



Ancient Monuments and Archaeological Areas Act 1979

1979 CHAPTER 46

PART I

ANCIENT MONUMENTS

Acquisition and guardianship of land in the vicinity of an ancient monument, etc.

15 Acquisition and guardianship of land in the vicinity of an ancient monument.

(1) References in sections 10 to 12 of this Act to an ancient monument shall include references to any land adjoining or in the vicinity of an ancient monument which appears to the Secretary of State [^{F1}or the Commission] or a local authority to be reasonably required for any of the following purposes, that is to say—

- (a) the maintenance of the monument or its amenities;
- (b) providing or facilitating access to the monument;
- (c) the exercise of proper control or management with respect to the monument;
- (d) the storage of equipment or materials for the purpose mentioned in paragraph (a) above; and
- (e) the provision of facilities and services for the public for or in connection with affording public access to the monument;

(and one of those purposes shall accordingly be sufficient to support the compulsory acquisition of any such land under section 10(1) of this Act, instead of the purpose there mentioned).

[^{F2}Land may be acquired, or taken into guardianship, by the Commission by virtue of this section only if the land is situated in England.]

(2) Land may be acquired or taken into guardianship by virtue of this section for any of the purposes relating to an ancient monument mentioned in subsection (1) above either at the same time as the monument or subsequently.

Changes to legislation: Ancient Monuments and Archaeological Areas Act 1979, Section 15 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) The Secretary of State [^{F3}and the Commission] and any local authority shall have full control and management of any land which is under their guardianship by virtue of this Act after being taken into guardianship by virtue of this section for a purpose relating to any ancient monument, and [^{F4}without prejudice to that generality] shall have power to do all such things as may be necessary—
- (a) for the exercise by them of proper control and management with respect to the land; and
 - (b) for the use of the land for any of the purposes relating to the monument mentioned in subsection (1) above.
- [^{F5}(3A) The power of full control and management of land under guardianship conferred by subsection (3) above includes power—
- (a) to control the holding of events on associated land;
 - (b) to control and manage such events;
 - (c) to require payment of a charge in respect of the holding of such events;
 - (d) to exclude, restrict or otherwise control public access to associated land in connection with such events.]
- (4) The Secretary of State [^{F3}and the Commission] and any local authority may at any reasonable time enter any land which is under their guardianship by virtue of this Act for the purpose of exercising their power under subsection (3) above (and may authorise any other person to do so, and to exercise that power, on their behalf).
- [^{F6}(4A) Subsections (3), (3A) and (4) are subject to any provision to the contrary in the guardianship deed.]
- (5) Section 14(1) and (2) of this Act shall apply in relation to any land taken into guardianship by virtue of this section for any purpose relating to an ancient monument as they apply in relation to a monument, but, apart from any termination of guardianship by virtue of that section, any such land shall also cease to be under guardianship if the monument in question ceases to be under guardianship otherwise than by virtue of being acquired by its guardians or ceases to exist.
- (6) References below in this Act, in relation to any monument of which the Secretary of State [^{F7}or the Commission] or a local authority are the owners or guardians by virtue of this Act, to land associated with that monument (or to associated land) are references to any land acquired or taken into guardianship by virtue of this section for a purpose relating to that monument, or appropriated for any such purpose under a power conferred by any other enactment.
- [^{F8}(7) In subsection (3A) above—
- (a) “events” includes functions and any other organised activities;
 - (b) references to the holding of events, in relation to organised activities, are to be construed as references to the carrying out of such activities.]

Textual Amendments

- F1** Words inserted by [National Heritage Act 1983](#) (c. 47, SIF 78), s. 41, [Sch. 4 para. 41\(2\)](#)
- F2** Words inserted by [National Heritage Act 1983](#) (c. 47, SIF 78), s. 41, [Sch. 4 para. 41\(2\)](#)
- F3** Words inserted by [National Heritage Act 1983](#) (c. 47, SIF 78), s. 41, [Sch. 4 para. 41\(3\)](#)
- F4** Words in s. 15(3) inserted (S.) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011](#) (asp 3), [ss. 7\(3\)\(a\)](#), 33(2); S.S.I. 2011/174, art. 2, Sch.

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- F5** S. 15(3A) inserted (S.) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 7(3)(b)**, 33(2); S.S.I. 2011/174, art. 2, Sch.
- F6** S. 15(4A) inserted (S.) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 7(3)(c)**, 33(2); S.S.I. 2011/174, art. 2, Sch.
- F7** Words inserted by [National Heritage Act 1983 \(c. 47, SIF 78\)](#), s. 41, **Sch. 4 para. 41(4)**
- F8** S. 15(7) added (S.) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 7(3)(d)**, 33(2); S.S.I. 2011/174, art. 2, Sch.

Modifications etc. (not altering text)

- C1** Ss. 12-17 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), arts. 1, **25(2)(xxvi)** (with art. 35)
- C2** Ss. 12-17 functions made exercisable concurrently (E.W.) (with effect in accordance with art. 25(1) of the amending S.I.) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), arts. 2, **25(1)**, **25(1)**, 25(2)(xxvi) (with art. 35)

Changes to legislation:

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3A) inserted by [2023 asc 3 Sch. 13 para. 20\(b\)](#)
- s. 1AA-1AE omitted by [2023 asc 3 Sch. 13 para. 21](#)
- s. 7(4A) inserted by [2016 anaw 4 s. 10\(2\)](#)
- s. 33(1A) inserted by [2023 asc 3 Sch. 13 para. 35\(a\)](#)