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Simon Rees
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Eich cyfeirnod Your reference	CM234
Ein cyfeirnod Our reference	DH
Dyddiad Date	24 April 2018
Llinell uniongyrchol Direct line	03000 256004
Ebost Email:	denise.harris@gov.wales

Dear Mr Rees

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979
SECTION 2 AND SCHEDULE 1
APPLICATION FOR SCHEDULED MONUMENT CONSENT
PROPOSED WORKS AT: Carmarthen Roman Town (Part of) (CM234)**

I refer to your application dated 13 February 2018, for scheduled monument consent to carry out works associated with a housing development at the site of the above scheduled ancient monument.

You declined the opportunity of appearing before, and being heard by, a person appointed for that purpose, afforded to you in the letter dated 16 April 2018. Nor have you submitted any further representations in support of your case.

The proposed works can be carried out without detriment to the historic or archaeological integrity of the monument. The works accord with the sustainable development principle and contribute towards the well-being goals defined in section 4 of the Well-being of Future Generations (Wales) Act 2015.

Accordingly, the Welsh Ministers hereby grant scheduled monument consent for the works described at paragraph 4 of the application dated 13 February 2018, subject to the following conditions:

1. that the applicant shall afford access at all reasonable times to any Cadw official or archaeologist nominated by Cadw to monitor progress of the works;
2. that the works shall be carried out in accordance with the following approved plans and documents listed below. No variations from these plans and documents are permitted unless they have been authorised in advance in writing by Cadw;

Mae'r 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



No.	Document / plan	Ref. No. (if applicable)	Date
1	SMC application form signed by Ty Croes Group		13.02.2018
2	Written Scheme of Investigation, Archaeology in Wales		Jan 2018
3	Drawing. Drainage pollution prevention measures	C0844 SK088	19.03.18
4	Drawing. Existing drainage to be removed or altered	C0844 C003	Nov 2016
5	Site sections 1 of 2	C0844 C-SK06	20.01.2017
6	Drawing. Site section 2 of 2	C0844 C-SK07	20.01.2017
7	Proposed site plan	3558 PA003	Dec 2016
8	Watching Brief Report, Priory Street Carmarthen.	Archaeology in Wales no. 1525	Nov 2016

3. that the works shall be carried out in accordance with a **Method Statement** submitted in advance and formally approved in writing by Cadw. The Method Statement shall be adhered to throughout the works and no works shall commence until the Method Statement has been formally approved by Cadw;

The Method Statement shall provide for:

	<i>INFORMATION REQUIRED Insert / delete as appropriate. NB Only list here items / elements for which information is lacking in the original application.</i>	<i>Date when information required</i>
1	<i>Details of the methodology for the demolition phase of works affecting the scheduled area and measures that will be taken to avoid any incidental impacts on buried archaeological deposits.</i>	<i>Before work commences</i>

4. that the applicant shall appoint a suitably qualified and experienced archaeological contractor to undertake an archaeological watching brief during the excavation of the foul and mains water service trenches, as set out in the submitted Written Scheme of Investigation (WSI). Any alterations or adjustments to this scheme and the named personnel within it must be approved in advance, in writing (e mail is acceptable) by Cadw. A digital copy of the **watching brief report** shall be submitted to Cadw for approval within 12 weeks of the archaeological fieldwork being completed¹.

¹ Cadw will retain a copy of the watching brief report for our records and will deposit a digital copy with the regional Historic Environment Record and National Monuments Record of Wales.

5. that on the completion of the stripping of the existing tarmac / metalled surfaces across the remainder scheduled area, the archaeological contractor is to make a monitoring visit in order to record at an appropriate scale in plan and by photograph the exposed surfaces;
6. that the appointed archaeological contractor is afforded sufficient time to record any archaeological deposits that are exposed during works;
7. that In the event that any archaeological finds, structures or deposits of exceptional significance (such features are identified at the discretion of the archaeological contractor) are uncovered within the service trenches, works shall be halted immediately in the area/part of the site affected until Cadw has been contacted and provision has been made either for retention *in situ* and consequent micro-siting of the service run and/or preservation of the feature by record;
8. that Cadw's representative shall be given at least two weeks notice in writing (e mail notification is acceptable) of the start of the watching brief within the scheduled area in order for its representatives to monitor on site activity; and
9. that at the start of the watching brief a site visit is arranged with Cadw's representative when the watching brief / excavations of the service runs are likely to be at their fullest extent.

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.

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).

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.

Your attention is drawn to the provisions of Section 55 of the 1979 Act under which, if you are aggrieved by the decision given in this letter, you may challenge its validity by an application made to the High Court within six weeks from the date when the decision is given. The grounds on which an application may be made to the court are:

- a. that a decision is not within the powers of the Act (that is, the Welsh Government has exceeded its powers);
- b. that any of the relevant requirements have not been complied with and the applicant's interest has been substantially prejudiced by the failure to comply.

"The relevant requirements" are defined in Section 55 of the 1979 Act and you are advised to seek legal action before taking any action.

Yours sincerely,

Denise Harris
Diogelu a Pholisi/Policy and Protection

Enc. Interim letter dated 16 April 2018