disagree with the advice of our Regional Inspector and the rationale for my decision is therefore explained in Annex A.

3.2. In reaching this decision, I have taken into account the requirement of sections 3 and 5 of the Wellbeing of Future Generations Act. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of *A Wales of vibrant culture and thriving Welsh Language*.

3.3. Any development control issues associated with wider development will be a matter for any application for planning permission. It is the responsibility of the applicant to establish whether any further approval or consents are required for the proposed development.

## **4. Proposed Conditions**

4.1. The following proposed conditions are intended to protect the monument from damage or significant alteration as set out in TAN 24: *The Historic Environment* and to ensure that details of the project are archived.

- a) The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and shall afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works;
- b) The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed below. No variations are permitted unless they have been authorised in advance, in writing, by Cadw.

| Number | Document / plan   | Reference Number<br>(if applicable) | Date       |
|--------|---|-------------------------------------|------------|
| 1      | SMC application form signed by James Tinney 29/07/2019  |                                     | 09/08/2019 |
| 2      | Scheduled Ancient Monument Management Plan signed by Joseph Cliff and James Tinney 02/08/2018 |                                     | 08/01/2020 |

- c) Cadw shall be invited to attend a site meeting at the commencement of the project to review the programme and submitted method statement; and
- d) That upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.

## 5. Compliance

5.1. Where a condition requires approval or any contact with Cadw you are advised to contact Louise Mees by email [scheduledmonuments@gov.wales](mailto:scheduledmonuments@gov.wales) or by telephone on 0300 0256004.

5.2. When all work has been completed and the conditions have been discharged, please complete and return the 'completion notice' at **Annex B** to Cadw. Section 2(6) of the 1979 Act provides that non-compliance with a condition attached to a grant of scheduled monument consent shall be an offence.

5.3. By virtue of Section 4 of the 1979 Act, if no works to which this consent relates are executed or started within 5 years from the date of this letter, the consent shall cease to have effect at the end of that period (unless it is revoked in the meantime).

5.4. This letter does not convey any approval or consent required under any enactment, bylaw, order or regulation other than Section 2 of the Ancient Monuments and Archaeological Areas Act 1979. It is the responsibility of the applicant to obtain any such approval or consent where necessary.

## 6. Mechanism for Challenge

6.1 Section 55 of the 1979 Act explains that if you are aggrieved by the decision given in this letter, you may challenge its validity by applying to the High Court within six weeks from the date of my decision. Furthermore, the legislation explains that the grounds on which an application may be made to the Court are;

- a) that my decision is not within the powers of the Act (i.e. that I have exceeded the powers available under the Act); and
- b) that any of the relevant requirements set out in the Act have not been complied with and that your interest has been substantially prejudiced by the failure to comply.

The 'relevant requirements' mentioned above are defined in Section 55 of the 1979 Act and it is advisable to seek legal advice before taking any action.

6.2. Should you have any queries please do not hesitate to contact me.

6.3 Finally, please note that your personal data is managed in compliance with the [General Data Protection Regulations](#).

Yours sincerely,

Denise Harris  
Casework Manager  
under authority of the Deputy Minister for Culture, Sport and Tourism, one of the Welsh Ministers

## Annex A

### **ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 APPLICATION FOR SCHEDULED MONUMENT CONSENT Dolaucothi Roman Aqueduct (CM200) & Dolaucothi Gold Mines (CM208)**

#### **INSPECTOR'S ADVICE**

##### **1. Policy Context**

An application for scheduled monument consent (SMC) is considered on its own merits in accordance with *Conservation Principles for the Sustainable Management of the Historic Environment in Wales (Conservation Principles)* and Annex A of *Technical Advice Note 24: The Historic Environment (TAN 24)*. In particular, TAN 24 explains that the main purpose of scheduling is to ensure the preservation of ancient monuments and, when considering an application for SMC there is a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of remains. Therefore, applicants are expected to demonstrate that no practicable alternative route or location, avoiding the scheduled area, exists and that the need to undertake works outweighs the presumption in favour of the protection of the scheduled monument.

1.2 The Welsh Government's six principles for sustainable management of the historic environment in Wales are also used as a guide when considering applications for scheduled monument consent. These are:

- Historic assets will be managed to sustain their values.
- Understanding the significance of historic assets is vital.
- The historic environment is a shared resource.
- Everyone will be able to participate in sustaining the historic environment.
- Decisions about change must be reasonable, transparent and consistent.
- Documenting and learning from decisions is essential.

