

TEES

03 JUN 2004

Mr Peter Rowe  
Tees Archaeology  
Sir William Gray House  
Clarence Road  
Hartlepool  
TS24 8BT

ARCHAEOLOGY

Your Ref

Our Ref HSD 9/2/6366

28 May 2004



Dear Mr Rowe,

**ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979 (AS AMENDED) - SECTION 2  
PROPOSED WORKS AT TWO ROUND BARROWS ON PATTERSON'S BANK,  
GUISBOROUGH, REDCAR AND CLEVELAND  
COUNTY MONUMENT NO 32005  
APPLICATION BY TEES ARCHAEOLOGY**

1. I am directed by the Secretary of State for Culture, Media and Sport to refer to your application for scheduled monument consent dated 4 May 2004 and to your covering letter dated 4 May 2004; location plan at a scale of 1:35,000; location plan at a scale of 1:1000 and detailed proposals prepared by Mr Peter Rowe submitted therewith in respect of proposed works at the above scheduled ancient monument concerning the re-burial of a loose cup and ring marked stone to ensure long-term preservation.
2. In accordance with paragraph 3(2) of Schedule 1 to the 1979 Act, the Secretary of State is obliged to afford to the applicant, and to any other person to whom it appears to the Secretary of State expedient to afford it, an opportunity of appearing before and being heard by a person appointed for that purpose. This opportunity has been declined in your telephone conversation with Richard Evans of the Department on 2 June 2004.
3. The Secretary of State is required by the Act to also consult with the Historic Buildings and Monuments Commission for England (English Heritage) before deciding whether or not to grant scheduled monument consent. Having considered the advice of the Commission, the Secretary of State agrees that the proposed works will be



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beneficial for the preservation of the monument and unlikely to damage archaeological deposits; there is no requirement for archaeological recording.

She is agreeable for the works to proceed providing the conditions recommended by the Commission, and set out below, are adhered to. Accordingly the Secretary of State hereby grants scheduled monument consent under section 2 of the 1979 Act for the proposed works as described and detailed in paragraph 1 above, subject to the following conditions: -

(i) The works to which this consent relates shall be carried out to the satisfaction of the Secretary of State, who will be advised by English Heritage (the Historic Buildings and Monuments Commission for England). At least two weeks notice, (or shorter period by mutual agreement) in writing of the commencement of work and a timetable shall be given to Mrs K Wilson, English Heritage, Bessie Surtees House, 41 Sandhill, Newcastle-upon-Tyne, NE1 3JF, in order that an English Heritage representative can have the opportunity to inspect and advise on the works and their effect in compliance with this consent.

(ii) All those involved in the works must be informed of the scheduled status of the monument, its extent, and the legal obligations which apply.

(iii) Equipment and machinery shall not be used or operated in the scheduled area in conditions or in a manner likely to result in ground disturbance other than that which is expressly authorised in this consent.

(iv) Levelling shall be effected by filling holes and depressions with material imported from outside the scheduled area.

4. By virtue of section 4 of the 1979 Act, if no works to which this consent relates are executed or started within five years from the date of this letter, the consent shall cease to have effect at the end of that period (unless it is revoked in the meantime).

5. This letter does not convey any approval or consent required under any enactment by law order or regulation other than section 2 of the Ancient Monuments and Archaeological Areas Act 1979.

6. Attention is drawn to the provisions of section 55 of the 1979 Act under which any person (hereinafter referred to as the 'applicant') who is aggrieved by the decision given in this letter may challenge its validity by an application made to the High Court within six weeks from the date when the decision is given. The grounds upon which an application may be made to the Court are (1) that the decision is not within the powers of the Act (that is, the Secretary of State has exceeded his powers) or (2) that any of the relevant requirements have not been complied with and the applicant's interests have been substantially prejudiced by the failure to comply. The "relevant requirements" are defined in section 55 of the 1979 Act : they are the requirements of that Act and the Tribunals and Inquiries Act 1971 and the requirements of any regulations or rules made under those Acts.

7. A copy of this letter is being sent to Mrs Wilson at English Heritage, to Robin Daniels, Tees Archaeology, Sir William Grey House, Clarence Road, Hartlepool, TS24 8BT and to Jenny Lee, 7 Wakenshaw Road, Gilesgate, Durham, DH1 1ER.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'L. Al-Kazwini', with a long, sweeping flourish extending to the right.

**Leila Al-Kazwini**  
**Authorised by the Secretary of State**  
**to sign in that behalf**