

*These notes refer to the Historic Environment (Wales) Act
2016 (c.4) which received Royal Assent on 21 March 2016*

HISTORIC ENVIRONMENT (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Ancient Monuments Etc

Section 10 – Compensation for refusal of scheduled monument consent

56. **Section 10** amends section 7 of the 1979 Act, which requires compensation to be paid in certain circumstances if an applicant for scheduled monument consent suffers loss or damage as a result of its refusal or its grant subject to conditions.
57. The section restricts the application of section 7(4) of the 1979 Act to England and inserts new subsection (4A). The new subsection sets out that in Wales no compensation will be payable if the works for which scheduled monument consent was sought would or might result in the total or partial demolition of a monument, unless those works would only have entailed operations directly related or incidental to the use of the monument's site for purposes specified in regulations made by the Welsh Ministers.