

# Application for Scheduled Monument Consent

Ancient Monuments and Archaeological Areas Act 1979 (as amended) Section 2

To be completed by or on behalf of the applicant in BLOCK CAPITALS or typescript

## 1. Applicants details

Full Name	
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Address			
Postcode		Telephone No.	

## 2. Occupier of the Monument (if not the applicant)

Full Name	
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Address			
Postcode		Telephone No.	

**3. Monument to which the application relates**

Name (if any) of the monument	
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Address	
Or	
Location	

County/ National monument No.		National Grid Ref.	
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**4. Description of the proposed works**


**1. List of plans and drawings accompanying the application**



**1. Any other information relevant to the application**


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I/we hereby apply for scheduled monument consent for the works described in this application and shown on the accompanying plans and drawings

Signature \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Please print name here) \_\_\_\_\_

\*on behalf of \_\_\_\_\_

**\*where an application is being dealt with by an agent to whom correspondence should be sent please state the:**

Name of agent	
Address	
Postcode	Tel No.

**Note** -the Secretary of State may refuse to entertain an application for scheduled monument consent unless it is accompanied by one or more of the following certificates signed by or on behalf of the applicant.

**Forms of Certificate**

**for the Purposes of Paragraph 2(1) of Schedule 1 to the Act**

Certificate in accordance with paragraph 2(1) (a)

It is hereby certified that no person other than the applicant was the owner (x) of the monument to which the accompanying application relates at the beginning of the period of twenty-one days which ended on the date of the application.

Signature \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

Certificate in accordance with  
paragraph 2(1) (b)

It is hereby certified that the applicant has given the requisite notice (w) of the accompanying application to all the persons other than the applicant who, at the beginning of the period of twenty-one days which ended on the date of the application, were owners (x) of the monument to which the application relates, namely (y):

Name    Address

Signature \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

Certificate in accordance with  
paragraph 2(1)(c)

It is hereby certified: -

(1) that the applicant is unable to issue a certificate in accordance with either paragraph 2(1) (a) or 2(1) (b) of Schedule 1 to the Ancient Monuments & Archaeological Areas Act 1979:

(2) that the applicant has given the requisite notice (w) of the accompanying application to the following persons who, at the beginning of the period of twenty-one days which ended on the date of the application, were owners (x) of the monument to which the application relates, namely (y);

Name    Address

and

(3) that the applicant has taken such steps as are reasonably open to him to ascertain the names and addresses of the remainder of the persons who, at the beginning of that period, were owners (x) of that monument and has been unable to do so.

Signature \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

Certificate in accordance with  
paragraph 2(1)(d)

It is hereby certified that the applicant is unable to issue a certificate in accordance with paragraph 2(1)(a) of Schedule 1 to the Ancient Monuments & Archaeological Areas Act 1979, but has taken such steps as are reasonably open to him to ascertain the names and addresses of the other persons who, at the beginning of the period of twenty-one days which ended on the date of the application, were owners (x) of the monument to which the application relates and has been unable to do so.

Signature \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(w) Form AM112A

(x) AOwner means a person who is for the time being owner in respect of the fee simple in the monument or is entitled to a tenancy of the monument, granted or extended for a term of years certain, of which not less than seven years remain unexpired@

(y) Insert names and addresses

**Form of Notice for the Purposes of  
Paragraph 2(1) of Schedule 1 of the Ancient Monuments and  
Archaeological Areas Act 1979:**

Note: This notice should be served by the applicant on all those who own or have an interest in the monument. The names and addresses of those on whom it has been served should be listed on the paragraph 2(1) (b) or 2(1) (c) certificates and should accompany the application form.

**Notice of application for Scheduled Monument Consent**

Delete the words in square brackets, as appropriate, and omit the brackets

**This notice relates to the ancient monument at (x)**


An application is to be made [by] or [on behalf of] (y)


to the Secretary of State for Culture, Media and Sport  
for scheduled monument consent under the Ancient  
Monuments and Archaeological Areas Act 1979 to carry out  
the following works:(z)


An opportunity to make representations with respect to  
the application will be offered by the Secretary of State  
before the application is determined.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

## **ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979**

### **GUIDANCE NOTE FOR APPLICANTS FOR SCHEDULED MONUMENT CONSENT**

Note: This guidance note is not part of the form prescribed by the Ancient Monuments (Applications for Scheduled Monument Consent) Regulations 1981. Its purpose is to assist applicants in completing the form, with a view to avoiding subsequent delays, and to explain the procedure.

