



Llywodraeth Cymru
Welsh Government

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Delun Gibby
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Eich cyfeirnod
Your reference

PE039

Ein cyfeirnod
Our reference

DH

Dyddiad
Date

21 September 2018

Llinell uniongyrchol
Direct line

0300 0256004

Ebost
Email:

amadminplanning@gov.wales

Dear ,

Ancient Monuments and Archaeological Areas Act 1979
Section 2 and Schedule 1
Application for Scheduled Monument Consent
Proposed works at: Mountain Burial Chamber (PE039)

I refer to your application of 21 August 2018 for scheduled monument consent to carry out the replacement of fencing at the above scheduled monument.

You declined the opportunity of appearing before, and being heard by, a person appointed for that purpose, afforded to you in the letter of 19 September 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 the Wellbeing 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 of 21 August 2018, subject to the following conditions.

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 plans and documents submitted to Cadw on 23rd August 2018. No variations are permitted unless they have been authorised in advance in writing by Cadw;
3. that wherever possible stakes shall be driven into existing post holes;

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



4. that the applicant shall prepare a short report on the works, including photographs showing the area affected before work begins, work in progress and on completion. A draft copy of the record shall be sent to Cadw within two months of the completion of work on site. Following acceptance by the Welsh Ministers, a final copy of the report shall be submitted 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.

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

Policy and Protection