



House of Commons
Culture, Media and Sport
Committee

Protecting and Preserving our Heritage

Third Report of Session 2005–06

Volume I



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Preserving our
Heritage**

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Volume I

Report, together with formal minutes

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The Culture, Media and Sport Committee

The Culture, Media and Sport Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Culture, Media and Sport and its associated public bodies.

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Committee staff

The current staff of the Committee are Kenneth Fox (Clerk), Sally Broadbridge (Inquiry Manager), Anita Fuki (Committee Assistant) Rowena Macdonald (Secretary), Jim Hudson (Senior Office Clerk) and Luke Robinson (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Culture, Media and Sport Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 6188; fax 020 7219 2031; the Committee's email address is cmscom@parliament.uk

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Summary

Our country is exceptionally blessed to have a vast wealth of buildings and sites whose heritage value is envied and admired around the world. Whether ancient or contemporary, they are triumphs of design and workmanship, and many have a powerful impact. They touch our lives in many ways: they bring pleasure to communities every day as well as to millions of visitors from this country and from abroad; and they contribute to national pride, remind us of our history and provide a springboard for regeneration and economic prosperity. Much has been lost through war and misguided development, and to allow further loss of our built heritage through neglect would be a calamity for which future generations would not forgive us.

We entrust protection of historic buildings and sites to the planning regime. Planning guidance has served us well but not perfectly: there are some serious defects (such as controls over demolition in conservation areas) which should be put right without delay. We do not have up-to-date comprehensive records for each of our historic assets, and there are inconsistencies in the regime for designating sites as having particular value. The Government, rightly, has decided to introduce a series of reforms to clarify and simplify the heritage protection system. An underlying principle of this reform programme is devolution of responsibility to more local levels. This is to be applauded, but the burdens will fall very much on local authorities, many of which are already failing to meet their existing responsibilities for the historic environment. The Government must recognise these extra burdens and provide the resources to local authorities to bear them. It should also give a stronger signal to local authorities that the historic environment matters, by designating as statutory a set of minimum services and standards for management of the historic environment.

For preservation, we rely heavily on the general public. Private owners maintain many thousands of residential and commercial listed buildings; and churches, which constitute 45% of all Grade I Listed buildings in the country, are kept standing by their congregations. Voluntary effort through building preservation trusts and amenity societies plays a huge part in rescuing buildings at risk from oblivion; and it is the general public which buys the Lottery tickets which enable the Heritage Lottery Fund to continue its outstanding work in revitalising public buildings and places.

A serious funding shortfall has forced English Heritage, however, to scale back on grant aid and other forms of support. Cathedrals, for instance, receive minuscule grants in proportion to their needs, despite their focal position in cityscapes and their significant tourism value. Private owners of heritage properties suffer particularly from cutbacks by English Heritage, as the Heritage Lottery Fund is largely constrained from funding repairs or maintenance for properties in private ownership. In any case, money for the Heritage Lottery Fund has fallen in recent years and is likely to continue to fall, both because of the demands of the London 2012 Olympics and because of new policies on the handling of balances. Despite an aggressive modernisation programme, English Heritage nonetheless retains a core of expertise which must not be lost. If the Government really cares about the historic environment, it must give English Heritage the money and the political support to enable it to play a more active part in aiding repair and to gain the confidence to challenge

poor practice more strongly. The alternative is for the sector to lose confidence in English Heritage, which would be disastrous.

There are doubts about whether policy responsibility for the historic environment should continue to rest with the Department for Culture, Media and Sport. It does not seem to have an impressive score-sheet in inter-departmental negotiations. On rates of VAT chargeable on repairs to listed buildings, it is impossible to tell whether it has not made the case for a reduction or whether it has failed in its attempts to persuade the Treasury. The existing regime rewards owners who allow buildings to decay to such a state that substantial alteration or demolition are the only practical courses; and it is perverse in favouring alterations and new-build rather than repair. This is wrong and illogical, and it is inexplicable that the Treasury did not at least take steps to ensure that it had the option to introduce a reduced rate. Despite DCMS's patchy record, however, there is no other department which would clearly offer a better home for responsibility for the historic environment. DCMS should continue to represent heritage in Government, but it should do so with more energy; and it should be supported by Green Ministers as the vehicle for conveying the message that heritage has a cross-departmental value and that re-use of heritage sites displays good practice in environmental sustainability.

Ultimately, the sustenance of the nation's heritage will depend very much on the importance which the public places upon it. DCMS is clearly aware of this and has identified public engagement with heritage as a priority. Awareness begins with young children, and the effort by DCMS and the Department for Education and Skills to increase the use of heritage buildings and sites as learning opportunities is well directed. DCMS should now impress upon the Department for Communities and Local Government the importance of updating planning guidance to take account of the significance of archaeology and the built historic environment. It should also bear in mind that the number of visits to designated sites is a partial and rather unsatisfactory measure of the public value of heritage.

All in all, DCMS is well-meaning towards built heritage and seems to be guided by sound principles, but it must secure more money from the 2007 Comprehensive Spending Review if future public funding for the historic environment is to match the public value placed upon it. Heritage assets, once lost, cannot be replaced: they are a very special resource and we are only now beginning to realise their full benefits.

1 Introduction

The inquiry

1. In February 2000 the Government asked English Heritage to co-ordinate a wide-ranging review of all policies relating to the historic environment. On delivering the report to the Secretaries of State who had commissioned it – those for Culture, Media and Sport and for the Environment, Transport and the Regions – the Chairman of English Heritage spoke of the review as a “once in a generation opportunity”. That report was *Power of Place*, published in December 2000; the report made 18 headline recommendations, some for central Government and others for local government, heritage organisations, owners and developers. In his covering letter, the Chairman of English Heritage went on to say that “there is no need for immediate legislation but there is a strong need for immediate action” and that many of the recommendations could be acted upon straight away.

2. Just over five years on from that report, anxiety pervades the sector. Apprehension about the future capacity of English Heritage, a lack of confidence in the standing of heritage within Government priorities and in the commitment of DCMS, the impact of the successful London bid to host the 2012 Olympics and uncertainty over the amount which will be available from the Lottery for heritage have combined to generate widespread alarm throughout the heritage sector.

3. The Committee therefore concluded that the time was ripe for an inquiry to raise the profile of heritage and its wider value, hear the arguments from a sector which claimed to have been neglected, and identify ways of changing policy in such a way as to meet priorities of both Government and those actively involved in protecting and preserving heritage. In doing so, we note that this is the first inquiry by a Parliamentary select committee to take a broad-based look at the nation’s built heritage since 1994.¹

4. Our inquiry has been given added impetus by the imminent publication of a long-trailed Heritage White Paper, flowing from a review of the heritage protection regime.

Course of the inquiry

5. The inquiry was announced on 15 November 2005. The terms of reference were:

- What the Department for Culture, Media and Sport should identify as priorities in the forthcoming Heritage White Paper;
- The remit and effectiveness of DCMS, English Heritage and other relevant organisations in representing heritage interests inside and outside Government;
- The balance between heritage and development needs in planning policy;
- Access to heritage and the position of heritage as a cultural asset in the community;

¹ Third Report of the National Heritage Committee, HC139, Session 1993-94, *Our Heritage, preserving it, prospering from it*.

- Funding, with particular reference to the adequacy of the budget for English Heritage and for museums and galleries, the impact of the London 2012 Olympics on Lottery funding for heritage projects, and forthcoming decisions on the sharing of funds from Lottery sources between good causes;
- What the roles and responsibilities should be for English Heritage, the Heritage Lottery Fund, local authorities, museums and galleries, charitable and other non-Governmental organisations in maintaining the nation's heritage; and
- Whether there is an adequate supply of professionals with conservation skills; the priority placed by planning authorities on conservation; and means of making conservation expertise more accessible to planning officers, councillors and the general public.

6. The call for evidence elicited a tremendous response, so much so that the Committee decided that it would be unrealistic to address in a single report issues relating to built heritage, museums and galleries, cultural property and archives. In this report we concentrate upon the historic environment, namely built heritage and archaeology. The evidence which we received on heritage objects (including works of art), the museums sector, archives and cultural heritage, although not central to this report, has nonetheless been published and we intend to draw upon it for a follow-up inquiry.² We are as always grateful to those who made submissions.

7. For oral evidence we heard from amenity societies, the National Trust (as the largest charitable owner of heritage assets), the Historic Houses Association and the Country Land and Business Association, the Heritage Lottery Fund, Heritage Link (an umbrella body for the sector), English Heritage, and the two Government departments most closely involved in built heritage – the Department for Culture Media and Sport and the then Office of the Deputy Prime Minister (now the Department for Communities and Local Government). We also devoted part-sessions to the church estate (including redundant churches), archaeological heritage, urban regeneration using heritage assets, and the view from professional organisations representing local authority practitioners.

8. We undertook two visits in connection with the inquiry. The first, to Lincoln, illustrated the problems faced by a regional city acknowledging the need to do more to protect its historic assets, which include an iconic building – Lincoln Cathedral – where maintenance is a particular challenge. In the course of the day we also travelled to Doddington Hall, just outside the city, to gain an impression of the position for private owners of substantial houses of architectural merit. A second visit, to Liverpool, demonstrated the potential of urban heritage buildings to reinvigorate localities in danger of decline. We gained a great deal from both visits and wish to record our thanks to our hosts.

9. We also had the assistance of two Specialist Advisers: Mr Bob Kindred, currently Borough Conservation Officer at Ipswich Borough Council and a founding Director of the Institute of Historic Buildings Conservation; and Mr David Sekers, a trustee of Heritage

² See main volume of written evidence, published as HC 912-II, Session 2005-06. Additional written evidence is published along with oral evidence in HC 912-III, Session 2005-06. All footnote references to written evidence are to page numbers in HC 912-II unless specified otherwise.

Link with experience of heritage and museum management. We are most grateful to them both for their contributions.

What constitutes the historic environment?

10. The historic environment covers a huge range:

- Buildings, ensembles and sites of international significance, some of which are recognised as World Heritage Sites;
- Set piece country houses and estates, built as displays of wealth, impressive in scale and splendour and now in many cases major tourist attractions;
- Ecclesiastical buildings, from cathedrals through urban Victorian churches to rural parish churches or chapels, both in active use and redundant. Some are extravagant in concept, some very humble;
- Townscapes, composed often of buildings which are familiar to people and have played a direct part in their lives (such as schools, civic buildings and pubs). Very often such buildings will be the focus of conservation areas;
- Surface, maritime and below ground archaeology;
- Commercial and industrial buildings, many of which date from the Industrial Revolution;
- Civic buildings constructed to house public services;
- Historic parks and gardens, cemeteries, battlefields, monuments; and
- The repertoire of individual domestic and vernacular buildings of all ages which populate the country.

11. It is important to remember that, in heritage terms, we are dealing not just with individual buildings but with ensembles and indeed settings such as gardens and parklands. A Georgian town house is likely to be worthy of preservation in its own right; but a street of such houses acquires a wholeness which is easily lost. Likewise, a more workaday urban neighbourhood may derive its character from the haphazardness of its assembly; yet it is the overall character which may be valued as much as the ingredients. The same can apply to large sites dating from the 20th century such as university campuses: we were told that landscaping and buildings were often integrated in such a way that “if you destroy one you destroy the quality of the other”.³

The value of heritage

12. At a fundamental level, heritage buildings and monuments have an intrinsic value, expressing our culture and creative skills. They are distinct to the nation and reflect our

³ Ms Cherry and Mr Wilkinson Q 7

identity. Once destroyed, heritage assets (particularly archaeological sites such as round barrows or hill forts) cannot be recreated.⁴

13. The benefits of the historic environment are wide and extend beyond the core DCMS remit. Contributors to the inquiry frequently pointed to the improved quality of life and the “sense of place” which the historic environment provides.⁵ At a time when the Government is attaching high priority to the regeneration of urban settings and the wellbeing of communities, the role that heritage buildings can play as a source of local pride and in providing a focus for redevelopment should not be underestimated. In Lincoln, for example, much of the historic core lies adjacent to deprived wards; the City Council told us that investment in the historic environment had provided employment opportunities and better access to services and facilities, and that it had contributed to regeneration and social inclusion.⁶ Others made similar points and suggested that the link between heritage and regeneration led to economic prosperity, something which was increasingly being recognised.⁷

14. The former ODPM Select Committee undertook a thorough investigation in 2004 into the role of historic buildings in urban regeneration,⁸ and its conclusions are often cited by the sector. We saw evidence of the impact of heritage-led regeneration in Liverpool, particularly in the Rope Walks area, where grant incentives from the City Council had acted as a catalyst, attracting innovative developers to take on the adaptation and re-use of decaying commercial structures. Early investment in public realm – in particular new squares – enhanced the sense of neighbourhood and inspired confidence among the public and stakeholders in the area’s viability. A similar approach, using high quality public realm as a catalyst, was used in Grainger Town in Newcastle-upon-Tyne.⁹ Lincoln City Council also stressed the benefits of public realm in creating a high quality setting for the historic fabric and a gateway to the historic area. The necessary funding for enhancement of public realm was however difficult to secure in Lincoln outside designated regeneration areas; the Council noted that the majority of funding streams were output-focused and that it was “difficult to make a case that public realm improvements ... contributed direct economic or employment benefits”.¹⁰

15. Many witnesses emphasised that the success of heritage-led regeneration depended on good communication of the value of heritage at an early stage so that potential conflicts could be resolved with better understanding of the positions on both sides.¹¹ We heard that developers were increasingly recognising that heritage and development were not inevitably in conflict.¹²

⁴ Association of Local Government Archaeological Officers Ev 44; Dr O’Reilly Q 113

⁵ Architectural Heritage Fund Ev 15; ALGAO Ev 44

⁶ Memorandum by Lincoln City Council [not printed]

⁷ Head of Cambridgeshire County Council Archaeology Service Ev 71; Dr Thurley Q 357

⁸ *The Role of Historic Buildings in Urban Regeneration: Eleventh Report from the ODPM Select Committee, Session 2003-04, HC47-1*

⁹ Q 355

¹⁰ Memorandum by Lincoln City Council [not printed]

¹¹ For instance Manchester City Council Ev 235; ALGAO Ev 46; and Heritage Link Ev 159

¹² Mr Gill Q 154; see also AHF Ev 16 and Heritage Link Ev 159

16. Another strength of conservation-led regeneration is its environmental sustainability; the Campaign to Protect Rural England stated that refurbishment often used less energy and fewer resources in the long run, and others put forward the same argument.¹³ Adaptive re-use (where practicable) was seen as the ideal, although it was generally acknowledged that some building types and structures would not be suitable for a new use without a level of alteration that would devalue their intrinsic merit and that finding sympathetic new uses for some redundant historic buildings could be so challenging that few, if any, workable proposals were brought forward.¹⁴

17. Major heritage sites attract significant levels of tourism. VisitBritain told us that culture and heritage “remains the main appeal of any consumer interest in Britain – both internationally and domestically”.¹⁵ The benefits attributable directly to heritage (and the local income which would not have been generated had the heritage asset not existed) are difficult to calculate. The Cathedrals Fabric Commission placed a possible figure of £91 million on the direct economic impact per annum of visitors to cathedrals: it suggested that this figure would rise to £150 million if indirect impacts were to be included.¹⁶

Structure of the report

18. Even having selected the historic environment as a focus for this report, the scale of the subject was still so large that we could have held an inquiry into any one of a number of strands, such as the listing process, ecclesiastical buildings, the state of archaeological practice, or class consents. Some of these have recently been examined thoroughly by DCMS (or are due for review in the near future). Our inquiry is not therefore an attempt to resolve all the issues raised in evidence: it is a bird’s eye view report, looking at the overall approach by Government and others to historic environment policy. We hope to achieve some political impetus for wider recognition in Government and among the public of the value of built heritage to people’s lives.

19. Our starting point is to look at the main players, their roles and their success in performing in those roles. We then look at the structures and policies which have grown up to recognise and protect the built environment. These two sections form the bulk of the report. We then examine two thematic issues: places of worship and engagement by the public.

¹³ Ev 74, Maintain Our Heritage Ev 232

¹⁴ Mr Babb Q 136

¹⁵ Ev 344; also Mr Burton Q 62

¹⁶ Ev 79

2 The main players

English Heritage

Range of responsibilities

20. English Heritage was established under the National Heritage Act 1983 as an executive non-departmental public body with the following duties:

- To secure the preservation of ancient monuments and historic buildings situated in England;
- To promote the preservation and enhancement of the character and appearance of conservation areas situated in England, and
- To promote the public's enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation.¹⁷

In carrying out these duties, English Heritage (formally constituted as the Historic Buildings and Monuments Commission for England) is required to provide educational facilities and services, instruction and information to the public, and it may give advice in relation to historic assets (both solicited and unsolicited), fund or carry out research, or maintain records.¹⁸

21. In practice this means that English Heritage has regulatory functions, administering much of the heritage protection regime; it acts as the Government's statutory adviser on the historic environment; it distributes grants for repairs (for instance to places of worship and to private owners); it is a source of expertise for local authorities and voluntary organisations, helping them to preserve built heritage by developing their capacity and in some cases (for instance national statutory amenity societies) providing funds. English Heritage is also a custodian and manager of over 400 properties, many of which it operates commercially.

22. The list may be long but it has been increasing steadily. New duties flowed from the National Heritage Act 2002, which assigned English Heritage responsibilities for maritime archaeology in English coastal waters, modifying the agency's functions to include securing the preservation of ancient monuments in, on, or under the seabed. English Heritage told our predecessor Committee in 2005 that the Act had increased English Heritage's area of responsibility by 70% and had "brought in whole new areas of work".¹⁹ Since then, English Heritage has taken on (from DCMS) responsibility for day-to-day administration of the system for listing buildings of special architectural or historical interest. In neither case have additional resources been allocated specifically to help meet the new responsibilities.

¹⁷ National Heritage Act 1983, section 33

¹⁸ National Heritage Act 1983, section 33

¹⁹ *Maritime Heritage and Historic Ships*, Fourth Report of the Culture, Media and Sport Select Committee, HC 296, Session 2004-05, Ev 45.

