

## SCHEDULES

### SCHEDULE 19

#### ANCIENT MONUMENTS

##### *Disapplication of controls*

- 2 (1) The power of entry under section 36(1) of the National Heritage Act 1983 (entry to obtain information about ancient monuments and historic buildings for the purposes of the records kept by the Commission) is only 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 power under section 36(1) to enter land to obtain information) does not apply in relation to land on which works authorised by this Act are being carried out.
- (4) Any dispute under this paragraph must be referred to arbitration if the parties so agree, but must otherwise be determined by the Secretary of State for Transport and the Secretary of State for Culture, Media and Sport acting jointly.