##### **2. The Monuments**

###### **2.1 CM200 Dolaucothi Aqueduct**

The following provides a general description of the Scheduled Monument:

- The monument consists of the remains of a water channel, dating to the Roman period. It is believed to have been constructed in conjunction with the Roman exploitation of the gold mines at Dolaucothi, probably in the later 1st and early 2nd centuries AD. It runs for a total of about 10.7 kilometres from its source beside a waterfall in the gorge at Pwll Uffern Cothi, down the southern flank of the Cothi valley to the gold mines near the village of Pumsaint, where it fed a number of tanks and was used for various purposes. It was very skilfully designed with a fall of about 1 in 750 throughout, partly as a result of the need to carry it over the saddle beside Allt Dinbeth, which limited the gradient above this point. The channel hugs the contour of the hillside for most of its route, running some way up side valleys at Cwm Dâr, Pen-twyn and Llwynceiliog as a result. Some parts of its course were probably carried on or supported by timber structures which do not survive. While occasional stretches of rock-cut

inner face are visible, nowhere is it possible to calculate the original width and depth of the channel. This is the longest and best-preserved leat from the Roman period in Wales (one of only a handful known in Britain) and an important demonstration of the sophistication of water management by Roman engineers.

- Parts of the course have been lost over the years, so that only the better surviving portions have been deemed suitable for scheduling. These stretches were originally designated by separate letters, but subsequent adjustments have now combined some of these. The scheduled portions are as follows: A (SN 71801 46610 to SN 72024 46323); B&C (SN 71633 45924 to SN 71046 45525); D (SN 70987 45426 to SN 70683 45009); E (SN 70643 44945 to SN 70542 44826); F (SN 70387 44663 to SN 70266 44608); G (SN 70123 43906 to SN 69943 43860); H (SN 69818 43912 to SN 69472 43856); J (SN 69628 43391 to SN 68785 43065); K (SN 68737 42951 to SN 68216 42700); L (SN 68045 42686 to SN 67916 42614); M (SN 67633 41659 to SN 67227 41112); N (SN 66931 40717 to SN 66705 40011)
- The monument is of national importance for its potential to enhance our knowledge of Roman structural engineering and mining technology. The scheduled sections of the monument are generally well-preserved and an important relic both of their Roman construction and of the subsequent development of the local landscape, in which its line often became a key feature. It retains significant archaeological potential, with a strong probability of the presence of both structural evidence and intact associated deposits.
- The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.

#### CM208 Dolaucothi Gold Mines

The following provides a general description of the Scheduled Ancient Monument:

- The monument consists of the remains of a gold mine, dating initially to the Roman period (1st to 4th century AD), but with further phases of activity, of which those in the later 19th and early 20th century are best attested. The main focus of the mines lies in and around a saddle on the northern slopes of a range of hills running north-east to south-west, known as Allt Ogofau to the south-west of the mines and Allt Cwmhenog to the north-east. The most obvious feature here is a large opencast working, within which the various features of the present day visitor centre are housed. This opencast is likely to be of Roman date and was originally at least 10m deeper than at present, with passages leading into underground workings at its base. Further opencast workings, trenches and adits are visible at various points along the hills to either side of the main opencast, running altogether for a total of about 1km. The early workings were fed with water by at least one and probably more aqueducts, the main one of which ran 11km down the Cothi valley from Pwll Uffern Cothi (scheduled as CM200). Various features around the mine area have been postulated as related to the use of this water for different mining and processing activities. The most obvious are two tanks at the lower end of the main aqueduct, which lie to the east of the Caio road; the waste water would have flowed away southwards from here. Crushed material which probably relates to early exploitation extends widely across the floodplain to the north-west of

the workings, and the 'Carreg Pumsaint', a rectangular stone with hollows along its sides, is likely to have been used in the crushing process.

- The modern phases of mining were focused below and to the east of the main opencast, with adits driven into the hillside at two points (later linked by a vertical internal shaft) and underground workings leading off a shaft in the main opencast area. Three different foci of processing were used; the earliest lay on the hillside to the east of the main opencast, the second in the south-eastern corner of the opencast itself, while that used in the final phase in the 1930s was constructed on the hillside to the south, near Pen-lan-wen, and reached by an incline from the shaft area. Tailings from this phase were deposited to the south of the workings and would have drained to the south-east.
- The monument is of national importance for its potential to enhance our knowledge of Roman mining practices. The more recent phases are also of historical interest. It retains significant archaeological potential, with a strong probability of the presence of associated archaeological features and deposits.
- The scheduled area comprises the remains described and areas around them within which related evidence may be expected to survive.

