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*Changes to legislation: There are currently no known outstanding effects for the Crossrail Act 2008, Paragraph 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 9

#### HERITAGE: DISAPPLICATION AND MODIFICATION OF CONTROLS

##### *Ancient monuments etc.*

- 5 (1) The power of entry conferred by section 36(1) of the National Heritage Act 1983 (c. 47) (entry to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall only be exercisable in relation to land used, or intended for use, for or in connection with the carrying out of any of the works authorised by this Act with the consent of the nominated undertaker, such consent not to be unreasonably withheld.
- (2) Consent for the purposes of sub-paragraph (1) may be granted subject to compliance with any reasonable requirements or conditions imposed for reasons of safety or for the purpose of preventing interference with or delay to the works.
- (3) Section 36(6) of the National Heritage Act 1983 (which, in relation to land on which works are being carried out, regulates the exercise of the right to enter land to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Historic Buildings and Monuments Commission for England) shall not apply in relation to land on which works authorised by this Act are being carried out.
- (4) Any dispute under this paragraph shall, if the parties agree, be referred to arbitration, but shall otherwise be determined by the appropriate Ministers acting jointly.
- (5) In sub-paragraph (4), “appropriate Ministers” means the Secretary of State for Transport and <sup>F1</sup>the Secretary of State for Culture, Media and Sport].

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#### **Textual Amendments**

- F1** Words in Sch. 9 para. 5(5) substituted (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), art. 1(2), **Sch. para. 16(4)** (with art. 17)

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#### **Modifications etc. (not altering text)**

- C1** Sch. 9 para. 5(4): functions transferred (3.5.2023) by The Secretaries of State for Energy Security and Net Zero, for Science, Innovation and Technology, for Business and Trade, and for Culture, Media and Sport and the Transfer of Functions (National Security and Investment Act 2021 etc) Order 2023 (S.I. 2023/424), arts. 1(2), **13(3)** (with art. 17)

**Changes to legislation:**

There are currently no known outstanding effects for the Crossrail Act 2008, Paragraph 5.