

David Hart
National Trust

By email

Eich cyfeirnod
Your reference

Ein cyfeirnod
Our reference

Dyddiad
Date

Llinell uniongyrchol
Direct line

Ebost
Email:

CM200 & CM208

16 May 2024

0300 0256004

scheduledmonuments@gov.wales

Dear David Hart,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
APPLICATION FOR SCHEDULED MONUMENT CONSENT
DOLAUCOTHI ROMAN AQUEDUCT (CM200) & DOLAUCOTHI GOLDMINES
(CM208)**

1. Introduction

- 1.1 Thank you for your application of 12 March 2024 to Cadw for scheduled monument consent to replace existing fences at the above scheduled monuments.
- 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.

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 (i) remove and renew fencing along existing line between Allt Cwmhenog and the Dolaucothi Mines complex, including installation of new gate (12ft) at northern end, removal of field gate (not to be replaced) in mid-section, and repair of stile in southern section, and (ii) Pen Lan Wen remove existing

fencing and renew along existing line. 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. 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 works as outlined in section 1.1.

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. Conditions

4.1 The following 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 will 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 (if applicable)	Date
1	SMC application form signed by Dai Hart and dated 12/03/2024		12/03/2024
2	Method Statement		12/03/2024



3	Additional information: confirmation of style to be renewed.		15/04/2024
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- c) No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance¹ who is to be present to undertake a watching brief for any works or operation occurring within the scheduled area. No work shall commence until Cadw has confirmed in writing that the proposed archaeologist is acceptable;
- d) A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed²;
- e) A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records³, and the applicant shall inform Cadw when this has been completed;
- f) Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording;
- g) That the fence posts shall lie on the same line as the existing fence line. New posts should be put into existing holes where possible, and any posts requiring new positions shall be driven into the bank rather than dug in;
- h) All old fencing materials shall be removed from the site;
- i) That upon completion of the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed; and
- j) Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained *in situ* and reported to Cadw within two working days. Works shall be halted in the area/part of the site affected until provision has been made for retention and/or recording of the feature by a suitably qualified archaeologist in accordance with details submitted to and approved in writing in advance by Cadw.

¹ Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

² Cadw will retain a copy of the watching brief report for our records.

³ Cadw requires formal confirmation of report deposit to discharge condition.

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.
- 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.
- 6.2 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.
- 6.3 Should you have any queries please do not hesitate to contact me.
- 6.4 Finally, please note that your personal data is managed in compliance with the [General Data Protection Regulations](#).



Yours sincerely,

Denise Harris
Historic Environment Branch
under authority of Lesley Griffiths, Cabinet Secretary for Culture and Social Justice



Llywodraeth Cymru
Welsh Government

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

- 1.1 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. Dolaucothi Roman Aqueduct (CM200) and Dolaucothi Gold Mines (CM208)

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).

2.2 CM208 Dolaucothi Gold Mines

The following provides a general description of the Scheduled 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.

2.3 The heritage values of these areas are summarised below:

Evidential value:

Dolaucothi Aqueduct is an extensive, well-preserved and rare example of a Roman leat system in Britain and Dolaucothi Gold Mines is the only known example of a Roman gold mine in Britain. These nationally unique remains are also of international significance.

Historic Value:

A well-preserved example of a Roman gold mining complex associated with the Roman fort, documented by the Romans, which demonstrates Roman technology and the impact of the Roman conquest on Wales. Subsequent modern phases of mining in the 19th and 20th centuries reflects the viability of the mine, ownership, and academic interest.

Aesthetic Value:

The unique and well preserved below ground features and above ground industrial landscape enable visitors to understand and appreciate Roman and modern mining activity at the site.

Communal Value:

The monument, located within a publicly accessible National Trust property, is well visited by the local community and tourists. Dolaucothi Gold Mines is a popular destination and brings economic benefits to the local community.

3. The Application

- 3.1 This application for scheduled monument consent includes (i) remove and renew fencing along existing line between Allt Cwmhenog and the Dolaucothi Mines complex, including installation of new gate (12ft) at northern end, removal of field gate (not to be replaced) in mid-section, and repair of stile in southern section, and (ii) Pen Lan Wen remove existing fencing and renew along existing line.

4. Assessment

- 4.1 The applicant (Dai Hart, National Trust) has provided maps showing the locations of the areas to be worked and a method statement.



