

# REVIEW OF HERITAGE PROTECTION: THE WAY FORWARD – DEPARTMENT FOR CULTURE, MEDIA AND SPORT

Report By: Head of Planning Services

## Wards Affected

1. Countrywide

## Purpose

2. To note proposed changes to the system for protecting the historic environment.

## Financial Implications

3. There are no direct financial implications to the Council resulting from the short term package of proposals which generally affect Government and its agency, English Heritage.
4. The longer-term package of proposals may, however, have financial implications for the council. These are expected to require primary legislation and it is impossible to quantify the cost for implementing such measures until their exact nature is known.

## Background

5. Planning Committee on 3<sup>rd</sup> October 2003 generally supported Government's intentions to improve the system of historic environment designations set out in the Department for Culture, Media and Sport's (DCMS) review consultation document entitled "Protecting our Historic Environment: Making the System Work Better". However, it expressed some concerns, primarily in relation to the financial and staff implications of what was proposed.
6. In June 2004, DCMS published the outcome of its consultation in a document entitled 'Review of Heritage Protection – the Way Forward'. It's conclusion is that: 'A system is needed which is more simple and transparent to the general public and other key stakeholders but which maintains at least the same level of protection for historic assets.' The document also sets out the decisions it has taken following the review.
7. The proposals put forward include measures that DCMS feels will:
  - bring greater clarity for people owning, living in, using and managing historic properties about the significance of those assets; and
  - develop new ways of managing complex sites and partnerships with those who own and manage historic sites.

Some of these reforms could begin quickly and some would need primary legislation and gradual introduction over a period of years. For the latter, a White Paper is expected to be published next year with a view to getting Parliamentary time in 2007.

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Further information on the subject of this report is available from Bill Bloxsome, Conservation Manager  
on 01432 261783

8. The short term measures that will be introduced include the following:

- English Heritage will take over administration of the current listed buildings system from April 2005.
- DCMS and English Heritage will review now the criteria for listing buildings to be followed by a public consultation later in the year.
- English Heritage will construct a 'summary of importance', setting out the reasons for designation for items added to the register.
- With each 'summary of importance' English Heritage will provide a map that shows the extent of listing.
- English Heritage will begin consulting owners and local planning authorities on applications to list buildings from the point at which DCMS hand over responsibility for the administration of listing.
- DCMS will introduce a more formal review process for the process of designating new sites than exists at present, again from the point at which DCMS hand over responsibility for the administration of listing.
- English Heritage will co-ordinate pilot partnership of themselves, local authorities and other parties in sub-regional grouping to test the feasibility of sharing skills, expertise and good practice where shortages exist.
- Government will review the operation of the Ancient Monuments (Class Consents) Order 1994 in order to improve the protection of nationally important archaeological sites from the damaging effects of ploughing

9. The longer term package of measures requiring primary legislation include:

- There will be a single unified 'Register of Historic Sites and Buildings of England'. This will bring together the current regimes of listing, scheduling and registration and incorporate World Heritage Sites. There will also be a 'local section' containing conservation areas and local lists of buildings.
- Different types of historic assets should be integrated into a single register entry on some sites.
- English Heritage will be given statutory responsibility for designating at national level, subject to agreed safeguards.
- Government will put on statute an overarching definition of historic assets.
- A revised system of grading will be introduced. The current Grade I and II\* levels will be combined and renamed G1. The current Grade II level will remain as G2.
- Public consultation will be undertaken on applications for listing with an interim protection put on each asset.
- There will be a statutory rights of appeal to the Secretary of State for owners against decision.

## PLANNING COMMITTEE

1ST OCTOBER 2004

- There will be a new integrated consent regime, unifying Listed Building Consent and Scheduled Monument Consent and administered by local authorities. Also unification of planning permission and conservation area consent will be considered.
  - Government will require local authorities to establish and maintain Historic Environment Records (enhanced version of the Sites and Monument Record).
10. The report concludes that there is much right about the present system and change will not be entered into for change's sake. It is intended that the next three years should be used by English Heritage to test many of the proposals, particularly those for the longer term through a series of pilot projects. Furthermore, DCMS will introduce many of the short term improvements through policy guidance in an incremental fashion.

## Officers Appraisal

11. Officers still remain concerned about the resource and skills implications, especially in relation to the longer term proposals. In the short term, these will predominantly affect English Heritage. Until more detail is available about the longer term proposals, the implications for local authorities remains uncertain.
12. Whilst openness and public consultation are generally welcomed the review appears to view listing as a 'burden' rather than recognising the benefits of heritage protection. There is little recognition of the key role played by the built heritage in regenerating cities, towns and rural areas and its value to tourism, local distinctiveness and culture.
13. The review does not address ways to protect those assets such as conservation areas and buildings of local importance which are identified by local communities. If the new approach is to prove effective, the apparent higher status and significance of such areas and buildings need to be matched by positive proposals to avoid local character being eroded. It remains to be seen whether this issue is covered in the proposed White paper. It is to be hoped that the proposed policy guidance that is to be issued will include criteria for local lists and conservation area statements in order to maintain an appropriate and consistent standard.

## RECOMMENDATION

**THAT the changes put forward in DCMS document "Review of Heritage Protection: The Way Forward" be noted and that a further report be brought to the Committee when the White Paper anticipated on this matter emerges in 2005.**