23. The Heritage Protection Review, if implemented in the form being proposed by DCMS at the time of this inquiry, would add to English Heritage's responsibilities in the designation of historic assets (formalising the administrative duties for listing already transferred), would require English Heritage to provide "comprehensive" information about why an asset has been designated,²⁰ and would place a responsibility on English Heritage to broker and oversee Heritage Partnership Agreements (new management options for extensive or complex historic sites). English Heritage also notes that it will need to put time, effort and resources into developing appropriate guidance to a marine planning authority on the implications for the marine historic environment arising from the Marine Bill now under preparation by DEFRA.²¹

The possibility of conflict between roles

24. The National Trust was one of a number of bodies submitting evidence identifying tensions between the various roles. It feared that when resources were tight, English Heritage would be placed in the "invidious" position of having to make choices between its various roles.²² The Campaign to Protect Rural England (CPRE) suggested that "chronic funding pressures" were driving English Heritage to become more commercial, which could ultimately compromise its role.²³ The Architectural Heritage Fund was uncomfortable about what it saw as "an inherent contradiction" in English Heritage's functions as on the one hand a Government-funded instrument of Government policy and on the other a champion of the heritage sector.²⁴ Save Britain's Heritage added that English Heritage currently spent "much time and energy trying to meet Government's wider agenda rather than focussing on the core work it can do so well", and it encouraged English Heritage not to be afraid of asserting its independence.²⁵

25. The Campaign to Protect Rural England described English Heritage's roles as regulator and as distributor of grants as "by far the most important" and saw its ability to continue to engage in casework and if necessary engage in major public inquiries as "crucial".²⁶ English Heritage itself is planning a shift towards what it describes as "constructive conservation", entailing "a substantial reorientation of our activities and the way we work", a greater emphasis on access and other customer-oriented qualities and "a disengagement from some of the more detailed, hands-on activities and in-house delivery with which English Heritage has traditionally been associated"²⁷. Some, such as Philip Venning, Secretary of the Society for the Preservation of Ancient Buildings, have queried whether this means a shift to a less confrontational image and "a retreat from detailed casework and from high-profile issues that might upset the Government and developers".²⁸ Our attention was

²⁰ Ev 135

²¹ Ev 134, HC 912-III (Session 2005-06)

²² Ev 274; see also Ms Garnham Q 84

²³ Ev 75

²⁴ Ev 16

²⁵ Ev 319; also Civic Trust Ev 97

²⁶ Ev 75

²⁷ Ev 138, HC 912-III (Session 2005-06)

²⁸ *Cornerstone Vol 26, No 3, 2005*

drawn to a number of cases where English Heritage had been accused of having taken an inconsistent approach in defending heritage sites from development: some of these have indeed been bruising for English Heritage.²⁹

26. In recent years, English Heritage has devoted more effort to capacity building, and one of the three elements of its “constructive conservation” approach described above is the provision of “training to ensure that decision-makers have the necessary skills and knowledge”.³⁰ This takes many forms: expanding the historic environment knowledge base among local authorities,³¹ both elected representatives and officers, and promoting higher professional standards and practices in the management of the historic environment and in better crafts skills for practical repair. The National Trust described as “very helpful” English Heritage’s efforts in helping the voluntary sector build its capacity.³²

27. Other witnesses noted English Heritage’s important strategic research role.³³ Its efforts in cataloguing the extent and state of the nation’s heritage through the *Heritage Counts* thematic annual reports were widely praised.³⁴ No other body is equipped to carry out such a task.

28. English Heritage also acknowledges its function in promoting the historic environment as an education tool and is recognised as a leader in heritage education.³⁵ English Heritage itself notes that “while substantial progress has been made in outreach and events, the pace of delivery has been slower in education”; and the total number of educational visits to English Heritage sites in 2004/05 was 6.14% lower than the target figure and 4.25% lower than the 2003/04 figure.³⁶ English Heritage told us that the market for attracting schoolchildren to sites was “incredibly competitive” and that English Heritage had felt the effects of increased investment in regional museums, which had received funding under the *Renaissance in the Regions* programme, allowing the development of “very professional and very attractive education programmes”.³⁷ Dr Simon Thurley, Chief Executive of English Heritage, agreed that more needed to be done to provide on-site, direct teaching, even though this was costly.³⁸

29. Despite concerns about conflicting roles, there was a strong view expressed in written and oral evidence was that English Heritage had done its best in the circumstances and was still a valued source of expertise,³⁹ but that it was coming under immense strain and that the situation was becoming critical. We also heard criticism, indeed, of English Heritage’s “modernisation programme”, which has led to a loss of experienced and expert staff. We

²⁹ For example the Baltic Exchange and the Heron Tower at Bishopsgate: Ev 50

³⁰ Ev 132, HC 912-III (Session 2005-06)

³¹ Dr Thurley Q 323; Mr Lammy Q 372

³² Q 67

³³ ALGAO Ev 47; Mr Burton Q 67

³⁴ Joint Committee of National Amenity Societies Ev 219; National Trust Ev 273

³⁵ Ev 134, HC 912-III (Session 2005-06)

³⁶ English Heritage Report and Accounts 2004-05, pages 8 and 9

³⁷ Q 347

³⁸ Q 347

³⁹ Mr Babb Q 145; Ms Souter Q 254

refer to this further in paragraph 34 below. English Heritage supplied figures for grant-in-aid since 2000/01, which we reproduce below in tabular and graph form:

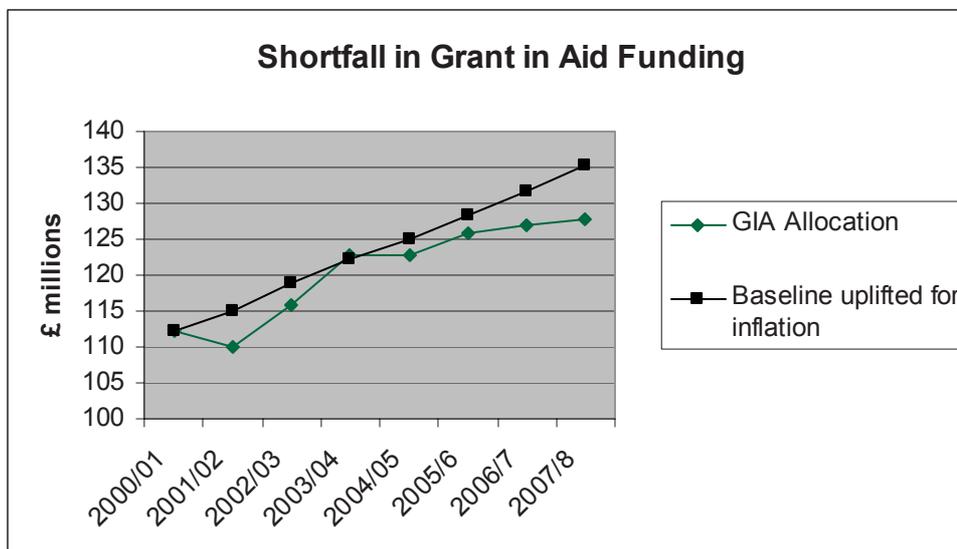
Table 1: Grant-in-Aid to English Heritage: 2000-01 to 2007-08

| | 2000/1 £m | 2001/2 £m | 2002/3 £m | 2003/4 £m | 2004/5 £m | 2005/6 £m | 2006/7 £m | 2007/8 £m | Sum of variance over eight years in £m |
|------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---|
| Grant in Aid Allocation | 112.1 | 109.9 | 115.9 | 122.9 | 122.9 | 125.9 | 126.9 | 127.9 | |
| Treasury GDP Deflator | 90.2 | 92.5 | 95.4 | 97.9 | 100.0 | 102.4 | 104.9 | 107.7 | |
| Baseline uplifted for inflation | 112.1 | 115.0 | 118.6 | 121.7 | 124.3 | 127.3 | 130.4 | 133.9 | |
| Variance against uplifted baseline | 0.0 | -5.1 | -2.7 | +1.2 | -1.4 | -1.4 | -3.5 | -6.0 | -18.9* |

*Cash shortfall for constant real base 2000/01 to 2007/08

Source: English Heritage

Table 2: Grant-in-Aid to English Heritage, 2000-01 to 2007-08, in graph form



Source: English Heritage

30. We received statistics from Mr Michael Coupe, a former Head of Land Use, Planning and Regeneration at English Heritage, suggesting that the buying equivalent in 2004-05 of the grant-in-aid received by English Heritage in 1994-95 would be £141 million (using the Retail Price Index) or £192 million (using the Tender Price Index, which reflects construction costs and is perhaps more relevant to an organisation which provides funding

for repair). When compared to the actual Grant-in-Aid in 2004-05 - £122.9 million – Mr Coupe calculated the shortfalls as £18.3 million and £69.2 million respectively.⁴⁰

31. Even using the figures supplied by English Heritage itself, the outcome is a notional cumulative deficit of £18.9 million over seven years, measured against a baseline uplifted in line with inflation. In the eyes of the heritage sector, this real terms decline in funding has led directly to a steady diminution in the level of grants,⁴¹ the stalling of the Monuments Protection Programme (evaluating archaeological sites not protected by designation), delays to work on processing applications to list buildings, a reduction in English Heritage's ability to document historic assets (for instance, we were told that it has undertaken a number of valuable initiatives to record industrial heritage, none of which had been completed)⁴², and under-resourcing of historic landscapes.⁴³

32. Grant aid for repairs to privately-owned buildings, for partnerships set up by building preservation trusts and other charities, for publicly-owned buildings, for cathedrals, and as area-based grants including conservation areas, has also seen significant reduction:

Table 3: English Heritage grant aid for repairs 1995-96 to 2005-06

| Year | Privately-owned buildings | Building Preservation Trusts | Charities | Publicly-owned buildings | Cathedrals | Areas |
|-------------|----------------------------------|-------------------------------------|------------------|---------------------------------|-------------------|--------------|
| 95/96 | 2.3 | 1.6 | 0.6 | 3.2 | 4.3 | 13.3 |
| 96/97 | 2.2 | 1.7 | 0.2 | 2 | 3 | 11.8 |
| 97/98 | 2 | 1 | 0.5 | 1.9 | 2 | 8.9 |
| 98/99 | 3.6 | 0.7 | 0.6 | 1.9 | 3 | 6.5 |
| 99/00 | 2.8 | 1.3 | 0.4 | 3.2 | 3.1 | 8.7 |
| 00/01 | 3.5 | 0.5 | 0.7 | 2.9 | 2.9 | 8.6 |
| 01/02 | 3.3 | 1.5 | 0.4 | 2.2 | 2.5 | 9.6 |
| 02/03 | 1.4 | 1 | 0.3 | 2.1 | 2 | 6.6 |
| 03/04 | 2.1 | 0.1 | 0.3 | 1.9 | 1.9 | 9.8 |
| 04/05 | 1 | 0.7 | 0.7 | 2.4 | 2.1 | 7.7 |
| 05/06 | 0.5 | 0.1 | 0.3 | 0.7 | 1 | 4.3 |

Amounts in £ million

Source: English Heritage

⁴⁰ Michael Coupe supp memo Ev 122, HC 912-III (Session 2005-06)

⁴¹ HHA Ev 186, Association of English Cathedrals Ev 29, Architectural Heritage Fund Ev 17, CPRE Ev 72

⁴² Association for Industrial Archaeology Ev 42

⁴³ Association of Garden Trusts Ev 37

33. The Campaign to Protect Rural England stated simply that the lack of sufficient funding for English Heritage had “serious implications for its ability to perform its duties effectively”.⁴⁴ The Church Heritage Forum remarked that under-resourcing was placing the organisation under stress and that there was a danger that its quality of work would decline;⁴⁵ Mr Saunders, Secretary of the Ancient Monuments Society, said that English Heritage was being “starved”;⁴⁶ and the National Trust told us that the situation was deteriorating to such an extent that “at the end of the day...we will have to reinvent a better funded English Heritage”.⁴⁷ English Heritage itself warned that a further decline in the value of grant-in-aid would lead directly to a reduction in services.⁴⁸ It should be remembered that the decline in funding takes place in the context of an extension of responsibilities.⁴⁹ **We are in no doubt that the decline in real terms in grant-in-aid to English Heritage has led to justified fears that English Heritage will in future be unable to carry out its functions to the standard required. There is a real prospect that the condition of heritage assets will worsen and that grassroots organisations and local authorities will lose confidence in English Heritage’s ability to provide the support which they need – whether that be grant funding or expert advice. It is also essential that the key role provided by English Heritage expert advice and leverage funding in delivering regeneration of historic city and townscapes and World Heritage Sites, is understood and supported by the Department of Communities and Local Government; and DCMS must ensure that the role is communicated effectively. DCMS needs to take action to ensure that English Heritage can fulfil its functions properly, and we make specific recommendations on this point at paragraph 61.**

Modernisation

34. In 2002, English Heritage underwent a Quinquennial Review which led to a far-reaching restructuring of the organisation. English Heritage told us that the restructuring had made it “a much fitter organisation” and had enabled it both to “move towards a more strategic role” and to ensure that it was able “to identify and communicate the sector’s priorities more clearly”.⁵⁰ In practice, the restructuring involved the turnover of some 11% of posts. English Heritage told us that the lost posts represented partly “bureaucracy” and partly expertise which was deemed to be not well matched to client needs.⁵¹ Some evidence welcomed the changes,⁵² but more often we were told that morale had suffered, expertise had been lost, and that English Heritage had been distracted from its main purpose.⁵³ Ms Pugh, Secretary of Heritage Link, told us that the latest restructuring had lost some extremely long-standing, experienced individuals and that expertise in some areas was

⁴⁴ Ev 74

⁴⁵ Q 201

⁴⁶ Q 20

⁴⁷ Q 67

⁴⁸ Ev 135, HC 912-III, Session 2005-06

⁴⁹ Mr Wilkinson Q6; see also Ev 6, 74

⁵⁰ Q 316 and Ev 131, HC 912-III, Session 2005-06

⁵¹ Q 316

⁵² Mr Hinton Q 222

⁵³ Cathedrals Fabric Commission Ev 77 and Wessex Archaeology Ev 347

“now spread extremely thinly”.⁵⁴ The Prospect trade union (to which many English Heritage staff belong) told us that the “efficiencies” forced upon English Heritage by the funding shortfall had led to the loss on retirement and redundancy of many staff involved in giving casework advice to inform policy. It found the losses worrying, coming at a time when the need for such expertise was if anything increasing.⁵⁵ English Heritage itself acknowledged that reorganisation had led to a drop in morale but maintained that it was now “in pretty fit fettle”.⁵⁶

35. The restructuring arising from the Quinquennial Review followed hard upon an earlier decision to decentralise to English Heritage’s regional bases, which had inevitably led to a degree of disruption and relocation. In 2004 a third Government-sponsored review was held, this time into the division of responsibilities between English Heritage and the Heritage Lottery Fund.⁵⁷ Together, the three reorganisation programmes combined to give an impression of constant internal change, when what was perceived as being most needed was a period of stability.⁵⁸

36. We were surprised, therefore, when DCMS announced that a Peer Review would be set up to examine what English Heritage had achieved through its modernisation programme, as well as issues concerning English Heritage’s role, strategy and resources, and external relationships, and how the organisation (and Government) gained recognition for the historic environment.⁵⁹ English Heritage told us that the review was “excellent”, that it had commissioned the review jointly with DCMS and that it would be “improper” not to have a review examining whether the faults identified by the Quinquennial Review had been overcome.⁶⁰ English Heritage also noted that the terms of reference were not to make recommendations for radical change and it described the exercise as “an opportunity rather than a threat”.⁶¹ **While we commend the positive approach to the Peer Review adopted by English Heritage – at least in public – we are not convinced that this is a good time for further examination of English Heritage’s internal structures and method of operation. We strongly encourage the Peer Review to bear in mind that a period of stability and confidence-building is needed at English Heritage, both for its own good and to permit sound medium-term planning with stakeholders.**

37. **We endorse the efforts of English Heritage to become more responsive to the wishes of the public and those partners it needs to work with, and we believe this approach will pay long-term dividends. However, refashioning should not be at the expense of its functions as regulator and source of advice: no other body has the expertise to provide such a service. It is not clear how English Heritage’s ethos of constructive conservation will manifest itself, but it should not be allowed to develop into a willingness to be**

⁵⁴ Q 275

⁵⁵ Ev 294

⁵⁶ Q 317

⁵⁷ Review of the Structures of Government Support for the Historic Environment in England, DCMS/PKF, May 2004

⁵⁸ Association for Industrial Archaeology Ev 42, CPRE Ev 72; Heritage Link Ev 161

⁵⁹ Letter from Mr David Lammy, Minister for Culture, DCMS, to Chairman of the Committee, 19 April 2006 [not printed]

⁶⁰ Q 319

⁶¹ QQ 320 and 322

accommodating to all. It should not run away from taking principled and possibly exposed decisions defending historic assets from inappropriate development.

The Department for Culture, Media and Sport

Heritage policy role within Government

38. Formal responsibility for safeguarding the historic environment may rest with DCMS, but the subject is inextricably linked to policies across departmental boundaries. Chief among these are responsibilities at the Department for Communities and Local Government for planning and regeneration, where it falls to DCMS to liaise in order to represent heritage protection. Other examples of crossover include Treasury policy on VAT, specifically the rating for repairs; policy on roads and public realm at the Department for Transport (Stonehenge being the most obvious example); policy on the natural environment, where private owners may find themselves looking to bodies sponsored separately by DCMS and DEFRA for policy guidance or grant support; and the use of heritage as an educative tool, where DfES has a major interest.

39. The heritage sector sees DCMS as not only having policy responsibility for the historic environment but also as being the champion within Government, a role which DCMS acknowledged in its 2001 policy paper *The Historic Environment: A Force for our Future*.⁶² Many, however, registered disappointment that DCMS appeared to have achieved little for the sector in negotiations within Government. The National Trust argued that DCMS had failed to influence the Department for Transport in limiting damage to the historic environment caused by expansion of Stansted Airport, had failed to influence the Office of the Deputy Prime Minister in the shaping of the Sustainable Communities programme, and had made little effort to persuade regional development agencies of the importance of the historic environment at a regional level.⁶³ The Director of Policy, in oral evidence, told the Committee that, of all the Government departments with which the Trust dealt, DCMS was “the least visible and the least effective in promoting its interests in this area [i.e. the historic environment] in terms of mainstreaming it with other priorities elsewhere across Whitehall”.⁶⁴

40. The policy area in which DCMS attracted most criticism in evidence for having failed to persuade another government department of a case is VAT rating on repairs, where the Treasury has shown no sign of yielding to pressure from across the sector. In fact David Lammy MP, the Minister for Culture, was careful not to disclose whether or not DCMS had even pressed actively for change, saying only that DCMS had been “in constant dialogue” with the Treasury and other Government departments on the issue.⁶⁵ We consider VAT rating for repairs in detail at paragraph 169.

