

HISTORIC ENVIRONMENT (WALES) ACT 2016

EXPLANATORY NOTES

LEGAL BACKGROUND

4. The Historic Environment (Wales) Act amends two principal pieces of legislation relating to the protection of the historic environment: the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act also introduces new stand-alone provisions relating to a list of historic place names, historic environment records and an advisory panel for the historic environment in Wales.
5. The Ancient Monuments and Archaeological Areas Act 1979 provides for the designation and protection of scheduled monuments of national importance by the Welsh Ministers and makes it an offence to carry out works which affect a scheduled monument without the Welsh Ministers' consent. In addition, the Act gives the Welsh Ministers and local authorities power to designate areas of archaeological importance and provides protection for those areas.
6. The Planning (Listed Buildings and Conservation Areas) Act 1990 gives the Welsh Ministers powers to designate listed buildings of special architectural or historic interest. It also sets out a procedure for obtaining consent to carry out works which affect the character of listed buildings, establishes offences for unauthorised works and furnishes mechanisms for enforcement action. In addition, the Act places a responsibility on local planning authorities to designate areas of special architectural or historic interest as "conservation areas" and review them periodically.