Historic Environment (Wales) Act 2016

2016 anaw 4

PART 4

MISCELLANEOUS

Historic environment records

35 Historic environment records

(1) The Welsh Ministers must compile and keep up to date a historic environment record for each local authority area in Wales.

(2) A historic environment record is a record which provides—

(a) details of every building in the authority's area which is included in a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9),

(b) details of every conservation area in the authority's area which is designated under section 69 of that Act,

(c) details of every monument in the authority's area which is included in the Schedule compiled and maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979 (c.46),

(d) details of each of the grounds in the authority's area which are included in the register of historic parks and gardens compiled and maintained under section 41A of that Act,

(e) details of every conflict site in the authority's area which the Welsh Ministers consider to be of historic interest,

(f) where a public authority (whether by itself or jointly with other persons) maintains a list of historic landscapes in Wales, details of every historic landscape in the local authority's area which is included in the list,

(g) details of every world heritage site in the authority's area,

(h) details of every other area or site or other place in the authority's area which the authority or the Welsh Ministers consider to be of local historic, archaeological or architectural interest,

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(i) information about the way in which the historic, archaeological or architectural development of the authority's area, or any part of it, has contributed to the present character of the area or part and about how that character may be preserved,

(j) details of relevant investigations carried out in the authority's area and of the findings of those investigations, and

(k) a means of accessing details of every historic place name in the authority's area which is included in the list compiled and maintained under section 34.

(3) In subsection (2)(e), “conflict site” means—

(a) a battlefield or a site on which some other conflict involving military forces took place, or

(b) a site on which significant activities relating to a battle or other such conflict as is mentioned in paragraph (a) occurred.

(4) In subsection (2)(f), “public authority” means a person certain of whose functions are functions of a public nature.

(5) In subsection (2)(g), “world heritage site” means a site or other place or other thing which is cultural heritage or natural heritage within the meaning of the World Heritage Convention and is included in the World Heritage List mentioned in Article 11 of that Convention.

(6) In subsection (5), “the World Heritage Convention” means the Convention concerning the Protection of the World Cultural and Natural Heritage adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation at Paris on 16 November 1972.

(7) In subsection (2)(h), the reference to a local authority's area includes, in the case of an authority whose area includes part of the seashore, a reference to any part of the territorial sea that lies seawards from that part of the shore and forms part of Wales (within the meaning given by the Government of Wales Act 2006 (c.32)).

(8) In subsection (2)(j), “relevant investigation”, in relation to a local authority's area, means —

(a) an investigation by the authority or the Welsh Ministers for the purpose of obtaining information of historic, archaeological or architectural interest relating to the area, and

(b) any other investigation for that purpose which the Welsh Ministers consider appropriate to include in the record.

(9) The Welsh Ministers may by regulations amend this section so as to vary the meaning of “historic environment record”.

(10) Before making regulations under subsection (9), the Welsh Ministers must consult—

(a) each local authority in Wales, and

(b) such other persons as the Welsh Ministers consider appropriate.

(11) For the purposes of this section, an area or site or other place or other thing is to be regarded as being in a local authority's area if any part of it is in the area.

(12) In this section and in section 37, “local authority” means a county council or a county borough council.

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Commencement Information

I1 S. 35 in force at 31.5.2017 by S.I. 2017/633, **art. 4(d)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

– Act repealed by 2023 asc 3 Sch. 13 para. 193