41. Underlying all the representations on DCMS’s lack of advocacy within Government is the suspicion that DCMS is simply not powerful enough as a Department to have a real

⁶² Paragraph 1.2; see also Sir Neil Cossons Q 358

⁶³ Ev 272; see also Mr Hervey-Bathurst Q 82 and Ms Case Q 268

⁶⁴ Q 54

⁶⁵ Q 389

voice within Government when key decisions are being taken.⁶⁶ One witness described DCMS as being “at the bottom of the pile for the Treasury”⁶⁷ and a perception remains that DCMS is a small Department concerned with non-essentials or distracted by national events.⁶⁸ The Architectural Heritage Fund expanded on this, and told us that there were “some advantages as at present in the DCMS, in bringing it together with other ‘cultural interests’ such as the arts and museums and galleries”, but that the corollary of this was that heritage was “seen purely as a ‘soft’ asset (i.e. one reliant on visitors and as part of discretionary spending), rather than a driver of regeneration”.⁶⁹ The Church Heritage Forum noted with regret that DCMS needed “more clout” to enable heritage to play more of a part in the country’s future, observing that its objectives seemed to be optional extras when set alongside education, policing or health.⁷⁰ Similar points were made by the Association for Industrial Archaeology.⁷¹ We note in particular that the recent letter from the Prime Minister to the Secretary of State, setting out the challenges facing her Department, specified as priorities the Olympics, the BBC Charter, digital switchover, participation in sport, the creative economy and stewardship of culture in relation to museums, galleries, theatres and the arts; but it made no mention of the historic environment.⁷² **The omission of a reference to the importance of the historic environment from the Prime Minister’s recent ‘priorities letter’ to DCMS is a surprising and worrying omission, given the emphasis the Government places on regeneration and the important role of the historic environment in leading urban regeneration. We encourage DCMS to restate the priority it attaches to the role of the historic environment, and the Government should remedy this omission in its response to this report.**

42. At the root of the issue is the question of how deeply DCMS is committed to the historic environment and what priority it is given within the departmental realm. The National Trust was sceptical, telling us that “when asked about the historic environment DCMS can come out with the right words in the right order” but that it was “not part of the narrative of the Department as a whole”.⁷³

43. *A Force for our Future* acknowledged the need for a cross-Government approach to promote awareness of the historic environment and to maximise its contribution to the Government’s programme as a whole. To this end, it stated that the historic environment would be included as part of the remit of Green Ministers and that “drawing specific attention to the relevance of the historic environment will help ensure that it is taken into account in wider decision-making and thereby constitute an element of the Government’s support for sustainable development”.⁷⁴ In practice, however, it seems that very little has

⁶⁶ ALGAO Ev 45 and Head of Cambridgeshire County Council Archaeology Source Ev 71

⁶⁷ British Archaeological Jobs Resource Ev 59

⁶⁸ Mr Burton Q 61

⁶⁹ Ev 15

⁷⁰ Ev 83

⁷¹ Ev 43

⁷² DCMS Press Notice 25 May 2006

⁷³ Q 54

⁷⁴ *The Historic Environment: A Force for our Future*, page 12

been achieved.⁷⁵ There was no mention in the DCMS memorandum of any contribution by Green Ministers to the Department's record in representing heritage interests inside Government, nor does the historic environment figure in occasional reports of Green Ministers' activity given in response to Parliamentary Questions.⁷⁶

44. Another means of building heritage concerns into policy development across Government would be to require proposals to undergo heritage proofing, akin to rural proofing. This approach was favoured by many in written evidence.⁷⁷ Rural proofing is a part of the policy process and requires each Government Department to assess (with the aid of a checklist) the particular impact of the policy in rural areas. Departments and Government Offices for the Regions are required to report annually on how their policies have been rural proofed; and the Countryside Agency publishes its own annual assessment of Departments' rural proofing efforts.

45. Ideally, DCMS would have a high-level heritage champion who could demonstrate effectiveness in influencing policy across Government when heritage matters were at stake. The impression that most stakeholders seem to gain, however, is that despite warm words on advocacy for heritage other priorities generally win out. Whether or not this is true, **we believe that a mechanism is needed to achieve more in representing heritage across Government. Although there is merit in the concept of rural proofing, we suspect that heritage proofing could too easily become bureaucratic and develop into a tick-box, formulaic approach. Inter-departmental understanding is what is needed and we recommend that the heritage role envisaged for Green Ministers in *A Force for our Future* in 2001 should be revived and enhanced.**

Sharing of policy responsibility with DCLG

46. Until the creation of the Department of National Heritage in 1992, planning and conservation functions were integrated in a single department (then the Department of the Environment). DCMS now shares policy responsibility for the historic environment with the Department for Communities and Local Government (DCLG). The DCMS memorandum did not identify where the boundary lay between the two departments in terms of policy responsibility, and the 2006 DCMS Annual Report offers no definition of DCMS responsibility; but, broadly speaking, DCMS could be defined as the cultural custodian, with DCLG being responsible for the planning framework and controls which underlie that custody.⁷⁸ DCMS also "works closely" with the Department for Environment, Food and Rural Affairs in taking an integrated approach to the natural and historic environment.⁷⁹ The three Departments are co-signatories to the funding agreement for English Heritage although grant-in aid is channelled exclusively through DCMS.⁸⁰

⁷⁵ Mr Burton Q 61; Ms Case Q 268

⁷⁶ See for example *Hansard*, 30 January 2006, col. 56WA, and 20 April 2004, Cols. 432-3WA

⁷⁷ For instance Historic Houses Association Ev 184; RIBA Ev 313

⁷⁸ In early July 2006, the DCMS website stated that "our responsibilities cover the identification, conservation and enhancement of the historic built environment in England"

⁷⁹ Ev 136

⁸⁰ Ev 123, HC 912-III, Session 2005-06

47. With the shared responsibility for the historic environment comes a danger that DCMS, although it has responsibility for designating what should have a degree of protection, has no direct responsibility for the planning controls which actually provide the protection. The Architectural Heritage Fund described the division between the two departments as “particularly unhelpful when decisions regarding planning and planning policy are being considered,”⁸¹ and the Association of English Cathedrals believed that there was already “a lack of joined-up thinking about conservation and planning issues”.⁸² The Planning Officers’ Society saw the former ODPM as the dominant partner in the relationship.⁸³

48. The solution proposed by the Institute of Historic Building Conservation is to locate policy on protection of the historic environment in the department with responsibility for planning policy, currently the Department for Communities and Local Government.⁸⁴ Although there is a clear logic to this, not all those who contributed to our inquiry had great faith in the commitment and understanding of its predecessor - ODPM.⁸⁵ When asked directly whether there was a minister in ODPM who clearly had heritage at the top of their agenda, the Chairman of Heritage Link said simply “no”.⁸⁶

49. The former ODPM’s Housing Market Renewal policy, designed to address apparent market failure in urban areas, has not taken sufficient account of the value local residents attach to heritage within their communities. It was put to us that the policy had demonstrated a clear presumption in favour of large-scale clearance and new build in preference to exploration of options for refurbishment; and we were told that there had been “evident shortcomings in the processes of consultation and community engagement”.⁸⁷ Save Britain’s Heritage was highly critical of the demolition of what it described as “accessible and ownable heritage”.⁸⁸ There have been excellent examples of imaginative conversions, in particular of Victorian terraces, which have combined a retention of heritage with modern housing needs. **DCMS and DCLG should take more account of these examples of best practice in refurbishment which have already been demonstrated and which are more likely to command the support of local communities.**

50. Others saw little advantage being gained in changing departmental responsibilities for built heritage. The National Trust noted that there would “always be boundary issues”, and it did not have “an emphatic view” on what machinery would best serve the historic environment. The Historic Houses Association took a similar view.⁸⁹ **Although reuniting historic environment policy with planning policy seems a logical step, we are on balance more confident that heritage stands a better chance, given proper ministerial interest**

⁸¹ Ev 16

⁸² Ev 30

⁸³ Q 107

⁸⁴ Ev 209; Q 114

⁸⁵ See for instance Mr Preston Ev 284

⁸⁶ Q 272

⁸⁷ Merseyside Civic Society Ev 147-8, HC 912-III, Session 2005-06

⁸⁸ Ev 318

⁸⁹ Q 66 and Q 82

and leadership, of being given more prominence if it remains within DCMS. We recommend no change to existing responsibilities for heritage matters within Government but would like to see more effective action from DCMS to promote the value-added aspects heritage can bring to planning and developing cohesive communities.

51. The integration of heritage with arts and culture, with David Lammy as minister with responsibility for all three areas, has given some observers hope that heritage will carry greater weight within the Department's priorities and that more energy will be invested in securing support from other departments. Anthea Case, Chairman of Heritage Link, for instance, noted that he was "beginning to say some of the things that we would expect somebody to say who was going to champion the historic environment".⁹⁰ **We welcome the avowed commitment of the present Minister with responsibility for heritage, but he will need to demonstrate his commitment through action not just within his own Department but across Government.**

DCMS as policy developer

52. Heritage has played a comparatively small part in the legislative effort of DCMS and its forebears. In the last ten years, licensing, the Lottery, regulation of gambling, and communications have taken up the giant's share of DCMS Ministers' time in Parliament; and some recent examples of legislation affecting the heritage sector – for instance the Treasure Act 1996 and the Dealing in Cultural Objects (Offences) Act 2003 – were guided through Parliament as private Members' bills, albeit Government-supported ones. The most recent example of substantial primary legislation concerning the historic environment is the Planning (Listed Buildings and Conservation Areas) Act 1990, which was largely a clarifying measure, filtering heritage provisions from planning ones and creating a distinction between functions when, arguably, integration was more important. The low level of major legislation concerning the historic environment does not necessarily imply neglect on the part of DCMS or other departments with which responsibility is shared, rather that the need for reform in other areas of policy has been greater.

53. The picture is now changing, as DCMS has definite plans for reform of the heritage protection system, which will involve primary legislation. These reforms, known in the sector as "HPR" – Heritage Protection Reform – have had a protracted birth. The DCMS policy paper *The Historic Environment: A Force for our Future*, published in December 2001, announced an intention to review the case for integrating controls protecting heritage assets into a single regime,⁹¹ but the substantial reform now proposed was signalled by the Secretary of State only in November 2002. A consultation paper with detailed proposals aiming to achieve "a more simple, open, flexible but rigorous system" for heritage protection was published in July 2003.⁹² A further paper was published in June 2004 drawing conclusions from the responses to the consultation and sketching a future course of action.⁹³ The foreword by the then Minister for Media and Heritage (Lord

⁹⁰ Q 271

⁹¹ *The Historic Environment: A Force for our Future*, paragraph 4.7

⁹² *Protecting our historic environment: Making the system work better*, DCMS, July 2003

⁹³ *Review of Heritage Protection: The Way Forward*, DCMS, June 2004

McIntosh of Haringey) envisaged a White Paper in 2005 with a view to seeking Parliamentary time “at the first opportunity – probably in 2006-07”. The present Minister for Culture confirmed to us that he expected publication of the White Paper to be in autumn 2006:⁹⁴ in part the delay was to acknowledge and take into account this Committee’s report. Although not stated to us explicitly by either English Heritage or by DCMS in oral or written evidence, the expected date for implementation of the reforms seems to be 2010. The Royal Institute of British Architects referred in evidence to the former ODPM Select Committee to the “stately progress” of the Heritage Protection Review. It is with some justification that it described progress to us as having “slowed to a geriatric shuffle”.⁹⁵

54. Our terms of reference specifically invited submissions on what DCMS should identify as priorities in the White Paper, and most responses took up that invitation. From the start, the White Paper has been associated with reform of elements of the statutory heritage protection regime and little else. Some of those who submitted evidence were clearly frustrated at the slow progress of the reforms themselves and regretted what they saw as the lack of urgency shown by DCMS,⁹⁶ although these views were balanced to some extent by an appreciation of the efforts made by DCMS to consult openly and inclusively.⁹⁷

55. Some witnesses clearly see it as essential that the White Paper should consist of a more wide-ranging set of reforms, for instance involving planning guidance and strengthening protection in conservation areas.⁹⁸ Section 3 of this report looks in detail at the proposals which are expected to form the backbone of the White Paper, and we make observations at that point on the fitness of the Government’s proposals and on other specific reforms that might appear in the White Paper. For now we note that **DCMS’s approach to reform of the heritage protection system has been less than energetic. The process of consultation on the reforms has been commendably thorough, but the slow progress is placing stakeholders in limbo and delaying decisions by local authorities on medium-term allocation of resources.**

56. Other witnesses called for the White Paper to articulate once again the value of heritage set out in *A Force for our Future* in 2001 and to recognise heritage as a cultural asset.⁹⁹ The National Trust, for instance, argued that the White Paper should, “as well as setting a vision for the historic environment as a whole...make the case for the better protection and management of the historic environment – outlining its role in improving our quality of life, fostering community identity and engagement and underpinning both urban and rural regeneration”.¹⁰⁰ Much of this has however already been said by the Government. **While we see no harm in restating principles, the groundwork has already been laid: the priority for the Heritage White Paper is to state exactly what action the Government**

⁹⁴ Q 361

⁹⁵ Ev 313

⁹⁶ Architectural Heritage Foundation Ev 15

⁹⁷ The Archaeology Forum Ev 6

⁹⁸ RESCUE Ev 304; Mr Coupe Ev 130; Liverpool City Council Ev 222

⁹⁹ National Trust Q 56; ALGAO Ev 46

¹⁰⁰ Ev 271

proposes to take and when, and how it expects to resource its plans in the medium term.

DCMS as funder

57. The heritage sector looks to DCMS to secure the funding needed for the adequate protection of heritage assets. Much of this funding will be channelled through English Heritage in the form of repair grants and funding for national statutory amenity societies and others; but DCMS also determines the proportion of distributable Lottery funds to be awarded to the heritage good cause, and it is the body best placed to secure favourable fiscal treatment from the Treasury for voluntary bodies, private owners and others with direct responsibility for repair and maintenance of historic assets.

58. A comparison between resource budgets in 2000-01 and in 2006-07 demonstrates that heritage has done relatively poorly in terms of the share of the DCMS spending pot:

Table 4: DCMS resource budgets 2000-01 and 2006-07, selected divisions

| | 2000-01 outturn | 2006-07 plans | % change |
|---|------------------------|----------------------|-----------------|
| Museums and galleries | £410.9 million | £582.1 million | 42% increase |
| Arts | £238.6 million | £418.5 million | 75% increase |
| Sport | £52.2 million | £154.2 million | 195% increase |
| Architecture and the Historic Environment | £144.3 million | £175.6 million | 22% increase |
| Total DCMS resource budget | £2,489 million | £2,941 million | 18% increase |

Source: 2005 Departmental Annual Report

59. Undeniably, the historic environment has lost out in relation to other divisions of DCMS in terms of benefit from recent spending rounds. The Campaign for the Protection of Rural England suggested that the level of public resources devoted to heritage protection “does not currently reflect the very high value the public places on heritage or the contribution it makes to our quality of life”.¹⁰¹ At the root of the problem is the difficulty of making a case to the Treasury which quantifies in financial terms “soft” benefits such as community wellbeing and economic benefits which are hard to pin down such as the effect which a major heritage project can have on increasing confidence in a locality, thereby serving as a catalyst for regeneration. **DCMS should strive to put together an economic case to justify to the Treasury the level of settlement which the historic environment deserves, and we believe that there is no justification for allowing its share to decrease. Again, we find this state of affairs a surprise given the emphasis the Government, including the Treasury, places on regeneration. Taken with the omission of the historic environment from the Prime Minister’s recent ‘priorities letter’, the falling relative share of spending begs the question of how hard DCMS champions heritage and the**

¹⁰¹ Ev 74

historic environment in joined-up working across Government. We have received evidence that public heritage investment has been successful in leveraging in significant private and voluntary investment, and DCMS should undertake research to enable this case to be put clearly to the Treasury. The significance of heritage as a factor in tourism growth must also be identified more effectively, particularly in view of the opportunities provided by the London 2012 Olympics. We look to DCMS to redress the balance in the case which it presents to the 2007 Comprehensive Spending Review.

60. At the sharp end of the funding shortfall is English Heritage, as we have discussed above. DCMS acknowledged to us that English Heritage had not received an inflation-based uplift between 2002 and 2005, adding that this was because English Heritage “was undergoing a radical modernisation programme” and that the expectation was that the programme would “result in savings which could be re-invested into front-line activity”.¹⁰² This does not necessarily give a rationale for a real terms decrease in Grant in Aid, particularly when additional costs for English Heritage were being generated through redundancies arising from the modernisation programme. **We find the logic underlying DCMS’s explanation of why funding to English Heritage has decreased in real terms in recent years unconvincing, and it inevitably leads observers to conclude that its claim to attach priority to heritage issues is cosmetic and not borne out by the facts.** What makes the DCMS statement particularly difficult to swallow is the fact that the modernisation programme has now finished and yet the Grant-in-Aid is set to continue its real terms decrease, from £135.7 million in 2005-06 to £134.7 million in 2006-07 (planned) and £135.7 million in 2007-08 (planned).¹⁰³ When discussing the level of funding for English Heritage, Peter Hinton, the Director of the Institute of Field Archaeologists, wondered “quite what English Heritage is now being punished for”, given its efforts to respond to the criticisms made in the Quinquennial Review which led to the modernisation programme.¹⁰⁴

61. Earlier in this report we noted the increase in English Heritage’s responsibilities, both in the recent past and in the near future, arising from the heritage protection reform measures (assuming that they are introduced in their present proposed form). We also described the various fields in which it had already been forced to scale back its activities, for instance on listing and in carrying forward the Monuments Protection Programme, and the very real prospect that a further decline in funding would cause it to cut back further. We note its distinct effort to refashion itself in line with Government priorities, by making itself more customer-responsive and more regionalised and by placing greater weight on engagement. We also observe that its capacity for giving grants for repairs is being eroded by an increase in construction costs which outstrips RPI let alone the English Heritage budget.¹⁰⁵ **We can see no reason why funding for English Heritage should remain at a level which is clearly insufficient, particularly if there are to be significant costs in establishing the new heritage protection regime. We recommend that there should be an above RPI annual increase in Grant-in-Aid to English Heritage for the term of the 2007 Comprehensive**

¹⁰² Ev 142

¹⁰³ DCMS Sponsored Bodies Annual Report 2006, page 39

¹⁰⁴ Q 222

¹⁰⁵ See para 30; also Church Heritage Forum Ev 86

Spending Review. English Heritage should not be expected to fund its portion of the costs of setting up the new heritage protection regime without such an increase.

