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**Changes to legislation:** There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Paragraph 2. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 19

#### ANCIENT MONUMENTS

##### *Disapplication of controls*

- 2 (1) The consent of the nominated undertaker is required for the exercise of 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) 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.
- (2) Consent for the purposes of sub-paragraph (1)—
- (a) must not be unreasonably withheld;
  - (b) 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 <sup>[F1</sup>the Secretary of State for Culture, Media and Sport] acting jointly.

#### **Textual Amendments**

- F1** Words in Sch. 19 para. 2(4) 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. 20\(2\)](#) (with art. 17)

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

- C1** Sch. 19 para. 2(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\(7\)](#) (with art. 17)

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