

HISTORIC ENVIRONMENT (WALES) ACT 2023

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 — Monuments of special historic interest

Chapter 6 — Acquisition, guardianship and public access

Section 55 — Public access to monuments under public control

181. *Section 55* places a requirement on the Welsh Ministers and local authorities to provide public access to monuments in their ownership or guardianship subject to the provisions of this section, any regulations or byelaws made under section 56 and any provision to the contrary contained in a scheduled monument partnership agreement (section 25), a management agreement (section 51) or a guardianship deed (section 45) (subsections (1) and (2)).
182. Under this section, Cadw (acting for the Welsh Ministers) or local authorities, where they are the owners or guardians of a monument, may:
- a. control opening times (subsection (4));
 - b. limit public access to all or part of a monument in the interests of safety, for maintenance or conservation works or for the holding of activities or events (subsection (5));
 - c. impose other restrictions or controls on public access (subsection (6));
 - d. charge admission (subsection (7)); and
 - e. refuse admission if it is felt that a person poses a threat to the monument or to the public enjoyment of the monument (subsection (8)).
183. At the time of writing these notes, the majority of the 131 monuments under Cadw's care and control are unstaffed, non-charging sites with advertised opening times. Access to the indoor parts of unstaffed sites tends to be more restricted for safety reasons and due to the threat of damage posed by unaccompanied access. Admission is charged at fewer than 30 of Cadw's monuments.
184. Local authorities have around 400 scheduled monuments in their ownership or guardianship. They range from prehistoric monuments through medieval remains to buildings of the Industrial Revolution.