62. We note in passing the proposal by the Campaign for the Protection of Rural England that English Heritage should be jointly sponsored by DCMS and ODPM. The Campaign to Protect Rural England argued that this would help to ensure that heritage issues were “routinely plugged in to the work of ODPM” rather than being considered as an afterthought and that English Heritage would as a result find itself on an equal footing with the Commission for Architecture and the Built Environment (CABE).¹⁰⁶ The former ODPM Select Committee explored Government sponsorship of CABE with Government Ministers in December 2004 as part of its inquiry into the role and effectiveness of CABE, and it explored in evidence an apparent discrepancy between Departments’ respective funding stakes and their share in responsibility for CABE within Government.¹⁰⁷ DCMS is the sponsor Department but contributes significantly less than DCLG/ODPM in grant aid.¹⁰⁸ The Committee did not comment specifically on the issue of Government responsibility for CABE, and we note in particular that it did not identify specific gains generated by the current arrangement. In the absence of persuasive evidence, **we believe that dual sponsorship of English Heritage by DCMS and DCLG would introduce confused lines of accountability that would outweigh any benefits. We therefore reject the idea.**

63. English Heritage is not the only body to rely heavily upon funding from DCMS. The Churches Conservation Trust, which maintains redundant churches vested in it, receives approximately 70% of its funding in Grant-in-Aid from DCMS. Like English Heritage, the Trust has suffered a real terms decrease in Government funding, and DCMS’s existing spending plans show no prospect of an upturn. The church estate has distinct characteristics and management, and we look at the problems facing the Trust and indeed the church estate in general in section 4 of this report.

64. There is one further observation that we wish to make at this point: spending on heritage is an up-front cost with a return over a long period. This was enunciated very clearly to us by the Chatham Historic Royal Dockyard Trust, which spoke from experience in assembling funding from a vast range of sources to cover the repair and upkeep of a major ex-industrial site which became surplus to the requirements of the Ministry of Defence in 1984. They told us that “investment in the heritage is undeniably costly in the short term, but, properly thought through, can bring considerable, effective and efficient longer term benefits both culturally and economically”. Furthermore, it could “unlock additional funding from trans-national and private sector sources, thereby increasing investment in the UK”.¹⁰⁹ **We encourage DCMS not to take a short-sighted approach to heritage funding and to recognise the long-term benefits in terms of leverage, value added, and an enhanced sense of place.**

¹⁰⁶ Ev 75. In 2005-06 CABE had an estimated outturn of £12.6 million, £5.69 million of which was funded by DCMS as Grant-in-Aid and most of the remainder being funded by ODPM: *DCMS Sponsored Bodies Annual Report 2006*.

¹⁰⁷ Fifth Report from the Select Committee on the Office of Deputy Prime Minister, HC 59, Session 2004-05, QQ 244-6

¹⁰⁸ DCMS 3.69 million, DCLG 6.4 million, planned expenditure for 2006-07; *DCMS Sponsored Bodies Annual Report 2006*.

¹⁰⁹ Ev 81

Heritage Lottery Fund

65. The Heritage Lottery Fund was set up in 1994 as one of the distributors of proceeds from the sale of Lottery tickets. It initially received 20% of funds paid into the National Lottery Distribution Fund, representing the proportion allocated to the heritage good cause. In October 1997, that proportion decreased to 16.66%, in parallel with those benefiting arts, charities and sport. The funds are distributed by regional boards using criteria set out in directions issued by the Secretary of State.¹¹⁰ Since its establishment, the Heritage Lottery Fund (HLF) has committed £3.3 billion to heritage projects, covering built heritage, museums, libraries and archives, natural heritage, industrial, maritime and transport heritage, and cultural heritage.¹¹¹

66. There was a near-universal welcome in submissions for the HLF's efforts, many of which had funded projects which were beyond the scope of others.¹¹² "Lifesaver" was one word used to describe the Fund,¹¹³ and it is relied upon as a unique source of funding.¹¹⁴ Although the figures for grants enabling the purchase of outstanding works of art or for major city regeneration might be most eye-catching, it was stressed to us how valuable the small-scale grants were, for instance the Your Heritage and Local Heritage Initiatives, in enhancing local awareness.¹¹⁵ The HLF recognised the distinct appeal of the Local Heritage Initiative, which is designed to encourage local communities to care for local heritage features and which provides an unusually high level of development support for project teams.¹¹⁶ Although the Initiative is closing this year because of changes in the structure of the natural environment bodies, we were assured by the HLF that it recognised the importance of providing new applicants to future small grants programmes with ways of accessing the support and skills which they needed.¹¹⁷ The HLF acknowledged that frequent changes to the range of funding programmes made it difficult for people to know what was available, and it assured us that it tried to keep the number of special programmes "extremely small" and that it sought to change them "as little as we possibly can".¹¹⁸ **We encourage the HLF to follow its instincts and design programmes which are flexible enough to be accessible, sustainable and meet the needs of a wide range of community and public interests.**

67. The Directions under which the HLF operates specify that, when determining applications, the Fund must (amongst other things) ensure that money is distributed to "projects which promote the public good or charitable purposes and which are not intended primarily for private gain". As a result, the Fund sees assets in private ownership

¹¹⁰ *National Heritage Memorial Fund Combined Management Statement, Financial Memorandum and National Lottery Directions*, HC Library deposit 22 March 2006

¹¹¹ Ev 163

¹¹² Architectural Heritage Fund Ev 17

¹¹³ Ev 38

¹¹⁴ See Mr Saunders Q 9; also Ms Toms Q 147. The Association of Garden Trusts told us that there was little available funding for historic parks outside the HLF public parks programme: Ev 37.

¹¹⁵ ALGAO Ev 47; also CPRE Ev 75, Q 222 and Ms Case Q 274. The *Your Heritage* programme provides grants of between £5,000 and £50,000 to support community-focused projects.

¹¹⁶ Q 245

¹¹⁷ Q 245

¹¹⁸ Q 246

as “a low priority for HLF funding”.¹¹⁹ The Directions also specify that the Trustees of the Fund should take into account “the need to promote access, for people from all sections of society, to heritage objects and collections, to the built and natural heritage, and to projects which relate to the history, natural history and landscape of the United Kingdom”. This emphasis on encouraging access was applauded in evidence, encapsulated by the observation of the Archaeology Forum that “heritage was never funded [by the HLF] for its own sake but for the opportunity that it provides for grassroots participation”.¹²⁰ **We wholeheartedly support the Heritage Lottery Fund’s stress on encouraging access for all to heritage assets: we are confident that this policy will have long-lasting benefits.**

68. An effect of the Directions is virtually to preclude grants to private owners for the maintenance or repair of buildings, while being generous in providing funds to facilitate access and education. This was clearly illustrated during the Committee’s visit to Doddington Hall in Lincolnshire, where the owners had secured HLF grants for interpretation facilities, a sensory tour, a Braille map for partially-sighted people and a virtual tour of the Hall; but the major cost of structural repairs which had to be met to make the house a viable concern could not be funded. The owners found this somewhat perverse, and the Historic Houses Association described the policy as “strange and regrettable” and one that it would like to see changed in due course.¹²¹

69. We asked the HLF whether it planned to reconsider its policy on grants towards private owners, given that the greater proportion of heritage assets are in private ownership and that the other main source of public funding for conservation of historic buildings - English Heritage - had reduced capacity to grant-aid repairs. The Fund’s Chair, Dame Liz Forgan, told us that the governing Direction was “elastic” and that it allowed some leeway, but that the concept of providing substantial grants to people seen as wealthy private owners was not a popular one when raised in consultations. She encouraged owners to approach the Fund for help with schemes which enabled or supported public access, but in general her message to private owners was “Do not look to us for certain things that we cannot do, come to us for the things we can [do]”.¹²²

70. The provision of grant funding for private owners through English Heritage demonstrates that there is no fundamental objection to assisting private owners with the costs of repair. **We recognise the distinct roles of English Heritage and the Heritage Lottery Fund. However the HLF should not be expected to fill the gap caused by the decline in English Heritage’s ability to continue grant funding, as is evident from Table 3 in paragraph 32. Assistance for private owners should remain a function of English Heritage when a clear public benefit can be shown.** We make further recommendations on support for private owners at paragraph 178.

71. It is in the interests of those who contribute to the Lottery, those who benefit from it, and of the HLF Trustees that applications for assistance from the Fund come from the widest possible range of sources. If application forms are complex and the process is

¹¹⁹ Ev 165

¹²⁰ Ev 10; Dr Dungavell Q 9

¹²¹ Mr Hervey-Bathurst Q 95

¹²² Q 247

perceived as bureaucratic (as some evidence suggested),¹²³ there is a risk that groups with little administrative back-up or knowledge will be deterred from submitting applications, and the HLF will be less inclusive as a result. A further deterrent is the process of commissioning professional assessments to support applications, which we heard could be expensive, time-consuming and potentially fruitless.¹²⁴

72. The Archaeology Forum told us that the HLF needed to build the capacity of communities to lead in decision-making in heritage matters, and it encouraged the HLF actively to facilitate applications, mentoring and the sharing of good practice, possibly through evening classes to help potential applicants without experience of fundraising, charity law or project management.¹²⁵ The HLF told us that it plans a shorter application process (particularly for small grants programmes), with “clearer and more concise application and monitoring materials”.¹²⁶ **We believe that simplification of the application process for Heritage Lottery Fund grants and a commitment of resources to facilitate applications should be high priorities for the Fund.**

73. Decisions on grants are made by committees in the nations and regions composed of local people recruited through advertisement in the press, taking into account expert advice.¹²⁷ The HLF also undertakes public consultation, in particular through citizens’ juries. It pointed out to us that public opinion polling work in 1996 had played a part in the Fund’s understanding of the importance of funding projects of local as well as national significance. More recently, research into heritage and identity and into young people’s views has been conducted through citizens’ juries, recruited randomly to reflect local socio-economic profiles. Juries lasted two and a half days and allowed development of ideas through discussion and input from heritage practitioners and experts. A similar approach was taken in consultation on the HLF’s future strategy, this time seeking juries’ views on projects that were already up and running. HLF identified a possibility that individuals from juries might participate in HLF decision-making committees in countries and regions across the UK.¹²⁸

74. The Secretary of State has recently announced a trial scheme – ‘Your Pound, Your Choice’ – under which buyers of Lottery tickets at participating retailers will be able to indicate which local projects they believe should receive Lottery funding. Two regions have been identified for the pilot; five projects will compete for grants of up to £50,000. Full details of how many projects could ‘win’ and how binding the public preference would be were unclear at the time of the announcement.¹²⁹

75. The Archaeology Forum welcomed wider public consultation on how Lottery money should be spent but warned against over-reliance on what it described as “Restoration-style TV programmes” as a primary source of decisions, and it said that it “would view with

¹²³ Archaeology Forum Ev 11

¹²⁴ See Association of English Cathedrals, Ev 30; also Mr Slee Q 180

¹²⁵ Ev 11

¹²⁶ Ev 166

¹²⁷ Q 241

¹²⁸ Ev 145, HC 912-III, Session 2005-06

¹²⁹ DCMS Press Release 087/06, 21 June 2006

alarm any moves that would undermine the role of HLF trustees and expert advisers”.¹³⁰ The HLF Chairman agreed that there was some fear amongst experts that extending the role of public opinion would risk overlooking the value of heritage assets, but she did not see a real danger of conflict between expert and public opinion. Experience with citizens’ juries had shown that members of the public “who would not begin to describe themselves as experts in the heritage” could quickly arrive at sophisticated views.¹³¹ **We are satisfied that the HLF’s current policy on public involvement in its strategy and decision-making is healthy and does not threaten the professional knowledge on which decisions must be based. We will watch with interest the experiment by DCMS with public voting, although we recognise that it should not be allowed to descend into a crude beauty contest. DCMS should explore whether the public preference should be treated as a presumption in favour of a project rather than as a binding commitment.**

Future income

76. The HLF currently receives 16.66% of funds in the National Lottery Distribution Fund. Income trends are set out below:

Table 5: Heritage Lottery Fund income 2003-04 to 2007-08

| | 2003-04 Outturn | 2004-05 Outturn | 2005-06 Estimated Outturn | 2006-07 Plans | 2007-08 Plans |
|------------|--------------------|--------------------|---------------------------------|------------------|------------------|
| £ millions | 246 | 266 | 260 | 227 | 223 |

Source: DCMS Sponsored Bodies Report 2006

There is a parallel fall in the projected value of awards:

Table 6: Heritage Lottery Fund total value of awards 2003-04 to 2007-08

| | 2003-04 Outturn | 2004-05 Outturn | 2005-06 Estimated Outturn | 2006-07 Plans | 2007-08 Plans |
|-----------|--------------------|--------------------|---------------------------------|------------------|------------------|
| £ million | 341 | 358 | 330 | 290 | 255 |

Source: DCMS Sponsored Bodies Report 2006

77. There are a number of reasons for the forecast decline in income. Sales diversion to new games which fund specifically the 2012 London Olympics and Paralympics is one reason; according to DCMS estimates this accounts for some £75 million less for the HLF from ticket sales.¹³² The Secretary of State has also indicated that she will divert up to £410

¹³⁰ Ev 11

¹³¹ Q 240

¹³² Ev 165

million from the proceeds of non-Olympic Lottery games to support the public funding package for the staging of the Games.¹³³ Assuming a 16.66% share for the Heritage Lottery Fund, this translates into about £68 million over the course of the four years from 2009-10 to 2012-13 inclusive.¹³⁴

78. The Heritage Lottery Fund appeared confident that the diminution in funding would be temporary and that levels would bounce back in time.¹³⁵ The brunt of the decrease in available funds will be borne by applicants seeking the largest grants (in the £5 million to £10 million range).¹³⁶ The HLF recognised that it faced a tricky problem of managing demand and expectations, without scaring off applicants. Although the HLF seemed reasonably relaxed about this in oral evidence, **we are concerned that latest assumptions of the number of applications which the HLF will receive show a dramatic fall, from 6,385 in 2005-06 (estimated) to only 2,400 in 2006-07 and 2007-08.**¹³⁷

79. While the success of the London 2012 bid in July 2005 was a cause for jubilation for many, those who are engaged in sectors which draw much of their funding from Lottery sources, such as the heritage sector, were well aware that there would be direct financial consequences. To their credit, witnesses to our inquiry generally accepted that the UK stands to gain in many ways from the staging of the Games and that the effects for the heritage sector will not just be negative financial ones.¹³⁸ The Association of English Cathedrals, for instance, anticipates an increase in visitor numbers,¹³⁹ and others foresee spin-offs for the profile of heritage (not least during the Cultural Olympiad),¹⁴⁰ a focus on the role of the historic environment in the regeneration of East London¹⁴¹ and scope for a renewed effort to spruce up key heritage assets.¹⁴² The Architectural Heritage Fund noted that Britain's heritage had played an important part in the success of the bid.¹⁴³

80. We welcome the largely positive view taken by the heritage sector of the impact of the London 2012 Olympic and Paralympic Games. We agree that there could be benefits for the sector and that these will be maximised if it shows itself willing to make the effort to seek out opportunities. DCMS should bear in mind that 2012 will be a showcase for tourist attractions across the UK. Investment to ensure that major sites are presented to best effect should begin now, and the point should be driven home to other Departments which play a role, such as the Department for Transport in relation to Stonehenge, and to the regional development agencies.

¹³³ DCMS Press Release 087/06, 21 June 2006

¹³⁴ Ev 143 and 165

¹³⁵ Q 262

¹³⁶ Q 262

¹³⁷ *DCMS Sponsored Bodies Annual Report 2006*, page 47

¹³⁸ See for instance Society of Antiquaries of London Ev 324; also Historic Houses Association Q 83

¹³⁹ Ev 32

¹⁴⁰ DCMS Ev 143

¹⁴¹ Architectural Heritage Fund Ev 17

¹⁴² HHA Ev 187

¹⁴³ Ev 17

81. We are concerned that the Secretary of State has already accepted that £410 million from non-Olympic Lottery games will be diverted to the public funding package. This will increase the fears of the heritage sector that an overspend on the Olympics will lead to a further diversion of funds from good causes. The Government should give an assurance that the £410 million limit will not be exceeded.