1. It is important to note that, unlike planning applications, there is no provision for separate outline and detailed stages in the scheduled monument consent procedure. It should also be noted that the requirements for scheduled monument consent (SMC) is a specific requirement of the Ancient Monument and Archaeological Areas Act 1979, regardless of whether or not planning permission is needed or has been obtained. The possible need for planning permission is an entirely separate matter which applicants for SMC must pursue for themselves. However, if a building is both Scheduled and Listed, ancient monuments legislation takes precedence, by virtue of Section 61 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and scheduled monument consent rather than Listed Building Consent is required for works.

2. SMC applications should describe the proposed works in sufficient detail to enable their impact on the monument to be assessed. Plans and drawings can greatly assist in identifying the works proposed, as well as the exact spot where they will take place. The 1981 Regulations require that the application shall be accompanied by a plan identifying the monument to which it relates, and such other plans or drawings as are necessary to describe the proposed works which are the subject of the application. It will be helpful, and speed processing if two copies of each plan and drawing can be submitted.

3. Where appropriate, information about the materials to be used should be given and the method of works stated (eg: dismantling by hand, treatment of vegetation by use

of etc...). Any disturbance to the ground (at whatever depth) should be described eg: location and depth of service trenches and foundations of in case of new buildings. Before submitting an application concerning major proposals, it is recommended that applicants discuss informally with the County Archaeological Officer or English Heritage (formerly known as the Historic Buildings and Monuments Commission for England), 23 Savile Row, London W1S 2ET (Tel: 0207-973-3000). In addition, commercial applicants should seek professional archaeological advice.

4. Where the Secretary of State considers that she needs further information to enable him to determine the application, she has the power to require such information under the 1981 Regulations. Inevitably, this causes delays, and it is advisable to try to provide adequate details at the outset and, as suggested above, to discuss proposals informally with English Heritage before applying. English Heritage have prepared Guidance Notes to assist applicants in preparing appropriately detailed applications, particularly those involving archaeological excavation.

5. The application form (AM112) must always be signed and dated by the applicant or their agent, as should the appropriate certification section (Part 2) found on the last two pages of the application form, and relating to the applicant's interest in the monument. Where the applicant is not the owner or is only the part-owner of the monument, Paragraph 2(1)(b) and (c) of schedule 1 of the 1979 Act requires that a notice giving a brief description of the proposed works shall be served on all other persons who own or have an interest in the monument (form AM112A is attached for that purpose, if required). Unsigned applications are technically invalid and will be returned, thus delaying the processing of the application. The completed form AM112 should be returned to the Department at the address given below in paragraph 10.

6. After the application has been submitted, the Department is required to consult English Heritage, the Secretary of State's advisers on archaeological matters. Sometimes, English Heritage Inspectors of Ancient Monuments may wish to visit the site to assist their preparation of advice for the Secretary of State.

7. Before determining an application for scheduled monument consent, the Secretary of State must afford the applicant(s) the opportunity of a local hearing (unless

she has already decided that other factors affecting the particular monument justify the holding of a local inquiry). To help you to make your decision as to whether you want a local hearing - which generally take the form of a public inquiry - the Department will notify you of the advice that has been received from English Heritage including, where appropriate, any recommended conditions. In many cases, this notification will be carried out by telephone, but where the application or proposed conditions are complex, you may be sent out the Secretary of State's provisional view. If you confirm at this stage, that you do require a hearing, arrangements will be made accordingly for a suitable date and venue, etc.

8. Please note that it is an offence to commence works of any description (as set out in Section 2(2) of the Ancient Monuments and Archaeological Areas Act 1979) before scheduled monument consent has been formally granted. The only exceptions to this, is those works covered by one of the general consents set out in the Ancient Monuments (Class Consent) Order 1994. In this respect, any letter from the Secretary of State giving a provisional view of a decision in reply to an application does not mean that scheduled monument has been granted, nor does a notification by telephone. You must wait for the formal decision letter to be issued before starting work.

9. All forms should be sent to Mrs U Patel at the Department for Culture, Media and Sport, Architecture & Historic Environment Division(2), 2-4 Cockspur Street, London SW1Y 5DH (Tel: 020-7211-2362), or Miss Anne Middleton (Tel: 020-7211-2352). Our Fax no: 020-7211-2389.