- 4.2 Item (i). Remove and renew fencing along existing line between Allt Cwmhenog and the Dolaucothi Mines complex, including installation of new gate (12ft) at northern end, removal of field gate (not to be replaced) in mid-section, and repair of stile in southern section: the proposed fencing works are required for health and safety reasons, to maintain boundaries, control access and to enable site management. The applicant proposes to remove existing posts by hand and to knock fence posts into the ground, in which case damage may potentially occur to subsurface remains. However, this damage will be highly localised and outweighed by the benefits outlined above. Fence posts will be knocked into the ground by hand using a fencing mell. Where possible a rubber tracked, or low-pressure tyre machine mounted fence knocker will be used. Knocking fence posts into the ground may not be possible due to the rocky nature of the site, in which case small post holes will be dug, posts inserted and packed with the excavated material. In addition, post holes are proposed for installation of the new gate. Excavation of post holes will result in a slightly larger area of impact and will require a watching brief with a stop clause to prevent damage to scheduled remains.
- 4.3 Item (ii) Pen Lan Wen remove existing fencing and renew along existing line. The applicant proposes to remove existing posts by hand and to knock fence posts into the ground, in which case damage may potentially occur to subsurface remains. However, this damage will be highly localised and outweighed by the benefits outlined above. Fence posts will be knocked into the ground by hand using a fencing mell. Where possible a rubber tracked, or low-pressure tyre machine mounted fence knocker will be used. Knocking fence posts into the ground may not be possible due to the rocky nature of the site, in which case small post holes will be dug, posts inserted and packed with the excavated material. Excavation of post holes will result in a slightly larger area of impact and will require a watching brief with a stop clause to prevent damage to scheduled remains.

5. Recommendation

- 5.1 I recommend that SMC is granted for the above listed works according to the following conditions:

6. Proposed Conditions

- 6.1 The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and will afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works.
- 6.2 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 (if applicable)	Date
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1	SMC application form signed by Dai Hart and dated 12/03/2024		12/03/2024
2	Method Statement		12/03/2024
3	Additional information: confirmation of style to be renewed.		15/04/2024

- 6.3 No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance⁴ who is to be present to undertake a watching brief for any works or operation occurring within the scheduled area. No work shall commence until Cadw has confirmed in writing that the proposed archaeologist is acceptable.
- 6.4 A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed⁵.
- 6.5 A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records⁶, and the applicant shall inform Cadw when this has been completed.
- 6.6 Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording.
- 6.7 that the fence posts shall lie on the same line as the existing fence line. New posts should be put into existing holes where possible, and any posts requiring new positions shall be driven into the bank rather than dug in.
- 6.8 All old fencing materials shall be removed from the site.
- 6.9 That upon completion of the project the applicant will produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed.
- 6.10 Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained *in situ* and reported to Cadw within two working days. Works shall be halted in the area/part of the site affected until provision has been made for retention and/or recording of the

⁴ Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa> .

⁵ Cadw will retain a copy of the watching brief report for our records.

⁶ Cadw requires formal confirmation of report deposit to discharge condition.

feature by a suitably qualified archaeologist in accordance with details submitted to and approved in writing in advance by Cadw.

Name of Inspector: Louise Mees

Date: 15/04/2024



COMPLETION NOTICE

Name of Monument: DOLAUCOTHI ROMAN AQUEDUCT & DOLAUCOTHI GOLDMINES

Monument Number: CM200 & CM208

Conditions	Date	Signature
The applicant shall provide Cadw with reasonable advance notice of commencement of works on site and will afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works;		
The approved works shall be carried out strictly in accordance with the application form, plans and documents as listed.		
No works, including site clearance, shall commence until Cadw has been informed in writing of the name of an appropriately qualified archaeologist operating to ClfA published standards and guidance who is to be present to undertake a watching brief for any works or operation occurring within the scheduled area. No work shall commence until Cadw has confirmed in writing that the proposed archaeologist is acceptable;		
A digital copy of the draft watching brief report shall be submitted to Cadw for approval within 8 weeks of the archaeological fieldwork being completed		
A digital copy of the approved watching brief report shall be submitted to the regional Historic Environment Record and National Monuments Record of Wales to be incorporated into these public records , and the applicant shall inform Cadw when this has been completed;		



Cadw shall be invited to attend a site meeting within the first 5 working days of commencement of the project to review the programme, submitted method statement and arrangements that have been established for archaeological mitigation/building recording;		
That the fence posts shall lie on the same line as the existing fence line. New posts should be put into existing holes where possible, and any posts requiring new positions shall be driven into the bank rather than dug in.		
All old fencing materials shall be removed from the site		
That upon completion of the project the applicant shall produce a completion report including an annotated photographic record detailing the site before, during and after works took place and including final versions of plans. The draft should be sent to Cadw in digital format for approval within 25 working days of the works being completed;		
Any historic or archaeological features not previously identified which are revealed when carrying out the works shall be retained in situ and reported to Cadw within two working days. Works shall be halted in the area/part of the site affected until provision has been made for retention and/or recording of the feature by a suitably qualified archaeologist in accordance with details submitted to and approved in writing in advance by Cadw		

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