82. At the time that evidence was gathered for the inquiry, no confident forecast of the likely reduction in Lottery funding for the HLF after 2009 could be made, as the formula for shares of Lottery proceeds for good causes was under review. The Secretary of State had however announced that heritage (and indeed other existing good causes) would continue as beneficiary good causes after 2009 and that no new good causes would be established; and a consultation on shares was held between November 2005 and February 2006.¹⁴⁴ Evidence was unanimous in calling for the heritage share to be at least maintained at 16.66%.¹⁴⁵ The Fund is the only remaining source of grants for large projects, which can play a major part in kick-starting urban regeneration, as we observed at the Ropewalks in Liverpool. Despite all it has achieved, the HLF pointed out that “vital tasks were still undone” and that the remaining need was “immense”.¹⁴⁶ The recent decision not to change shares has therefore been widely welcomed.¹⁴⁷

83. We welcome the Secretary of State’s confirmation that heritage will continue to be one of the good causes to benefit from Lottery proceeds and that the 16.66% share will remain until 2019. We note the potential for awards from the Big Lottery to contribute to heritage preservation and enhancement, for instance in the revitalisation of public parks.¹⁴⁸

84. The 2012 London Olympic and Paralympic Games are not the only reason for the predicted reduction in the financial value of Heritage Lottery Fund awards. Provisions in the National Lottery Bill (shortly to gain Royal Assent) will change the basis on which the investment gains on balances held in the National Lottery Distribution Fund (NLDF) will be apportioned. Instead of being allocated in proportion to the balances held on behalf of individual distributors, investment income will be distributed according to the shares for each good cause.¹⁴⁹ DCMS sought this change in policy as a means of removing incentives to hold high balances and thereby increasing the speed with which funds are distributed. The Heritage Lottery Fund has traditionally held high balances: on 31 May 2005 it held 36.1% of the total National Lottery Distribution Fund balances despite receiving only 16.66% of proceeds from the Lottery.¹⁵⁰ The NAO has calculated that the proposed new method of distributing investment income between good causes would have led to a reduction of £15.7 million in funds available to the HLF in 2003-04.¹⁵¹

¹⁴⁴ Ev 143

¹⁴⁵ For instance, Heritage Link Ev 160; Church Heritage Forum Ev 87; also Q 267

¹⁴⁶ Ev 163 and 165

¹⁴⁷ DCMS Press Notice 087/06, 21 June 2006

¹⁴⁸ Q 263

¹⁴⁹ National Lottery Bill, Clause 9

¹⁵⁰ *Managing National Lottery Distribution Fund balances*, First Report of the Committee of Public Accounts, Session 2005-06, HC 408, paragraph 4

¹⁵¹ Ev 166

85. The Bill has proved controversial in its passage through Parliament, and the provisions concerning NLDF balances have been opposed by some who have contributed to our inquiry. The Archaeology Forum believed that the Bill showed “a fundamental misunderstanding of the time it takes for complex heritage projects to be put together from different funding sources, with many partners”.¹⁵² The Association of English Cathedrals made very similar points, noting that heritage projects “tend to be long-term due to the complex consent procedures and fundraising” and that delays in the course of projects, to consider new information or archaeological findings, were not uncommon.¹⁵³ We note however the conclusion of the Committee of Public Accounts that Lottery distributors needed to be less risk-averse and that distributors should not keep money in the Distribution Fund for as yet unidentified future projects.¹⁵⁴

86. Yet another reason for the expected decrease in sums available to the HLF is its shift in policy on over-commitment of funds. The HLF has consistently committed more funds in new awards each year than it has received in income, on the basis that there would inevitably be a time lag between money being received, awarded to projects and drawn down by grant recipients. It told us, however, that it is “reaching the point where it cannot continue to over-commit”¹⁵⁵ and that from 2008 onwards it will distribute only as much as it receives in income.¹⁵⁶ This may be a prudent approach, although the recent decision by DCMS to retain the 16.66% share for the heritage good cause removes one of the uncertainties which has been used to justify it and therefore provides an opportunity for the Heritage Lottery Fund to reconsider its policy.

Additionality

87. In written evidence to our predecessor Committee’s inquiry into the National Lottery, DCMS defined the principle of additionality as one of not allowing Lottery funding to “become a substitute for funding that would normally fall to mainstream Government spending”, and it maintained that it remained “firmly committed to the principle”.¹⁵⁷ The definition may be neat, but DCMS has been bedevilled by attempts to draw the distinction in practice, and many (including our predecessor Committee) have taken the view that the principle was being eroded.¹⁵⁸ The argument has been rerun more than once during the passage of the current National Lottery Bill through Parliament.

88. The question arises once again: if heritage has the benefits which the Government has itself recognised in *A Force for our Future* - community wellbeing, a stimulus for regeneration and an educational tool – should so much of the financial support for it be left to Lottery funding (such as through Townscape Heritage Initiatives)? The HLF was

¹⁵² Ev 11

¹⁵³ Ev 31

¹⁵⁴ *Managing National Lottery Distribution Fund balances*: First Report of the Committee of Public Accounts, Session 2005-06, HC 408

¹⁵⁵ The HLF subsequently clarified its statement, explaining that the overcommitment would remain but that the level of overcommitment would not continue to increase beyond a certain point.

¹⁵⁶ Ev 166

¹⁵⁷ *Reform of the National Lottery*, Fifth Report of the Culture, Media and Sport Committee, Session 2003-04, HC 196-II, Ev 157

¹⁵⁸ As above, paragraph 165.

satisfied that it was not being asked to substitute for Government funding, although it said that there was “no doubt that there are areas where we are funding projects which are dealing with many years of underfunding”, for instance at local government level.¹⁵⁹ Others were less confident,¹⁶⁰ and we heard anecdotal evidence of people approaching the HLF having tried and failed to secure grants from English Heritage. The HLF Chair agreed that it happened,¹⁶¹ but she maintained that the Fund “was alert to this problem” and that it turned down applications where responsibility lay elsewhere. It also takes care to allocate on a project basis rather than towards long-term running costs.¹⁶²

89. DCMS sponsored a review in 2004 by PKF of the responsibilities of English Heritage and the HLF.¹⁶³ The review identified scope for savings through a merger, but it concluded that a change would be unacceptable to the heritage sector. The Director of the HLF thought that the delineation of roles between the two bodies was “pretty clear”, not least because of the UK-wide remit of the HLF which extended beyond the historic environment.¹⁶⁴ The two bodies work together in certain defined areas; English Heritage provides technical support to the HLF on some applications for lottery funding; English Heritage takes account of HLF experience in forming policy and strategy; and there are examples of pooled funding “to increase the impact of grant spend and to improve service delivery for applicants”. Both bodies are keen to explore other opportunities for joint working.¹⁶⁵

90. The Repair Grants for Places of Worship scheme is one example of pooled funding where, according to the HLF, the two bodies contribute appropriately in relation to their own aims.¹⁶⁶ It is not easy, however, to see how those aims diverge. The scheme has operated in one form or another since October 1996. The level of contributions fluctuated a great deal in the early years, usually with English Heritage contributing the majority. Since 2002-03, however, the total has exceeded always £20 million and the HLF has consistently contributed the greater part – between 60% and 67%, as the table overleaf shows:

¹⁵⁹ Q 258

¹⁶⁰ CPRE Ev 75; Church Heritage Forum Ev 83

¹⁶¹ Q 259

¹⁶² Q 244

¹⁶³ Review of the Structures of Government Support for the Historic Environment in England, DCMS/PKF, May 2004

¹⁶⁴ Q 253

¹⁶⁵ Ev 138, HC 912-III, Session 2005-06

¹⁶⁶ Q 253

Table 7: Repair Grants for Listed Places of Worship: sums awarded 1996-97 to 2005-06

| | English Heritage | Heritage Lottery Fund | Total |
|---------|------------------|-----------------------|-------------|
| 1996/97 | | £967,000 | £967,000 |
| 1997/98 | £10,023,000 | £7,790,000 | £17,813,000 |
| 1998/99 | £12,202,000 | £13,268,000 | £25,470,000 |
| 1999/00 | £9,994,000 | £5,488,000 | £15,482,000 |
| 2000/01 | £13,747,000 | £10,506,000 | £24,253,000 |
| 2001/02 | £3,170,000 | £16,528,000 | £19,698,000 |
| 2002/03 | £10,402,216 | £17,242,022 | £27,644,238 |
| 2003/04 | £9,274,759 | £19,565,796 | £28,840,556 |
| 2004/05 | £9,093,121 | £15,301,384 | £24,394,506 |
| 2005/06 | £9,373,974 | £14,409,335 | £23,783,309 |

The HLF is clearly becoming the dominant partner in the scheme, and we note that it is now the sole funder under the scheme of repairs to Grade II listed churches.

91. The argument on additionality is unlikely to be resolved. We warn that any further decline in the capacity of English Heritage to give grants for repair or capacity development will inevitably lead to more pressure on the Heritage Lottery Fund and that substitution will appear to be the outcome. This reinforces our argument for better funding for English Heritage.

Local authorities

92. DCMS and English Heritage may have the responsibility for developing policy and for providing support structures and funding streams, but the sharp end of heritage protection is at local authority level, where much the greater part of managing and improving built heritage is carried out.¹⁶⁷ Over 90% of the task of protecting the archaeological resource is borne by local authorities, according to the Association of Local Government Archaeological Officers, and the same proportion is true for the built heritage.¹⁶⁸ The Architectural Heritage Fund summarised local government's responsibilities thus:

- heritage protection through the planning system;

¹⁶⁷ Architectural Heritage Fund Ev 15

¹⁶⁸ Ev 44

- the bringing together of partnerships of the public, voluntary and private sectors to ensure the best development frameworks for historic areas in their control;
- support for private and charitable owners in dealing with listed buildings; and
- care of their own civic assets.¹⁶⁹

93. We examine in more detail in Section 3 the tools available to local authorities enabling them to carry out their responsibilities for heritage protection through the planning system. At this point we observe that the picture of local authorities' performance which emerged in evidence was an uneven one, with extensive provision of expertise and considerable effort towards maintaining assets at one end of the scale, and under-resourced teams and a skeletal suite of services at the other.¹⁷⁰ Witnesses told us that as a result different authorities reached inconsistent and "strange" decisions which did not command public support.¹⁷¹ For assets which enjoy less formal protection, such as historic parks and gardens, the situation is still less encouraging: only two local authorities employ a member of staff professionally qualified and dedicated to the conservation of historic parks and gardens.¹⁷²

94. The only service which local authorities are statutorily required to provide to support the local historic environment is to designate conservation areas and to develop proposals for their protection and enhancement. Beyond this, provision will depend on the priority which a local authority attaches to the contribution of heritage to the local economy and to local communities and consequently the budget which it is prepared to allocate. Failure to offer such non-statutory provision may lay the local planning authority open to judicial review or investigation by the Local Government Ombudsman.

95. English Heritage has sought to raise the profile of heritage within local authorities using a twin-track approach, consisting of the HELM¹⁷³ initiative and the designation of Historic Environment Champions. The HELM programme is a web-based resource targeted at decision-makers within local authorities, both elected Members and officers (such as planners and highways engineers). It seeks to improve awareness of the intrinsic value of heritage and the scope which it offers to add value to projects involving non-heritage professionals.¹⁷⁴ Historic Environment Champions (of whom there are now 181)¹⁷⁵ are almost exclusively elected Members who are encouraged to lobby on behalf of heritage.¹⁷⁶ We heard in Lincoln that the City Council Historic Environment Champion was the Executive member with responsibility for tourism and regeneration. Champions require significant support both from English Heritage and from within the local authority and its officers, and a mechanism is needed to embed the ethos of Champions when the

¹⁶⁹ Ev 17

¹⁷⁰ See Dr Thurley Q 309

¹⁷¹ Q 8

¹⁷² Ev 36

¹⁷³ Historic Environment Local Management

¹⁷⁴ The website receives about 120,000 "hits" per year: Q 323

¹⁷⁵ Q 327

¹⁷⁶ Ev 140, HC 912-III, Session 2005-06, Q 131

designated individual councillors change. Both schemes are worthy but there are signs that further development and investment are needed: one witness told us that HELM could have been more effective had it secured the active support of local government heritage professionals,¹⁷⁷ and a web-based resource is likely to have less impact than a staffed advisory service. There are widespread concerns about the uptake and effectiveness of HELM in the sector.

96. Fundamental to the variable picture of local authority services is the well documented shortage of skills, which was raised constantly in written evidence.¹⁷⁸ Much falls to conservation officers, whose duties include advice to planning department colleagues on development control,¹⁷⁹ the administration of grant schemes,¹⁸⁰ specialist or technical advice on repair, alteration, extension and maintenance, general input into policy formation, character appraisals and other assessments of conservation areas, and the maintenance of registers of buildings at risk, working to reduce the number on the register where possible. Not all local authorities employ a conservation officer or are able to draw on the skills needed.¹⁸¹ A Local Authority Conservation Provision survey conducted by Oxford Brookes University for English Heritage and the Institute for Historic Buildings Conservation in 2002-03 indicated that 85% of local authorities had in-house historic building conservation expertise, with an average figure of 1.7 per authority.¹⁸² This figure however masks a wide discrepancy between areas with large teams such as Westminster and Bradford and those with little or no core provision,¹⁸³ and we gained the impression that numbers were if anything decreasing. The situation is set to deteriorate, as the current age structure of employees implies that many staff will be due to retire within the next five to ten years, just at the time that the Heritage Protection Reform programme will be implemented.¹⁸⁴ We note that the Government continues to rely upon the figures drawn from the 2002-03 survey,¹⁸⁵ and Baroness Andrews accepted that there were “a lot of gaps” in the picture of how local authorities handled heritage protection.¹⁸⁶

97. Mr Kindred described the combination of skills and experience needed by conservation officers.¹⁸⁷ Some local authorities, having lost full-time core posts, opt to buy in expertise on a contract or short-term basis, sometimes with unsatisfactory results. One owner told us that they had had extensive dealings with the local council and had on occasion found the person contracted to provide advice on conservation bureaucratic, lacking in local knowledge and having an apparently poor understanding of the difficulties which they

¹⁷⁷ Head of Cambridgeshire County Council Archaeology Service, Ev 72

¹⁷⁸ Architectural Heritage Fund Ev 18; Civic Trust Ev 100; Wessex Archaeology Ev 348

¹⁷⁹ Mr Kindred Q 114

¹⁸⁰ Such as joint Heritage Economic Regeneration Schemes (HERS), Conservation Area Partnerships (CAPs) and Townscape Heritage Initiatives (THIs)

¹⁸¹ Association of Gardens Trusts Ev 36; also Q 122

¹⁸² Ev 139, HC 912-III, Session 2005-06

¹⁸³ Planning Officers Society Ev 157 HC 912-III, Session 2005-06; Royal Town Planning Institute Ev 161, HC 912-III, Session 2005-06

¹⁸⁴ Mr Kindred Q130

¹⁸⁵ See *Hansard*, 20 March 2006, col 14WA

¹⁸⁶ Q 369

¹⁸⁷ Q 117

faced as owners. On the other hand, we recognise the contribution already being made by civic societies in the voluntary sector and by bodies established to provide a source of design advice, such as the 19 Architecture and Built-Environment Centres, co-funded by CABE, local authorities and regeneration agencies. The opportunities should be investigated for such architecture and design centres to be a source of conservation skills too, and notably, at lower cost than traditional consultancies.

98. Even in local authorities which do employ core, dedicated conservation staff, those staff do not necessarily hold positions of particular seniority or influence to ensure that due weight is given to specialist advice in relation to the management of the authority's policies and programmes.¹⁸⁸ The Cathedral Architects Association noted that there appeared to have been a downgrading of the level of seniority of conservation officers in many local authority offices "with the result that the degree of expertise for advising and consulting is not as it used to be".¹⁸⁹

99. The decline in core staff is evident both in relation to buildings and to archaeology services: the Association of Local Government Archaeological Officers told us that some local authorities which had provided services which had been "standard-bearers" for public service archaeology were presently threatened with "savage cuts"¹⁹⁰ and that pressures on local authority budgets were having "a very negative effect".¹⁹¹ The relevant Best Value Performance Indicator – 205 – requires simply that local authorities *should have access* to specialist archaeological advice, and some choose to buy in on contract the expertise as needed.

Impact of Heritage Protection Reform

100. Concerns about the implications of the Heritage Protection Review proposals for local authority resources recurred throughout the inquiry.¹⁹² The Institute of Historic Building Conservation, the Planning Officers' Society and the Association of Local Government Archaeological Officers made it clear in oral evidence that what was proposed would require careful management, development of staff skills and a better corporate recognition of what was required.¹⁹³ The Joint Committee of the National Amenity Societies warned that "without adequate resources being made available to local authorities, many of the benefits of Heritage Protection Reform will be lost",¹⁹⁴ and many others made the same point.¹⁹⁵

101. When DCMS published its *Review of Heritage Protection: The Way Forward* in June 2004, there was little sign that it had given significant thought to the impact of the programme upon local authorities: there is just one reference to "potentially serious

¹⁸⁸ Head of Cambridgeshire County Council Archaeology Service Ev 72

¹⁸⁹ Ev 77

¹⁹⁰ Ev 44 and CLASP, Ev 120, HC 912-III, Session 2005-06

¹⁹¹ Ev 47

¹⁹² See for instance National Trust Q 59

¹⁹³ Q 109

¹⁹⁴ Ev 218

¹⁹⁵ ALGAO Ev 44; Heritage Link Ev 158; Planning Officers Society, Ev 157, HC 912-III, Session 2005-06

resource implications for government” arising from any decision to require local authorities to establish and maintain or have access to Historic Environment Records.¹⁹⁶ DCMS has now become more alert and has commissioned initial research by WS Atkins into current provision by local authorities of historic environment services and their capacity to implement the proposed reforms;¹⁹⁷ further clues have emerged from an assessment of heritage reform pilot projects run by English Heritage¹⁹⁸ and research examining the role of Historic Environment Records in underpinning the HPR proposals.¹⁹⁹

102. English Heritage argued that the introduction of the new system would eventually bring substantial savings to them, to local authorities, owners of historic properties and to participants of the planning process,²⁰⁰ although it did not define how large these savings would be or when they would occur. For local authorities it appears that the chief consequences of the heritage protection reform proposals would be:

- establishing and maintaining an Historic Environment Record as a statutory duty;
- being the portal for the reformed heritage consent regimes (which in future would encompass applications for changes to what are now scheduled ancient monuments); and
- establishing Heritage Partnership Agreements with English Heritage (where appropriate).

103. English Heritage accepted that the pace of implementation would depend on the skills and capacity of local authorities to take on these new responsibilities and that the responsibility for what are currently Scheduled Monument Consents could not be transferred to local authorities until they had the capability to undertake their administration.²⁰¹ We understand that while most heritage professionals are familiar with the proposed changes, local authority chief executives and leaders are very largely unaware of the resource implications of their new requirements.²⁰²

104. We have considered several possible solutions to the question of how to provide a more consistent and improved level of service in local authorities: pooling of resources, a statutory requirement on local authorities to employ a conservation officer, the use of performance indicators, and the designation in statute of a suite of services to be provided by local authorities. We consider each possible solution below, although we observe first that **a detailed picture of the level of provision of conservation advice in local authorities both now and in the mid-term is fundamental to any decisions on resources**

¹⁹⁶ *The Way Forward*, p 24

¹⁹⁷ *Historic Environment Services Local Delivery Project: Consolidated Report*, WS Atkins, April 2006

¹⁹⁸ *Heritage Protection Review: Assessment of eight pilot projects*, David Baker, April 2006

¹⁹⁹ *Implementing the Heritage Protection Review: Local Delivery, Strand B, evaluating the implications of statutory Historic Environment Records*, English Heritage, February 2006 (interim report)

²⁰⁰ Ev 130, HC 912-III, Session 2005-06

²⁰¹ Ev 131, HC 912-III, Session 2005-06

²⁰² Advice from Mr Bob Kindred, Specialist Adviser to the Committee

for implementation of the Heritage Protection Reform programme. DCMS should undertake such research now.

