

THE FUTURE OF OUR PAST – A CONSULTATION ON PROPOSALS FOR THE HISTORIC ENVIRONMENT OF WALES

SUMMARY OF PROPOSALS

The consultation report contains 57 proposals set out (as P1-57) under the following headings:

- P1-P19 Identifying significance: Identifying and protecting historic assets of national significance
- P20-25 Identifying significance: Identifying and designating historic assets of local significance
- P26-P46 Sustaining significance: Managing change in the historic environment, and
- P47- P57 Reviewing the organisational framework for historic environment services in Wales.

Scheduled ancient monuments

P1 proposes that all sites of national importance that furnish archaeological evidence about past human activity in Wales should be given sufficient protection. It is anticipated that only a very small number of rare sites throughout Wales would meet the criteria.

Listed buildings

P2 seeks to allow new List Description entries to state definitively that a part or feature of a listed building, structure or within its curtilage is not of special architectural or historic interest.

P3 seeks to relax the rules governing the issue of certificates of immunity from listing, so that applications could be made at any time.

P4 seeks to formally consult owners, where they are known, LPAs and other parties with a particular interest in an historic building or ancient monument on all applications for designations, which are considered by the Ministers to meet the criteria.

P5 seeks to consider introducing interim protection for ancient monuments and historic buildings that Ministers are minded to designate.

P6 seeks to create a structure for the review of a decision on the designation of an historic building or ancient monument and that this should only be allowed in the 6 months following a decision and to take the form of a complete reconsideration of the case by a person or body appointed by the Ministers.

Historic areas – general

P8 seeks to establish a unified 'Register of Areas of Special Historic Interest in Wales' comprising of: -

- Part 1: Historic Parks and Gardens,
- Part 2: Historic landscapes,
- Part 3: Historic Battlefields.

This would bring together all 3 elements into one on-line resource. This would give wider access to information on Welsh historic areas, and also allow it to be easily updated to reflect additions to the register or changes in the historic environment. Also, LPAs should receive timely and reliable advice to guide their decisions on historic parks and gardens.

Historic areas – parks and gardens

P9 seeks to consider options for requiring the WG to maintain and enhance the register of historic parks and gardens (Part 1) in accordance with published criteria, while

P10 seeks to explore ways of making successive owners aware of their status and

P11 proposes to require LPAs to consult cadw and a nominated amenity body on all planning applications affecting them or their settings.

Historic areas - landscapes

P12 – P14 seek to maintain the register of historic landscapes (Part 2) and establish a mechanism by which new historic landscapes can be nominated or existing areas amended or deleted, also to include them in guidance for the sustainable management of the historic environment and to ensure that this approach is effective in delivering the sustainable management of historic landscapes.

Historic areas – battlefields

P15-P17 proposes to create and maintain a register of historic battlefields (part 3 of the proposed unified 'Register of Areas of Special Historic Interest in Wales'), publish the criteria against which candidate sites are assessed, explore ways of making successive owners aware of register entries and to produce guidance for the protections and sustainable management of both Tier 1 and 2 sites.

Conservation areas

P20 seeks to promote through planning guidance, the use of characterisation as a vital tool in the formulation of proposals for the preservation and enhancement of conservation areas and as the most effective way of undertaking their identification and regular review. This puts urban characterisation studies for the first time onto a more formal footing.

P21 seeks to merge conservation area consent with planning permission. This will hope to simplify the processes for applicants and LPAs and is not intended to reduce levels of protection for these areas.

Historic assets of local significance

P22-24 seeks to explore ways of identifying, formulating and publishing guidance in the preparation of local lists of historic assets of local significance, and develop model LDP policies and SPGs for their protection and management.

P25 proposes to prepare guidance to support the use of characterisation studies of historic assets at a local level.

Heritage Partnership Agreements

P26 proposes to enable the establishment of heritage partnership agreements (HPAs)

between consenting authorities and owners for a programme of permitted works within a fixed period.

P27 proposes to provide greater clarity through guidance on what works do and do not, in the opinion of the WG, require LBC. This would be welcomed.

P28 proposes to provide guidance on the sustainable management of listed buildings based on the *Conservation Principles* document.

P29 wishes to promote a more widespread use of pre-application discussions as part of the LBC process. This is already commonplace within CCBC.

P30 proposes to enable more LPAs to decide certain LBC applications affecting grade II listed buildings without reference to the Ministers after allowing them a fixed time to develop professional expertise at officer level and supporting policies and procedures. This move would be welcomed.

P31 proposes to explore introducing a system that would give applicants a formal assurance that proposed works on a listed building do not require LBC. This would give peace of mind to owners of listed buildings and this is welcomed.

P32 consideration is to be given to streamlining the LBC approval procedure for works that have no adverse effect on a listed building, its setting or any features of special architectural or historic interest that it possesses.

Listed places of worship and ecclesiastical exemption

P33 proposes to update the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 and the guidance on works that are, in the opinion of the WG, covered by the exemption. It is suggested that the EE rules could be extended.

Unauthorised works to listed buildings.

P34-35 proposes introducing a power for LPAs and Ministers to issue a temporary stop notice for unauthorised works to listed buildings and explore ways to ensure fines issued by magistrates' courts will act as effective deterrents.

Historic buildings at risk

P36-40 proposes to promote collaborative working across the WG and other public services to find imaginative solutions for vulnerable and at risk listed buildings in future regeneration and housing renewal projects. The Bill also proposes to complete and review regularly the all-Wales condition survey of listed buildings; develop joint working between the historical environment conservation services of LPAs to promote best practice and support effective enforcement action; target available funding towards historic assets most at risk and extend the use of urgent works notices to occupied buildings, unless they are in residential use.

Scheduled ancient monuments

P41-46 seeks to find effective mechanisms to reduce the extent of damage to scheduled ancient monuments and ensure that SMC conditions are fulfilled and that applications for SMC are processed in a timely and consistent manner.

Strengthening strategic partnerships

P47 proposes to develop and consult on strategic plans for the historic environment sector at 4 yearly intervals, covering each of the three key areas of activity: knowledge, conservation and public engagement.

P48 proposes to create a mechanism to provide independent expert advice to inform the WG's historic environmental policy and the operational work of those who deliver public historic environment services at national level.

Delivery of public historic environmental services at a national level including future delivery of RCAHMW functions.

P49 proposes to bring together the functions of both RCAHMW and Cadw into one integrated service.

P50-51 proposes to consider whether to place a requirement on the Ministers or any new body outside government delivering the merged services to 1) curate, maintain and enhance the NMRW, and 2) survey, investigate and interpret the historic environment.

P52 proposes to consider whether the WG should maintain an online, digital, map-based, publicly accessible record on which all nationally designated and registered historic assets would be depicted and described.

P53 proposes to consider whether guidance should formally recognise national standards for collecting and depositing archaeological archives when undertaking such work in connection with the planning process.

Delivery of historic environment services at a regional and local level.

P54 proposes that Ministers work with the WLGA in encouraging the establishment of formal agreements between groups of local authorities and facilitating greater collaboration to provide services.

P55 proposes to consider whether there are mechanisms to put the HERs on a more formal basis.

Supporting the third sector in providing pan-Wales historic environment services.

P56-P57 proposes a pan-Wales support structure for the heritage third sector in Wales.