#### Additional information

- The NRW holding covers most of section N of the Dolaucothi Aqueduct CM200, and an area of the Dolaucothi Gold Mines CM208 known as the Cwmhenog Pit.
- In this area there is evidence that the ground was worked using a water supply from a tank at the upper end (fed probably by a supply from the Annell valley to the south-east). This was probably used initially to remove the overburden, and possibly later to quench areas which had been heated by firesetting. This technique shatters the rock and enables it to be removed easily.
- In the upper part of the parcel, traces may be present of a further aqueduct parallel with CM200 which is known further up the Cothi valley and there scheduled as CM213. It might be expected to run here somewhere between the 240 and 250m contours.
- Below the line of the main aqueduct (which may have been recut across these workings) are two open adit entrances and various excavated areas which are hard to see due to the vegetation.
- Further water channels or old trackways may run across the hillside below the main aqueduct.
- In the extreme western corner of the parcel, an area of rhododendron may hide further trial trenching and pitting, as found in the adjacent area to the west.

### **3. The Application**

This application for scheduled monument consent involves felling and extraction of the forest crop within the scheduled area.

#### **4. Assessment**

A crop of maturing larch within the scheduled area needs to be cleared as a matter of urgency due to potential infection with *Phytophthora*. Extraction routes and methodology have previously been agreed by the applicant and Cadw's FMW, as specified in the current SM Management Plan for the site.

Felling of timber within the scheduled area has the potential to damage earthworks and buried archaeological remains. Extraction of timber using heavy machinery, winching and skylines, also has the potential to damage standing and buried remains. In order to prevent such damage the applicant, in consultation with Cadw's Field Monument Warden for the area, has developed a detailed method statement. Timber will be felled across slope or in a direction away from the scheduled area to prevent falling trees from damaging the ground surface. Timber will be winched from the scheduled area or removed via skylines. Work in particularly sensitive locations will be carried out under the supervision of the FMW and/or applicant.

Felling constitutes routine management according to Cadw's Conservation Principles. The proposed felling and extraction of timber is required to remove larch which are infected.

Felling and timber extraction will be undertaken under supervision of the applicant and Cadw's FMW. There is a risk that localised damage may occur, however, if the work is undertaken according to the proposed methodology and under supervision it is likely that damage to the monument will be minimised.

Removal of larch from the scheduled area will remove the threat of further root damage to buried archaeology and remove the threat of damage caused by wind-throw. The appearance of the monument will be improved and views of, from and within the monument opened up. Public access to the monument will be restricted whilst the work is underway. Access will be reinstated on completion. The access will be safer due to the removal of potentially unsafe trees.

#### **5. Recommendation**

I recommend that SMC is granted according to the following conditions:

#### **6. Proposed Conditions**

- a. The following proposed conditions are intended to protect the monument from damage or significant alteration as set out in *TAN 24: The Historic Environment* and ensure that details of the project are archived.
- a) The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and shall afford access at all reasonable times to



any Cadw official or archaeologist nominated by Cadw to monitor progress of the works;

b) The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed below. No variations are permitted unless they have been authorised in advance, in writing, by Cadw.

| Number | Document / plan  | Reference Number applicable) | Date       |
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| 1      | SMC application form signed James Tinney 29/07/2019  |                              | 09/08/2019 |
| 2      | Scheduled Ancient Monuments Management Plan signed by Joseph Cliff and James Tinney 02/08/2018 |                              | 08/01/2020 |

- c) Cadw shall be invited to attend a site meeting at the commencement of the project to review the programme and submitted method statement;
- d) That upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.

Name of Inspector: Louise Mees

Date: 9 January 2020

**Annex B**

**COMPLETION NOTICE**

**Name of Monument: Dolaucothi Roman Aqueduct & Dolaucothi Gold Mines**

**Monument Number: CM200 & CM208**

| <b>Conditions</b>  | <b>Date</b> | <b>Signature</b> |
|--|-------------|------------------|
| Completion of works on site  |             |                  |
| That upon completion of the project, the applicant shall produce a completion report including an annotated photographic record detailing the site before and after works took place. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed. |             |                  |

Applicant Name:

Signature:

When all work has been completed and the conditions have been discharged, please complete and return this completion notice to Cadw at [scheduledmonuments@gov.wales](mailto:scheduledmonuments@gov.wales)