105. DCMS noted in *The Way Forward* in June 2004 that local authority conservation officers were coming under increasing pressure from development control workloads, at the expense of effort on enforcement and conservation area appraisals.²⁰³ Indeed, specialist advice on applications for consent comprises the majority of a typical conservation officer's workload,²⁰⁴ and the pressure is increasing as a result of the Government's efforts to encourage local authorities to speed up the process of making decisions on planning applications.²⁰⁵ *The Way Forward* also noted the findings of the research in 2002-03 into local authority conservation provision, that conservation officers often found themselves "isolated and required to be experts across an unrealistically wide canvas".²⁰⁶ To remedy this, it suggested a pooling of resources at sub-regional level, with staff remaining where they were based but with more formal links between historic environment services in nearby local authorities, underpinned by service level agreements.²⁰⁷ Although attractive in some respects, there is a possibility that this would spur some lowest-tier authorities to disestablish posts, particularly when the majority of services are not statutory. The recent research by WS Atkins found little support among local authority professionals for a sub-regional model which it was said would be "counter to the community-based and devolutionary spirit" of Heritage Protection Reform.²⁰⁸ Some respondents to the research preferred the more informal sharing arrangements commonly practised between similar authorities.

106. Both the Architectural Heritage Fund and the Association of English Cathedrals argued in favour of a statutory requirement for local authorities or planning authorities to employ a conservation officer. When the suggestion was put to witnesses from the Institute for Historic Building Conservation, many of whose members are conservation officers, they suggested that the idea was "too simple" and was liable to be met by a "tick-box" approach, appointing a postholder but without actually attaching greater importance to the expertise or role or allowing them particular influence.²⁰⁹ Witnesses from the Planning Officers Society and the Association of Local Government Archaeological Officers agreed.²¹⁰

107. Performance indicators guide local authority strategy, priorities and funding in many fields, but few relate to historic environment services. Three Best Value Performance Indicators (BVPI) were developed for local authority historic environment services for introduction in April 2005, but only the one relating to conservation areas survived the pilot phase; the remaining Indicators concerning management of local authority assets and Historic Environment Records were abandoned. The surviving BVPI had three

²⁰³ *The Way Forward* p 22

²⁰⁴ Mr Kindred Q 114

²⁰⁵ Dr Dungavell Q7

²⁰⁶ *Local Authority Conservation Provision in England*, study by Oxford Brookes University, 2003

²⁰⁷ *The Way Forward*, p 22

²⁰⁸ Historic Environment Services Local Delivery Project, Research by WS Atkins, para 3.3.5

²⁰⁹ Q 132

²¹⁰ QQ 132-3

components: a count of the number of designated conservation areas, the number of completed appraisals of conservation areas, and the number of conservation area management plans prepared. No targets for service improvement were set and we are advised that many authorities did little to develop services in line with Indicators.²¹¹ English Heritage stated in its memorandum that it was working with others to establish indicators for Culture within the Comprehensive Performance Assessment regime. It also “continues to develop historic environment performance indicators for inclusion within the local authority performance assessment framework”.²¹²

108. Some witnesses were however distinctly lukewarm about indicators. Lincoln City Council described them as “essentially a backward-looking approach”.²¹³ Mr Babb, Head of Planning at Manchester City Council, while supportive in principle, sought reassurance that whatever was being captured by the indicators was “being used for something productive”, and he questioned how meaningful some of them were. Mr Burchnell, from Regeneration Services at Liverpool City Council, agreed. He drew our attention to the significant cost of preparing conservation area appraisals and their attendant management plans - £50,000 on average – and wondered what value was added.²¹⁴ He favoured “a process which identifies what those [heritage] assets were, set action plans to deal with those assets and then looks to see whether or not we have performed and were producing a heritage investment strategy”.

109. The course preferred by the Institute of Historic Building Conservation and others representing local authority practitioners would be to identify key elements of local authority services which support the historic environment and designate them as statutory; and it sketched a possible list of services, including technical advisory services, grant aid, maintenance of Buildings at Risk registers and provision of access to Historic Environment Records.²¹⁵ Enforcement of planning controls for listed buildings could well be added to the list. This course was echoed by others, including the Archaeology Forum.²¹⁶ We note that a detailed list of necessary core skills was drawn up in 1995 to guide the new unitary authorities in setting priorities.²¹⁷

110. As Bob Kindred, who served as both witness and Specialist Adviser to the inquiry, said, at times of financial stress a local authority will prioritise services which it is required by statute to provide.²¹⁸ Historic environment services largely fall outside this category, as would significant elements of the Heritage Protection Reform programme. There is a danger therefore that authorities will simply not provide the necessary staff resources and that the benefits of Heritage Protection Reform will not be fully realised. The Association of Local Government Archaeological Officers told us that government needed to place greater emphasis on the importance of historic environment conservation if local

²¹¹ Advice from Mr Bob Kindred, Specialist Adviser to the Committee

²¹² Ev 139, HC 912-III, Session 2005-06

²¹³ Memorandum by Lincoln City Council [not printed]

²¹⁴ Q 141

²¹⁵ Ev 207

²¹⁶ Ev 6; Dr Bryant Q 132

²¹⁷ Q 119

²¹⁸ Q 124

councillors were “to take it seriously”.²¹⁹ **We agree that encouragement should be given to local authorities to treat the historic environment as a higher priority. We recommend that a set of statutory services and standards should be developed, possibly along the lines suggested by the Institute of Historic Building Conservation, with discretion left to local authorities on how they should be met, according to the extent and range of heritage assets to be managed. Alongside research into the availability of conservation skills within local authorities, DCMS should, with DCLG, also examine how bodies such as the CABE-sponsored Architecture and Built Environment Centres might be augmented in terms of skills and funding to be a pooled source of conservation as well as urban design expertise for local authorities.**

Assets owned by public bodies

111. Local authorities generally have a substantial catalogue of heritage assets, as do central Government departments and agencies, and NHS Trusts. Local authorities will need to demonstrate exemplary conduct in the management of their own heritage properties if they are to be credible in exercising control over privately owned heritage properties through the planning system. In many cases their buildings were designed for smaller populations or were erected in dense urban surroundings and are no longer appropriate for today’s needs. On their becoming redundant, decisions need to be taken on whether to redevelop the site comprehensively or whether to opt for adaptation and re-use. Such decisions are not always taken quickly, and there are examples of striking and impressive buildings decaying while the future use of the site is determined, such as Severalls Hospital near Colchester and Crossley Hospital in Cheshire. Mr Wilkinson, representing Save Britain’s Heritage, described the NHS as “the worst offender”.²²⁰ We understand that up to 17 per cent of all listed buildings at risk are local authority owned.²²¹

112. We explored with English Partnerships its strategy for managing the portfolio of former NHS hospital sites transferred to them in April 2005, with more to follow. English Partnerships stressed its efforts to take into account the views and expertise of English Heritage in forming a policy on what changes could or could not take place. Decisions are taken by English Partnerships on the basis of that advice, within the context of the local authority planning policy and the Government’s aim to create sustainable communities and make best use of surplus public sector land.²²²

113. DCMS issued a Good Practice Guidance note - “Disposal of Historic Buildings – Guidance note for government departments and non-governmental public bodies” in 1999, permitting and indeed encouraging the disposal of assets for less than best consideration if that is in the historic interest of the asset concerned.²²³ Similar guidance was subsequently published with an accompanying Government Circular encouraging disposal of local authority-owned heritage assets for community economic, environmental

²¹⁹ Ev 48

²²⁰ Q 22

²²¹ Information supplied by Mr Bob Kindred, Specialist Adviser to the Committee

²²² QQ165-6; also Ev 151

²²³ Provisions under the Local Government Act 1972 give powers to local authorities to dispose of land in any manner they wish, except that a disposal must be for the best consideration [i.e. price] reasonably obtainable.

or social objectives under the ODPM Disposal Consent Regulations 2003. This permits disposal of assets valued at less than £2 million for less than best consideration without Government approval. The Architectural Heritage Fund believed that local authorities should be encouraged to take advantage of Government regulations permitting the disposal of heritage assets for community benefit.²²⁴

114. It seems that neither the DCMS Guidance Note nor the disposal regulations are well understood or well used, despite large numbers of redundant public sector listed buildings. **DCMS and DCLG should make renewed efforts to encourage public bodies to exercise dispensations to dispose of assets for less than best consideration when those assets have heritage value and it is satisfied that the buyer has a viable plan for maintenance.**

Voluntary sector

115. The voluntary and community sectors were widely applauded in evidence for the huge contribution which it makes to the restoration and management of the nation's heritage. In many cases, voluntary effort takes the form of a building preservation trust, a model recognised and approved by the Charity Commission as a standard structure for a charity wishing to preserve and restore a historic building. Very few building preservation trusts have paid staff: in most cases the management effort is voluntary and expertise is only bought in for projects. County Gardens Trusts operate on a similar basis, depending on voluntary effort to research and record, give advice, educate and publicise historic parks and gardens, usually funding work themselves with some assistance towards administrative costs received from English Heritage through its Capacity Building Grant.²²⁵

116. Often the voluntary effort will depend on leadership with vision, energy and enthusiasm. For instance, once a heritage asset at risk (usually a building) has been identified, to establish a building preservation trust requires effort to get to grips with relevant charity and tax law, seek out appropriate advice, persuade funders and others of the merits of the planned preservation, and form a body of core support.²²⁶ The scale of the enterprise was illustrated very clearly to us by Kate Dickson, of the Ancoats Building Preservation Trust, which had secured nearly £13 million in grant aid for the repair of an impressive and immense derelict historic industrial complex surrounding Murray Mills in Manchester - despite having received no direct financial support from the local authority.

117. The voluntary sector also encompasses the national statutory amenity societies (those required to be consulted by local planning authorities on applications to alter significantly or demolish listed buildings), such as the Society for the Protection of Ancient Buildings, The Ancient Monuments Society, The Victorian Society and the Twentieth Century Society.²²⁷ The Joint Committee of the National Amenity Societies, which was formed in 1972 to co-ordinate strategy, pointed out that its constituent societies provided "a voice for

²²⁴ Ev 17

²²⁵ Ev 38

²²⁶ Architectural Heritage Fund, Ev 117-8, HC 912-III, Session 2005-06

²²⁷ Full membership listed at Ev 218

the voluntary and community heritage groups that have difficulty otherwise being heard".²²⁸ There is also a flourishing voluntary local civic society movement.

118. The voluntary heritage sector is very diverse and covers not just the constituencies outlined above but also private owners, volunteers, and funding bodies. Similarly, the range of interests extends to the preservation of residential and commercial buildings, monuments, archaeological sites, the natural environment, industrial sites and ecclesiastical buildings. Only since the formation of Heritage Link in 2002 has the sector had a collective voice. Heritage Link currently has 82 member organisations and seeks to influence government policy and develop capacity. Its efforts were praised by witnesses, who referred to its "vital" role in keeping the sector informed, co-ordinating the activities of member organisations, conducting research and acting as an authoritative advocate.²²⁹ The Chairman of Heritage Link stressed that the diversity of the sector was an asset rather than a weakness²³⁰ and that constituent members were now beginning to learn to work together.²³¹ The test for Heritage Link will be to show that it can exert real influence on decision-making; to do this, the level of access to Ministers will need to be increased.²³² The Government will also need to show that it is receptive and that it regards Heritage Link as authoritative. **We recommend that DCMS ministers improve dialogue with Heritage Link as the collective voice of the voluntary heritage sector.**

Private owners

119. Two thirds of the nation's built heritage is privately owned and maintained²³³ and the costs of restoration and repair are met largely from private funds.²³⁴ The stock of privately-owned heritage includes substantial 'country houses' and smaller-scale residential dwellings on both urban and rural settings; and it covers farm buildings, commercial buildings, certain piers, and monuments and archaeological sites on private land. While owners of larger houses may be members of the Historic Houses Association or the Country Land and Business Association and have a representative voice, there is no body which speaks for the owners of the many thousands of other buildings which provide a valued sense of identity for local communities. Our inquiry did not therefore have the advantage of a first-hand account of private owners' ability to maintain the abundance of historic assets under their care. This was a gap in our knowledge which we suspect may be shared by DCMS, and **we recommend that DCMS and English Heritage should undertake research into the problems faced by private owners of small-scale built heritage assets.**

120. The Historic Houses Association (HHA), which represents owners of about 1,500 privately owned houses, parks and gardens in the UK, set out the position facing many of

²²⁸ Ev 219

²²⁹ CPRE Ev 75

²³⁰ See also Architectural Heritage Fund Ev 18.

²³¹ Q 279

²³² See Q 280

²³³ DCMS Ev 143

²³⁴ Country Land and Business Association Ev 125

its members.²³⁵ It described “an enormous backlog of repairs”, the cost of which was estimated in 2002 at £490 million.²³⁶ Of immediate concern is the ebbing away of public funding to cover the cost of repairs; grants to private owners from English Heritage have declined dramatically since 2001-02²³⁷ and are now virtually unobtainable for repairs to Grade II listed buildings. As we have noted, the Heritage Lottery Fund is constrained by its governing directions in the extent to which it can fund work which results principally in private gain, although we have recommended above that the directions should be made more flexible.²³⁸ The Historic Houses Association told us that local authorities generally had little money for private owners of historic houses.²³⁹

121. The Country Land and Business Association (CBA) also drew attention to owners’ involvement in management of the historic environment. Like the HHA, it described the “huge” cost of maintenance: a CBA survey suggested that members spent an average of £29,000 each year on repairs.²⁴⁰ Again, like the HHA, it identified “a major funding gap” becoming apparent.

122. In the next section we look briefly at the merits of a fiscal relief to support private owners in the task of maintaining historic assets.²⁴¹ There is some scope to explore alternative means, however, such as diversification. The owners of Doddington Hall had been ingenious in generating income through staging events and selling Christmas trees; and they had tapped into a range of funding schemes (including the DEFRA Countryside Stewardship Scheme and EU funding) to regenerate parkland and provide seed funding for a farm shop. This seemed to us to be a commendable self-help approach which in addition revived much of the estate and brought it into productive use. We therefore support the Country Land and Business Association’s statements that the maintenance of buildings and the conservation of historic monuments need to be funded by economic activity and that conservation is best achieved in the context of long-term and viable land management.²⁴²

Regional Development Agencies

123. Regional Development Agencies’ roles in promoting economic development through Regional Economic Strategies places them as potential beneficiaries of historic assets through heritage-led regeneration. In practice, we find little evidence to suggest that RDAs take a consistent approach in acknowledging the part that historic buildings could play. The Head of Design and Built Environment at North West Development Agency, Heather Emery, told us that the Agency did indeed recognise and value “quality of place and sense of place” and that by supporting investment in the public realm it could encourage

²³⁵ Ev 145, HC 912-III, Session 2005-06. The houses attract 15 million visitors per year and are estimated to contribute about £2 billion to the local and national economy.

²³⁶ Ev 182

²³⁷ See figures in para 32

²³⁸ See para 70

²³⁹ Q 94

²⁴⁰ Ev 127

²⁴¹ See paragraph 178

²⁴² Ev 128

investment by developers.²⁴³ The Historic Houses Association noted good practice among RDAs in assessing the benefits of integrated rural estates and in assisting heritage attractions to develop visitor facilities; but it added that some had yet to realise the importance of links between rural and urban economies.²⁴⁴

124. The Royal Town Planning Institute called for closer links between English Heritage and the Heritage Lottery Fund on the one hand and mainstream funders such as RDAs on the other, to ensure that the benefits of design and heritage-led regeneration were fully recognised and prioritised in regional economic and funding strategies.²⁴⁵ There is evidence to suggest that the relationships between RDAs and local players have sometimes been poorly developed and not fruitful, with the result that little priority is given to historic assets in economic development plans.²⁴⁶ The National Trust told us that it would “have a good conversation” in place with an RDA but that “the moment the agenda moves on to something else it is almost as if that conversation had never happened”.²⁴⁷

125. Practice varies from one RDA to the another, with no clear benchmarking or good practice standards.²⁴⁸ We note that the first recommendation in the *Power of Place* report in December 2000, which it was proposed should be carried forward as an immediate priority, was to require RDAs to take full account of the historic environment in preparing economic and community strategies and implementing neighbourhood renewal.²⁴⁹ **We recommend that RDA Boards should have at least one member able to serve as a persuasive advocate on behalf of heritage. More effort should be made by RDAs to identify the benefits of heritage-led regeneration and share good practice.**

3 Tools for supporting the historic environment

Existing protection

126. Besides its sponsorship of English Heritage, the Government has two main areas of intervention to support the historic environment: a planning framework which recognises and accords special protection to archaeological sites, historic buildings or structures of special value; and fiscal policy, which can provide assistance or incentives to maintain and repair historic assets. The planning framework is split between two Departments: the listing regime, scheduling of monuments, grants to heritage bodies and responsibilities for the Ecclesiastical Exemption for churches are the responsibility of the Department of Culture, Media and Sport, while general planning controls including appeals against consents, Article 4 Directions which control classes of permitted development,

²⁴³ Q 154

²⁴⁴ Q 80

²⁴⁵ Ev 160, HC 912-III, Session 2005-06

²⁴⁶ See for instance Q 80

²⁴⁷ Q 63

²⁴⁸ RDAs in the North West and North East were cited as good examples: Q 63 and Mr Way Q 80

²⁴⁹ See also Mr Thompson Q 80

conservation-related enforcement notices, demolition of redundant listed churches and compensation issues are the responsibility of the Department for Communities and Local Government.

