



# Crossrail Act 2008

## 2008 CHAPTER 18

### *Heritage*

#### **16 Disapplication and modification of controls**

- (1) Schedule 9 (which makes provision for the disapplication or modification, in relation to authorised works, of controls relating to listed buildings, buildings in conservation areas and ancient monuments etc.) has effect.
- (2) The Secretary of State may by order make any provision specified in subsection (3) in relation to any work constructed in exercise of the powers conferred by this Act.
- (3) The provision referred to in subsection (2) is—
  - (a) provision that paragraphs 1(1)(a) and 2(1)(a) of Schedule 9 shall not apply in relation to any relevant works;
  - (b) provision that paragraphs 1(1)(b) to (d) and 2(1)(b) to (d) of that Schedule shall not apply in relation to any proposed relevant works;
  - (c) provision that paragraph 1(4) of that Schedule shall not apply in relation to any demolition of a building undertaken in connection with any relevant works;
  - (d) provision that paragraph 3 of that Schedule shall not apply in relation to any relevant works;
  - (e) provision that paragraph 4(2) of that Schedule shall not apply in relation to any relevant works;
  - (f) provision that paragraph 4(3) of that Schedule shall not apply in relation to any land used for or in connection with the carrying out of any relevant works;
  - (g) provision that paragraph 4(8)(a) and (b) of that Schedule shall not apply in relation to any relevant works;
  - (h) provision that paragraph 4(10) and (11) of that Schedule shall not apply in relation to any operations carried out in exercise of the powers conferred by this Act which are, or are carried out in connection with, relevant works;
  - (i) provision that paragraph 4(12) of that Schedule shall not apply in relation to any use of a metal detector for the purposes of or in connection with any relevant works;

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*Status: This is the original version (as it was originally enacted).*

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- (j) provision that paragraph 4(13) of that Schedule shall not apply in relation to any removal of objects discovered by any such use;
  - (k) provision that paragraph 5(1) of that Schedule shall not apply in relation to any land used, or intended for use, for or in connection with the carrying out of any relevant works;
  - (l) provision that paragraph 5(3) of that Schedule shall not apply in relation to any land on which relevant works are being carried out.
- (4) In this section—
- “relevant works” means works which are—
    - (a) carried out in exercise of the powers conferred by this Act for the maintenance or alteration of the work referred to in subsection (2), and
    - (b) begun on or after the relevant day;
  - “relevant day” means such day as may be specified in an order under subsection (2).
- (5) Orders under subsection (2) may make different provision for different cases.
- (6) The power conferred by subsection (2) shall be exercisable by statutory instrument.
- (7) A statutory instrument containing an order under subsection (2) shall be laid before Parliament after being made.

## **17 Rights of entry**

Schedule 10 (which makes provision about rights of entry for the Historic Buildings and Monuments Commission for England) has effect.