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STATUTORY INSTRUMENTS

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**1995 No. 1625**

**Historic Monuments and Archaeological  
Objects (Northern Ireland) Order 1995**

**PART II**

**HISTORIC MONUMENTS**

*Agreements concerning historic monuments, etc.*

**Agreements concerning historic monuments and land in their vicinity**

**19.**—(1) The Department may enter into an agreement under this Article with the occupier of an historic monument or of any land adjoining or in the vicinity of an historic monument.

(2) Any person who has an estate in an historic monument or in any land adjoining or in the vicinity of an historic monument may be a party to an agreement under this Article in addition to the occupier.

(3) An agreement under this Article may make provision for all or any of the following matters with respect to the monument or land in question, that is to say—

- (a) the maintenance and protection of the monument and its amenities;
- (b) the carrying out of any such work, or the doing of any such other thing, in relation to the monument or land as may be specified in the agreement;
- (c) public access to the monument or land and the provision of facilities and information or other services for the use of the public in that connection;
- (d) restricting the use of the monument or land;
- (e) prohibiting in relation to the monument or land the doing of any such thing as may be specified in the agreement; and
- (f) the making by the Department of payments in such manner, of such amounts and on such terms as may be so specified (and whether for or towards the cost of any work provided for under the agreement or in consideration of any restriction, prohibition or obligation accepted by any other party thereto);

and may contain such incidental and consequential provisions as appear to the Department to be necessary or expedient.

(4) Where an agreement under this Article expressly provides that the agreement as a whole or any restriction, prohibition or obligation arising thereunder is to be binding on the successors of any party to the agreement (but not otherwise), then every person deriving title to the monument or land in question from, through or under that party shall be bound by the agreement, or (as the case may be) by that restriction, prohibition or obligation, unless he derives title by virtue of any disposition made by that party before the date of the agreement.

(5) Article 5 of the Property (Northern Ireland) Order 1978<sup>(1)</sup> (power of Lands Tribunal to modify or extinguish impediments) shall not apply to an agreement under this Article.

(6) Nothing in any agreement under this Article shall be construed as operating as a scheduled monument consent.

(7) Any agreement in force under section 8 of the Historic Monuments Act (Northern Ireland) 1971<sup>(2)</sup> on the coming into operation of this Order shall have effect as if made under this Article.

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(1) 1978 NI 4  
(2) 1971 c. 17