Planning framework

127. The planning framework has undergone major change in recent years. A new two-tier system has been introduced to manage development in towns and in the countryside: Regional Spatial Strategies are prepared by regional planning bodies (and in London, the Mayor) describing the broad requirements for how each region should look in 15 to 20 years' time or longer; and these are complemented by Local Development Frameworks consisting of a folder of development documents indicating principles for the local area. The intention behind the new system is to make it more responsive to change and to allow fuller engagement with local communities and development stakeholders by means of a Statement of Community Involvement.

Planning guidance

128. The two Planning Policy Guidance notes issued by central Government to assist local planning authorities in taking into account historic assets in decision-making are PPG 15 (Planning and the Historic Environment) and PPG 16 (Archaeology and Planning). PPG 15 emerged from an update of a 1987 Department of Environment circular in September 1994; PPG16 (Archaeology and planning) dates from November 1990. The Government has signified its intention to merge the two and replace them with a combined Planning Policy Statement.

129. PPG 15 is divided into two parts but there is no sharp distinction between the areas of responsibility of the two Government departments involved. Part 1 deals with those aspects of conservation policy which interact most directly with the planning system and which are the responsibility of the Department for Communities and Local Government; it explains the role of the planning system, development plans (now superseded) and development control, and policies on alterations and extensions to listed buildings, demolition and conservation areas. Part 2 deals with aspects of policy less directly linked to the planning system and are the responsibility of the Department of Culture, Media and Sport. These include guidance on how buildings are identified for listing and the principles of selection, upkeep and enforcement, and works to churches under the Ecclesiastical Exemption. A technical annex gives detailed advice on the appropriate alteration of component parts of listed buildings: walls, windows, doors *et cetera*.

130. There was no sign in evidence of serious discontent with the principles underlying PPG 15.²⁵⁰ Unlike the Circular which it replaced in 1994, it is aimed not just at planning authorities but at owners, agents and developers. It has made clear the integrated nature of the relationship between planning and heritage and is explicit about the special regard to be paid to preserving listed buildings, with demolition only as a last resort. We were told however that certain elements of the Guidance, such as advice relating to World Heritage

²⁵⁰ The CPRE for example supported the general thrust: Ev 73; the Planning Officers Society said that advice on PPG15 (and 16) 'guides local authorities wisely'. Ev 156 HC 912-III, Session 205-06

Sites and to historic parks and gardens did not reflect current policy thinking and good practice in the historic environment sector.²⁵¹ We also heard that the level of detail in the appended advice on alteration of buildings was poor when compared with that available in Scotland,²⁵² and the Planning Officers Society pointed out that there were also deficiencies relating to sustainability, disabled access and the revised Building Regulations.²⁵³

131. PPG 16 sets out policy on archaeological remains on land and how they should be preserved and recorded. The Archaeology Forum told us that the document “built upon accepted practice in the most forward-looking authorities and enlightened developers, developing the precautionary and “polluter pays” policy. It listed a series of beneficial effects: the “appalling loss of sites of the past 30 years” had lessened “dramatically”; it had been “spectacularly successful in expanding the excavation of archaeological sites that would otherwise be destroyed without record”; and it had increased standards overall.²⁵⁴

132. PPG 16 gave new encouragement to local planning authorities to require developers to arrange for an archaeological field evaluation to be undertaken on a site where they were intending to submit a planning application; and it stated that local planning authorities could expect developers to provide the results of such assessments as part of any subsequent application.²⁵⁵ The consequences have been far-reaching: an industry of professional archaeological contractors and consultants has grown, competing for tenders to undertake field assessments. Competition is often fierce and price-led. The consequent increase in expenditure by developers on archaeology has been largely responsible for the substantial overall increase in funds for archaeology in England from nearly £120 million in 2000 to some £210 million or more in 2003-04.²⁵⁶ While this may seem beneficial, we heard that aggressive competition had exaggerated job insecurity and held down rates of pay and conditions “at unacceptable levels”.²⁵⁷ We also heard that the standards demanded for such work left little space for the involvement of amateurs in archaeology and consequently reduced opportunities for voluntary effort, which had traditionally played a large part on archaeological excavation.²⁵⁸

133. Witnesses identified scope for improvement to PPG 16, particularly in terms of enhancing benefit to the public. The Archaeology Forum called for clearer guidance on storage, conservation and display of artefacts recovered during fieldwork, a greater involvement of the public in excavations, and the analysis and publication of excavation records in forms which are accessible for the archaeological community and the wider public.²⁵⁹ One witness suggested that there was a serious need to specify the requirement

²⁵¹ See Association of Gardens Trust Ev 36

²⁵² Q 126

²⁵³ Q 126

²⁵⁴ Ev 7; see also Q 208

²⁵⁵ PPG 16 paras 21-2

²⁵⁶ Research by K Aitchison; 2003-04 figures are an estimate only; no reliable figures are available for Scotland, Wales or Northern Ireland. See Ev 8

²⁵⁷ Archaeology Forum Ev 8

²⁵⁸ Standing Conference on London Archaeology (SCOLA) Ev 335; Mr Ayers Q 218

²⁵⁹ Head of Cambridgeshire County Council Archaeology Service Ev 8; Dr Bryant Q 127

on developers to pay for full scientific analysis, publication and archiving.²⁶⁰ Work is currently under way by the lead professional archaeological institutions to define appropriate professional standards, and this should be taken into account in the issuing of planning policy guidance. We revisit this issue and draw conclusions on the importance of archaeology for public engagement at paragraphs 210 to 212.

134. Baroness Andrews confirmed to us that the publication of a new merged Planning Policy Statement would have “to wait on the Heritage Protection Review itself” but that the values that would underpin the forthcoming White Paper would be reflected in the new statement and its appendices.²⁶¹ The recent joint ODPM/DCMS consultation paper on criteria for listing buildings indicates however that the merger would have to wait even longer – until the new heritage protection system was in place and implemented.²⁶² **We recommend strongly that the merger and replacement of existing Planning Policy Guidance concerning the historic environment and archaeology should be undertaken without delay after publication of the Heritage White Paper. It should not be delayed until implementation of the proposed new heritage protection regime in 2010: some of the advice is very outdated and needs revision, but the principles are largely sound and significant benefits could be gained from comparatively little effort.**

The heritage protection system

135. Although some elements of the system for protection and management of the historic environment go back to the 19th century,²⁶³ it was not until 1967 that area-based protection was introduced, building on rudimentary protection dating from 1947. Further protection for archaeology was added in 1979,²⁶⁴ but listing and conservation areas remained a subsidiary part of land-use planning legislation until they were split from it in 1990. The general statutory development of the present framework has therefore been evolutionary and piecemeal and, although it has worked reasonably effectively, witnesses were divided as to whether it could be adjusted effectively to respond to present concerns or whether it needed complete overhaul. Those in the former camp cite the specific components that require only minor adjustment to be more effective, in some cases using Regulations and Orders under the planning system rather than new primary legislation. Others, notably English Heritage, argue that reform is “essential” and that the current system is “disjointed, complex and confusing”.²⁶⁵ Such complexity is cited as the main reason for the proposed Heritage Protection Regime programme. We describe the various elements of the existing regime, identifying the changes which would be made by the Heritage Protection Reform programme, before giving a view on the merits of the programme as a whole. We then look at controls which appear not to be included in the reform programme.

²⁶⁰ Ev 71

²⁶¹ Q 364

²⁶² *Revisions to Principles of Selection for Listing Buildings*: DCMS/ODPM Consultation Document, July 2005, para 31

²⁶³ Ancient Monuments Act 1882

²⁶⁴ Ancient Monuments and Archaeological Areas Act 1979

²⁶⁵ Ev 129, HC 912-III, Session 2005-06

Recording of sites

136. At present, all sites designated as noteworthy and deserving of a measure of statutory protection are recorded on separate lists, depending on whether they are buildings, archaeological sites or monuments, historic parks and gardens, or battlefields. Some sites fall into more than category and are therefore recorded twice. The heritage protection reforms propose an integrated Register of Historic Sites and Buildings for England, to be compiled by English Heritage. The Register would incorporate all designated sites, including all those listed above as well as World Heritage Sites. It would consist of two sections: a main section of sites designated according to nationally-agreed criteria, to be maintained by English Heritage; and a local section of sites designated locally against criteria to be drawn up by English Heritage. English Heritage implied that the local section of the Register would be formed from the records compiled by local authorities as Historic Environment Records (see paragraph 139 below).²⁶⁶ Conservation areas would be recorded in the local part of the Register.²⁶⁷

137. The new Register would provide more comprehensive information about why each particular asset had been designated, thereby enabling owners of historic sites to make better informed decisions about future protection and management. Statutory responsibility for designating historic assets would be transferred from DCMS to English Heritage (although the administrative aspects of the listing process have already been transferred – in April 2005).

138. While these proposed reforms have significance for DCMS and English Heritage and would appear to be sensible, there are some unanswered questions. The proposal for comprehensive information about why an asset has been designated would apply to new designations; but enhancing to the same standard the levels of information about the architectural and historic interest of the *existing* 500,000 Listed buildings and 18,000 scheduled ancient monuments (together with the other types of historic assets) would be a major task. There is a danger that the old and new systems (or at least the very disparate levels of information for each) would co-exist in perpetuity, with little being achieved to improve levels of understanding which underlie the reform. **The proposed combined Register is sound in principle, but the supposed benefits cannot be realised unless resources are made available for a substantial one-off task in updating existing records.**

139. At local level, the main sources of information are Historic Environment Records (HER) (formerly known as Sites and Monuments Records). The existing network has been built up since the 1970s and is generally held and maintained by county councils and unitary level authorities. DCMS indicated in *The Way Forward* in 2004 that it intended to require local authorities to establish and maintain or to have access to Historic Environment Records. Strangely, the English Heritage submission to our inquiry stated clearly that such a responsibility would indeed be placed on local authorities,²⁶⁸ but the DCMS submission made no mention of it in its description of the heritage protection reforms.

²⁶⁶ Ev 129, HC 912-III, Session 2005-06

²⁶⁷ See *The Way Forward*, DCMS, June 2004, p 10

²⁶⁸ Ev 130, HC 912-III, Session 2005-06

140. Witnesses from the archaeological community saw the statutory requirement to maintain or have access to Historic Environment Records as essential to improve development decisions and public knowledge.²⁶⁹ Mr Ayers told us that they were “remarkably powerful tools” in informing decision-making and that without them he could not see the Heritage Protection Reform process working.²⁷⁰ The Association of Local Government Archaeological Officers made clear that “good quality and committed staff” and a sound information base would be needed to inform the work.²⁷¹ **We agree with witnesses that a statutory requirement on local authorities to maintain or have access to Historic Environment Records is an important step in disseminating information and increasing public engagement. DCMS should confirm that it intends to bring the proposal forward.**

141. The effort involved in establishing and maintaining a Historic Environment Record is chiefly one of making paper-based records available in electronic format. For archaeology services the enhancement of public access to information about assets, for instance through digitisation, is core work and is already well advanced. Conservation services are much more reliant on paper records and by far the greater part of the burden of this task would be borne by conservation officers. No clear estimate has emerged from research by WS Atkins into the financial and resource impact of the heritage reform proposals, as much would depend on which model of service delivery would be adopted according to local circumstances, and the levels of skills and seniority of heritage professionals required to operate it.²⁷² It seems clear that a significant one-off task faces local authority staff to digitise all existing records. **DCMS should make it clear what priority local authorities should give to the digitisation of paper-based records to form Historic Environment Records; and it must recognise the scale of the task.**

The Listing system

142. The purpose of the listing system is “to guide local planning authorities in the performance of their planning functions and ensure that careful consideration is given to individual buildings which are of special interest before planning decisions are taken, principally through listed building consent”.²⁷³ Listed buildings are accorded an additional degree of protection from inappropriate alteration or extension, or demolition. To qualify, a building must be of “special architectural or historic interest”; guidance on what amounts to special interest is given in PPG 15. English Heritage and DCMS have recently consulted on further elaboration and refinement of the criteria by which buildings will be listed. Listed buildings are graded from Grade I through Grade II* to Grade II, in descending order of significance. Local authorities are obliged to consult English Heritage and the national amenity societies on proposals to alter, extend or demolish Grade I or II* buildings (and consult English Heritage on such works to Grade II buildings in local authority ownership). In April 2005, the task of administering the listing system was

²⁶⁹ Archaeology Forum Ev 6; ALGAO Ev 46; Dr Bryant Q 107

²⁷⁰ Q 213

²⁷¹ Ev 414

²⁷² Historic Environment Services Local Delivery Project, WS Atkins 2006, paras 5.6.1 and 5.6.2

²⁷³ *Revisions to Principles of Selection for Listing Buildings: Planning Policy Guidance Note 15*, DCMS/ODPM Consultation Document, July 2005

transferred from DCMS to English Heritage, although for the time being decisions on listing remain with the Secretary of State. Under the Heritage Protection Reform proposals, English Heritage would acquire responsibility for decisions on listing; to achieve this, primary legislation would be required.

143. One of the proposed reforms is to eliminate the Grade II* listing category by combining it with Grade I. The vast majority of listed buildings (about 92%) would remain listed as Grade II. There were fears that this would somehow indicate a downgrading of status, and Save Britain's Heritage argued that the existing three grades gave a very clear indication of the strengths of each building and that to elevate all Grade II* buildings to the level of Grade I would dilute the specialness of the most highly graded buildings. Dr Simon Thurley, Chief Executive of English Heritage, was adamant that there was no suggestion that large numbers of Grade II* buildings that would be relegated to Grade II, and this bears out the Government's thinking set out in *The Way Forward*.²⁷⁴

144. It became clear in evidence from English Heritage that the reforms to the listing process would entail a re-listing of the listed building stock, with the description of each listed building rewritten as and when a related application for consent on a Grade I, II* or local authority-owned Grade II building was received. Save Britain's Heritage described the demands which would result as "enormous",²⁷⁵ and Dr Thurley, Chief Executive of English Heritage, agreed that there was "a potentially huge amount of work" involved.²⁷⁶ It is not clear whether the Government has yet assessed the practicality of achieving the rewriting of a list description within the target time for processing the related application for consent.²⁷⁷ **The Government should consider carefully whether target times for processing applications for listed building consent should be revised to reflect the extra task of rewriting the relevant list description.**

145. We note in passing that DCMS plans to change the designation process for all types of asset, introducing new steps of notifying and consulting owners on proposals to list or schedule assets in their ownership. Interim protection measures will be in place to protect assets while they are being considered for designation, something which was strongly endorsed by the Joint Committee of the National Amenity Societies.²⁷⁸

Merger of Listed Building Consent and Scheduled Monument Consent

146. Presently, all applications for Listed Building Consent are made in the first instance to the local planning authority, but applications for Scheduled Monument Consent are made to the Secretary of State, in practice with advice and administrative support from English Heritage. The heritage protection reforms envisage a single application process through the local planning authority, covering applications for permissions to undertake works affecting either listed buildings or scheduled monuments. English Heritage told us that the merger would "achieve consistency of process and greater transparency and

²⁷⁴ Q 299; *The Way Forward*, p 14

²⁷⁵ Q 6

²⁷⁶ QQ 303-5

²⁷⁷ English Heritage, Ev 143, HC 912-III, Session 2005-06

²⁷⁸ DCMS Ev 135; Dr Dungavell Q1

accountability”. Once again, the impact of the change would be felt by local authority staff, in particular conservation officers, who would need training to pick up the expertise to handle applications for scheduled monument consent, although there would be involvement of English Heritage “as appropriate”.²⁷⁹ Baroness Andrews indicated in oral evidence to the Committee that work commissioned from consultants W S Atkins had examined how joint working arrangements might provide the range of specialist expertise required so that for example, a dedicated archaeological adviser would not be required for each local authority.²⁸⁰

Heritage Partnership Agreements

147. Some large sites contain several elements subject to separate development controls. For instance, a listed house with listed outbuildings might be set within a registered historic park that contained scheduled archaeological remains. At present separate or overlapping consents could be required for alterations, extensions or demolitions. DCMS proposes that such sites might be covered in future by Heritage Partnership Agreements, under which a medium to long-term framework for management of an asset, site or estate would be agreed between the owner, site manager, the local authority and (if appropriate) English Heritage. The management framework would set out a range of works that could be undertaken without the need for repetitive consent applications.²⁸¹ English Heritage has piloted a few such Partnership Agreements, and their Chief Executive, Dr Simon Thurley, described for us an example – that of the Holkham Estate in Norfolk – where the management agreement would take several months of negotiation between the owner of the estate, the local planning authority and English Heritage. Dr Thurley anticipated that once it was in place, all three parties would have to do “far less work”.²⁸² Sir Neil Cossons, Chairman of English Heritage, added his support, emphasising that conservation was best served by going for a managed solution rather than an adversarial one.²⁸³

148. Others were also in favour: Dr Nigel Crowe, Conservation Manager at British Waterways, was enthusiastic and believed that the British Waterways estate – which is by nature linear and has generic features – lent itself “very much” to such agreements.²⁸⁴ British Waterways was currently piloting an agreement to deal with the Foxton Incline Plain and Canal site and was shortly to open consultation with stakeholders, customers, the Inland Waterways Association, the local authority and others. Dr Crowe very much hoped that the approach taken, which he saw as open and accountable, would be welcomed. The Church Heritage Forum also saw “positive advantages in the concept” and intends to continue participation in pilots.²⁸⁵

149. It will be interesting to see whether there is as much scope for establishing Heritage Partnership Agreements as may have been envisaged initially. English Heritage was unable

²⁷⁹ Ev 130, HC 912-III, Session 2005-06

²⁸⁰ Q 367

²⁸¹ Ev 130, HC 912-III, Session 2005-06

²⁸² Q 307

²⁸³ Q 307

²⁸⁴ Q 228

²⁸⁵ Ev 84

to place an estimate on the percentage of designated assets that might be covered by Agreements.²⁸⁶ It is accepted that in each case there will need to be a significant initial investment in terms of time, and the financial burden has yet to be quantified,²⁸⁷ but English Heritage hopes that there will in the long term be a saving of effort and money.²⁸⁸ Research undertaken into pilot Agreements appears to bear out some of English Heritage's hopes, although the research warns that quantifying savings – in time or costs – in advance of implementation is very difficult; and it confirms that Agreements will have limited purposes.²⁸⁹ Negotiated settlements are the ideal and any labour saved as a result will be welcome, but it cannot be assumed that it will always be easy to secure Agreements, particularly where there is a history of antipathy or suspicion. Indeed, without such mutual trust, Agreements would be unlikely to be successfully concluded.

