

NOTICE TO BE GIVEN BEFORE CARRYING OUT IN AN AREA OF ARCHAEOLOGICAL IMPORTANCE,
OPERATIONS WHICH DISTURB THE GROUND, FLOODING OPERATIONS, OR TIPPING OPERATIONS

OPERATIONS NOTICE

ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979: SECTION 35

(To be completed by or on behalf of the Developer (footnote 1), please type or use block letters)

Name
Address
.....
Postcode..... Phone.....
Email

hereby give notice of my/our intention to carry out the operations described below.

A certificate in accordance with section 35 of the Ancient Monuments and Archaeological Areas Act 1979 accompanies this notice *(see second page)*

I/We understand that if within six weeks of serving this notice I/We carry out or cause or permit to be carried out any operations referred to in this notice I/We may be guilty of an offence under section 35 of the 1979 Act.

Particulars of proposed operations

1. Brief description of proposed operations *(footnote 2)*

.....
(Please enclose all relevant plans, sections and other drawings which adequately describe the proposed operation)

2. The Site on which the operations are to be carried out

Name *(if any)*.....

Address or location.....
.....

Ordnance Survey National Grid Reference

(A clear plan showing the extent of the site and a 1:1250 location plan must be provided)

**3.....T
he date on which it is proposed to begin the operations.....**

4. Where the operations are to be carried out after clearance of the site *(footnote3)*, **the estimated date for completion of the clearance operations** *(footnotes 4 & 5)* *(Delete if not applicable)*.....

Signature..... Date.....
on behalf of.....

Please give the name and address of the agent *(if any)* to whom correspondence should be sent.

Name

Address

Postcode..... Phone..... Email.....

SERVICE OF THIS NOTICE

This notice is to be served on the City of York Council, Design and Conservation (2nd floor), West Offices, Station Rise, York, YO1 6GA archaeology@york.gov.uk

A copy should also be sent to breeves@yorkat.co.uk York Archaeological Trust, Cuthbert Morrell House, 47 Aldwark, York, YO1 7BX.

FOOTNOTES

1. "Developer" means any person carrying out or proposing to carry out any operations: (section 35(3) of the 1979 Act).

2. "Operations" means operations which disturb the ground; flooding operations; and tipping operations; (section 35(2) of the 1979 Act). "Flooding operations" means covering land with water or any other liquid or partially liquid substance; (section 61 (1) of the 1979 Act). "Tipping operations" means tipping soil or spoil or depositing building or other materials or matter (including waste materials or refuse) on any land; (section 61(1) of the 1979 Act). A reference to operations on any land includes a reference to operations in, under or over the land in question; (section 41(l)(c) of the 1979 Act).

3. "Clearance of the site" means the demolition and removal of any existing building or other structure on the site and the removal of any other materials thereon so as to clear the surface of the land (but does not include the leveling of the surface or the removal of the materials from below the surface); (section 41(l)(d) of the 1979 Act).

4. "Clearance operations" means operations undertaken for the purpose of or in connection with the clearance of any site; (section 41(l)(e) of the 1979 Act).

5. Immediately on completion of clearance of the site the developer must notify the investigating authority for the **Area of Archaeological Importance** in question. The investigating authority is York Archaeological Trust, Cuthbert Morrell House, 47 Aldwark, York, YO1 7BX. Phone: 01904 663018

6. *It is not necessary to serve a notice in this form in a case where the Areas of Archaeological Importance (Notification of Operations) (Exemption) Order 1984 provides exemption for the proposed operations.*

**CERTIFICATE FOR THE PURPOSES OF SECTION 35 OF THE ANCIENT MONUMENTS
AND ARCHAEOLOGICAL AREAS ACT 1979**

Certificate accompanying an operations notice

1. Name

Address.....

.....

Postcode..... Phone..... Email.....

hereby certify that with regard to the accompanying operations notice dated
(insert date)

given by or on behalf of
(insert name of the Developer in the operations notice)

relating to operations at
(give particulars of the site of the proposed operations)

- (a) I/We have an interest in the site of the operations which (apart from any restrictions imposed by law) entitles me/us to carry out the operations in question; or
- (b) I/We have a right to enter on and take possession of the site of the operations under section 11 (1) or (2) of the Compulsory Purchase Act 1965 (powers of entry on land subject to compulsory purchase);
- (c) This certificate is issued by statutory undertakers entitled to carry out the operations in question by or under the following enactment
(see footnote & insert enactment)

*Tick the box
which applies*

Signed..... Date

on behalf of.....

Please give the name and address of the agent (if any) to whom correspondence should be sent

Name

Address.....

.....

Postcode..... Email.....

2. (To be completed only where the person issuing this certificate is not the Developer)

I.....
(name of person issuing certificate)
hereby state that I have authorised the Developer mentioned in the accompanying operations notice

dated.....
(insert date of operations notice) to carry out the operations referred to in that notice.

Signed.....
(signature of the person issuing this Certificate)

Date.....

NOTE It is an offence for anyone to issue a certificate which contains a statement which they know to be false or misleading.

FOOTNOTE

"Enactment" includes an enactment in any local or private Act of Parliament, and order, rule, regulation, bye-law or scheme made under an Act of Parliament; (section 61(1) of the 1979 Act).