Class Consents

150. Just as certain categories of relatively minor development can be granted planning permission automatically, there are a number of operations affecting scheduled monuments which are normally of little consequence and for which scheduled monuments consent can be granted by the Secretary of State subject to consultation with English Heritage. Ten such Classes of Consent were defined under the Ancient Monuments (Class Consents) Order 1994 but the most contentious is Class 1, comprising agricultural, horticultural and forestry works. The approval is based on such works being carried out regularly so that no new damage is caused and only on areas where works of the same kind have been done at some point in the previous six years. The archaeological community consistently identified ploughing as the most contentious operation permitted under Class 1 Consents.²⁹⁰ The All-Party Parliamentary Archaeology Group (APPAG) went further in proposing that the system of class consents should be abolished altogether.²⁹¹ The Archaeology Forum agreed but urged early withdrawal of Class 1 Consents for agricultural activities.²⁹² The Forum and others drew attention to well publicised case of damage at the Romano-British town of Verulamium at St Albans.²⁹³

151. The NFU questioned whether conditions for scheduled monuments (including archaeological sites) had actually worsened since the order came into effect in 1994, and it maintained that a balance needed to be found between what was judged to be the public good and the rights of those with an interest in the land. It cited incentives for farmers to maintain their land in a good environmental condition (which involved respect for historic features) and called for their beneficial effects to be measured before any decision was taken to embark on a regulatory path.²⁹⁴ The Country Land and Business Association also

²⁸⁶ Ev 142, HC 912-III, Session 2005-03

²⁸⁷ Q 308

²⁸⁸ Q 306

²⁸⁹ *Heritage Protection Review: Assessment of eight pilot projects*, Historic Environment Conservation, April 2006

²⁹⁰ Archaeology Forum Ev 6, ALGAO Ev 45, RESCUE Ev 304

²⁹¹ Ev 4

²⁹² Ev 6

²⁹³ Ev 6

²⁹⁴ Ev 150, HC 912-III, Session 2005-06

cautioned against total withdrawal of the order and urged that common sense should be used in deciding upon change.²⁹⁵

152. DCMS has announced that it is reviewing the Class Consents Order and it acknowledges the need to protect nationally important archaeological sites from being damaged by ploughing.²⁹⁶ There are perfectly valid views on both sides of the argument but we have not been able to explore them fully. **A measure which permits the blanket authorisation of damage to archaeological sites of national importance cannot be allowed to continue in its present form, but we believe that the provision of financial incentives to encourage good environmental stewardship may be a more promising approach than straightforward repeal of the Class Consents Order.**

Conclusion on the Heritage Protection Reform programme

153. Many of the proposed changes under the Heritage Protection Reform programme might seem technical, disparate and of limited importance to the outside observer, but their impact on owners, English Heritage and especially local authorities is likely to be very significant. We note that there is support from across the sector for the principles of the reform, particularly those that lead to devolution of decision-making to more local levels.²⁹⁷ The Association of Local Government Archaeological Officers, for example, is “fully committed” to the proposed legislation²⁹⁸ and the reforms’ objectives are “warmly supported” by the Church Heritage Forum.²⁹⁹

154. **We accept that there is a clear rationale for reforming the present system of designation protection: it is indeed disjointed, complex and confusing. We also welcome the Government’s assurance that the reforms would not entail any dilution of the current levels of statutory protection.**

155. **We are not certain however that DCMS has grasped fully the implications for local authority staff, some of whom are already struggling to find space for conservation work in a timetable driven increasingly by the demands of giving advice on development applications.** As English Heritage rightly notes, the pace of implementation will depend on the skills and capacity of local authorities to take on new responsibilities. A set of changes as substantial as those proposed under the Heritage Protection Reform programme will take time to implement fully and will need financial and political support. Mr Lammy spoke of a “compact” with local government that where central government placed extra burdens on local authorities, it would provide the necessary extra resources.³⁰⁰ **If the Government wants the heritage protection reforms to succeed, it must ensure that local authorities invest in historic environment services and that they are funded to do so. We note the Minister’s assurance that resources would be provided to local**

²⁹⁵ Ev 121, HC 912-III, Session 2005-06

²⁹⁶ Ev 136

²⁹⁷ National Trust Q 56; Country Land and Business Association Q 77; IHBC and the Planning Officers’ Society Q 107; The Archaeology Forum Q 211; RIBA Ev 314. See also Mr Lammy Q 360

²⁹⁸ Ev 45

²⁹⁹ Ev 84

³⁰⁰ QQ 368 and 370

authorities to meet the costs of any further burdens: we expect to see this commitment delivered by DCLG.

Controls which do not appear in the HPR programme

Conservation areas

156. Conservation Areas were established in the Civic Amenities Act 1967 as areas of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”. Initially the sole protection afforded was simply a requirement for extra publicity to be given to planning applications and a duty for local authorities to pay special regard to the desirability of preserving or enhancing the character or appearance of such areas. There was no control over demolition, although this was soon recognised as a major shortcoming and remedial measures were introduced in 1974. Although we did not concentrate upon controls in conservation areas during the inquiry, we gained the impression that the original aspirations for conservation areas have never been matched by an adequate regime of control to enable local authorities to manage them.³⁰¹ Mr Venning, Secretary of the Society for the Protection of Ancient Buildings, told us that it was “surprising what you can get away with in a conservation area”,³⁰² and we are advised that there are for instance more controls over works to trees in conservation areas than to the extension or alteration of facades of buildings.³⁰³ We identify two particular failings: demolition control (compromised by the 1997 *Shimizu* decision, the effects of which are not confined to conservation areas), and the disincentives for local authorities to use powers to suspend permitted development rights.

157. The notorious *Shimizu* decision effectively permitted owners of most unlisted buildings in conservation areas to demolish a part of their building without the consent of their local authority; only demolition of the whole building required consent.³⁰⁴ The decision also made explicit that any proposals involving only relatively minor demolitions need not be notified to the national amenity societies. The decision is widely seen as perverse, and we were told that the present Government had indicated soon after the decision that it would try to resolve the situation.³⁰⁵ DCMS announced in its 2003 consultation paper on the historic environment that existing controls over demolition were to be considered as part of the research under way for the review of the General Permitted Development Order;³⁰⁶ but there is little sign of any result. According to witnesses, several Ministers had indicated that they wanted to bring forward legislation to change the position, but time had not been found.³⁰⁷ Baroness Andrews gave us an assurance that the forthcoming White Paper would address the problems caused in the light of the *Shimizu*

³⁰¹ See Mr Wilkinson Q1

³⁰² Q1

³⁰³ Advice from Mr Bob Kindred, Specialist Adviser to the Committee

³⁰⁴ *Shimizu v Westminster City Council* [1997] All E. R. 481; see *Protecting our historic environment: making the system work better*, DCMS, July 2003, para 65

³⁰⁵ Mr Venning, Q 2

³⁰⁶ *Protecting the historic environment: making the system work better*, July 2003, DCMS, para 65

³⁰⁷ Q 6

ruling, and she said that her Department would “certainly be taking account of *Shimizu*, hopefully restoring the levels of control that were in place before”; but little appears to have been done so far to undertake any systematic collection of evidence of damage caused by the ruling.³⁰⁸ **The Government’s approach in addressing the *Shimizu* decision has been dilatory and unacceptable. Nothing is to be gained from further delay, and steps to place the previous understanding on a secure legal footing should be given a high priority.**

158. It is possible for local authorities to introduce greater protection for buildings in conservation areas by suspending householders’ automatic right to undertake certain work without planning permission, by issuing what are known as Article 4 Directions. These require prior public consultation but are cumbersome to administer and enforce, vary in what they control from area to area, and may subject the local authority to claims for compensation by owners denied the opportunity to make such alterations.³⁰⁹ As with *Shimizu*, the Government has indicated that it would consider the reasons why local authorities are reluctant to use their powers to withdraw permitted development rights in conservation areas;³¹⁰ but once again progress seems painfully slow, despite support for change from practitioners.³¹¹ **DCLG should aim to complete its consultation on the General Permitted Development Order and bring forward a statement of intent by the end of 2006.**

The case for a statutory duty of care

159. There is no general duty, either under statute or at common law, on the owner or occupier of a building to do anything to stop it falling into a state of advanced decay. It was suggested to us that a statutory duty of care, such as that placed upon housing associations, would be an effective way of forcing owners – private or public – to maintain their properties in good condition.³¹² The Planning Officers’ Society envisaged such a duty for local authorities.³¹³ Others believed that such an approach would be wrong, at least for private owners. The Historic Houses Association and the Country Land and Business Association argued that what the government policy framework should encourage was the willing cooperation of owners, and the HHA told us that “the stick is there for the basic protection, the carrot for doing the positive conservation”.³¹⁴ **We believe that a statutory duty of care could be a significant disincentive to private owners to take on properties where unique features and required conservation standards make maintenance particularly expensive or problematical, and we reject the idea.**

³⁰⁸ QQ 363 and 365

³⁰⁹ Advice from Mr Bob Kindred, Specialist Adviser to the Committee; see also Mr Coupe Ev 130

³¹⁰ *Protecting our Historic Environment*, DCMS July 2003, para 66

³¹¹ Planning Officers’ Society Q 109; Mr Kindred Q 128

³¹² Mr Wilkinson Q 24

³¹³ Ev 154, HC 912-III, Session 2005-06

³¹⁴ Mr Way, Q104

Buildings at Risk

160. The concept of defining Buildings at Risk was developed by English Heritage in the mid 1980s, and a policy was launched in 1987 jointly with a small number of pilot authorities. Listed buildings were assessed against a formula based on condition and occupancy and placed in one of six grades ranging from bad condition and vacant (Risk Grade 1 – seriously threatened) to good condition and fully occupied (Grade 6 – not at risk). In almost all cases this could be done by an external inspection and the exercise enabled buildings at risk to be prioritised for grant aid or statutory action either to urgently and temporarily keep the building standing or to effect more permanent repairs by the owner (or by the local authority in default). Local authorities have statutory rights of entry if necessary to survey buildings and powers to require works to be done under both historic building and planning legislation. Generally this work for conservation officers is a low priority, partly because of inadequate legal guidance and definitions of the actions possible; partly as a result of local political inertia; and partly because it is long-term, time-consuming workload. There is no statutory requirement to undertake buildings-at-risk work; it is done as good practice by conscientious local authorities, and we heard that a very large number of local authorities did not have such registers.³¹⁵ We have already noted (at paragraph 109) the case for including the maintenance of Buildings at Risk registers as an ingredient of statutory services to be provided by local authorities. A survey by English Heritage in 1990-91 of 43,000 listed buildings in different parts of England found that 7.3% were at risk and that another 14.6% were vulnerable.³¹⁶ We understand that these proportions are not believed to have changed significantly since, although no further systematic study has been undertaken.³¹⁷ English Heritage established its own register of Grade I and II* Buildings at Risk in 1998 and calculated that £400 million would need to be spent to remove their “at risk” status; this figure was confirmed to us in oral evidence.³¹⁸ We note that English Heritage has had some success in recent years in reducing their tally, which has gone down from 1,615 in 1999 to 1,430 in 2005.³¹⁹

World Heritage Sites

161. World Heritage Sites are at the top of the hierarchy for the historic environment, being recognised as “of outstanding value” and included on the World Heritage List held by UNESCO.³²⁰ There are currently 26 World Heritage Sites in the UK,³²¹ ranging considerably in extent from Durham castle and cathedral to the Saltaire model village based upon a textile mill near Bradford, the Victorian mercantile heart of Liverpool and the entire centre of the city of Bath.

³¹⁵ Dr Crowe Q 237

³¹⁶ *Buildings at Risk – a sample survey*, English Heritage, 1992, ISBN 1 85074 364 9

³¹⁷ Advice from Bob Kindred, Specialist Adviser to the Committee.

³¹⁸ Q 333

³¹⁹ *Buildings at Risk 2005*, English Heritage

³²⁰ Sites are established under the World Heritage Convention, adopted by UNESCO in 1972 and ratified by the UK in 1984.

³²¹ *Hansard* 14 December 2005 col. 480 WH

162. World Heritage Sites are not recognised specifically in statute (unlike National Parks or Areas of Outstanding Natural Beauty).³²² They are a material consideration to be taken into account by a planning authority when considering a relevant planning application, and the Chairman of English Heritage told us that they were “better regarded” than other sites in the planning process.³²³ Mr Burton, Director of Policy at the National Trust, suggested that there was an opportunity for additional protection: he observed that “at the moment in planning terms World Heritage Site status does not offer anything particularly special” and that “the strength of the presumption against damaging development for World Heritage Sites is not as strong as it needs to be”, particularly in relation to factors outside the planning process such as inappropriate agricultural practices or major road infrastructure schemes.³²⁴ The Borough of Telford and the Wrekin, in which the Ironbridge Gorge World Heritage Site is situated, called for statutory designation for Sites to ensure their protection.³²⁵

163. The most striking example of a World Heritage Site suffering from such factors is Stonehenge, where the situation remains degrading. Sir Neil Cossons was optimistic that there was considerable support for current proposals being put forward by the Department for Transport, and he hoped that the dignity of the monument could be restored in time for the 2012 London Olympic Games.³²⁶ Thirteen years ago, the Committee of Public Accounts identified the standards of presentation and facilities at Stonehenge as “a national disgrace”³²⁷ and it is shameful that delays to the road scheme have allowed so little progress to be made. Sir Neil Cossons told us that there was “an opportunity, uniquely ... to sort Stonehenge out” and that that nettle had to be grasped now, or another decade would pass in which the people of the south-west would suffer inadequate transport links and another eight million visitors would “enjoy or endure” the site.³²⁸ **All interested parties should recognise that it is in the interests of the general public that the current opportunity to reach a solution at Stonehenge should not be lost.**

164. In relation to statutory controls, not everyone believed that there was a need for increased protection. Mr Lammy was doubtful,³²⁹ and Mr Burchnell said that within the Sites themselves it was “difficult to see what additional controls you would need to introduce”.³³⁰ Almost all Sites are covered by conservation area status (which offers a degree of special protection), and local planning authorities would have to consider the impact of proposals for nearby development or tall buildings, as has been the case for the Liverpool World Heritage Site.

³²² Ev 226

³²³ Q 312

³²⁴ Q 60

³²⁵ Ev 53

³²⁶ Q 359

³²⁷ Committee of Public Accounts, Twenty-ninth Report, Session 1992-93, HC 252, *Protecting and Managing England’s Heritage Property*, para 34

³²⁸ Q 359

³²⁹ Q 366

³³⁰ Q 144

165. There was more support for World Heritage Sites to be recognised specifically under the proposed new designation regime under the Heritage Protection Reform programme. Sir Neil Cossons saw a need to look at what provisions there were and to determine what was “possible and practical”;³³¹ and Mr Lammy said that it was important that Sites should be brought into line with the new regime.³³² The benefit would appear to be simply to offer a very distinct signal of a Site’s value.

166. Designation of a World Heritage Site does place a burden upon the relevant local authority. It may take on responsibility for preservation of the Site and provision for possibly substantial numbers of visitors; the Borough of Telford and the Wrekin told us that a considerable level of resources had been diverted to carry out those responsibilities.³³³ Local authorities are also required by PPG 15 to formulate specific planning policies for protecting such sites and to include those policies in their development plans.³³⁴ Liverpool City Council told us that there were “costs associated with doing that management plan” which went beyond the City Council’s own resources and which caused the Council to look for external funding.³³⁵ Preparing information to support the initial application for inscription as a Site is also time-consuming. The Local Authority World Heritage Forum called for direct funding from DCMS to bodies implementing World Heritage Site management plans, to help with the costs of major infrastructure or preservation work.³³⁶

167. Some local authorities employ a World Heritage Officer, to oversee custody of the Site, promote it and manage its tourism, education and employment potential. **It is a judgment for each local authority as to whether the benefits of employing such staff outweigh the costs, and we do not believe that there should be a mandatory requirement for local authorities to do so. We recognise that World Heritage Site status can place extra cost processes on local authorities and we believe that regional development agencies should do more to recognise the strategic importance of World Heritage Sites to local communities and to help local authorities with these costs to maximise the benefits of World Heritage Site status.**

Fiscal policy to support heritage protection

168. Two main routes are open to the Government to provide financial support for the protection of heritage assets: direct grant aid and tax relief. We have considered direct grant aid through English Heritage and through the Heritage Lottery Fund – at paragraphs 29 and 66 above. We concentrate here on different forms of relief.

³³¹ Q 312

³³² Q 366

³³³ Ev 53

³³⁴ Para 2.23

³³⁵ Mr Burchnell Q 147

³³⁶ Ev 226

VAT

169. VAT, as a tax chargeable on business transactions, goods and some services, applies in the heritage field to materials for repair, the labour cost of repair when undertaken by firms registered for VAT, and professional services required in preparation for repair work, such as surveyors' and architectural consultants' fees. Whereas the construction of new buildings has attracted a zero-rate of VAT since its introduction in 1973, the repair and maintenance of buildings has always been standard-rated. Until 1984, all alterations were zero-rated; the zero-rate was then generally withdrawn for work on alterations except for work carried out in the course of an approved alteration to a listed building.³³⁷

170. The harmonisation of tax policy at an EU level normally prevents the Government from applying zero-rating (or a reduced rating) of VAT to new fields (or extending existing zero-rating). Agreement was however reached among EU Finance Ministers during the UK EU Presidency in 2005 which afforded a window of opportunity to apply to exercise an option to introduce a reduced rate of VAT on the labour input of renovation and repair work to private dwellings.³³⁸ The window closed on 31 March 2006 without the UK Government having made an application, despite encouragement from English Heritage and others.³³⁹

171. The issue of VAT-rating for repairs to listed buildings united the sector perhaps more than any other in evidence. We were told that the differential between rates applicable to new build construction costs and repair costs penalised maintenance and created perverse incentives.³⁴⁰ It encouraged alterations to listed buildings (at zero-rate); and it encouraged owners to leave buildings to rot to such a state that demolition was justified.³⁴¹ The Campaign to Protect Rural England argued that the favouring of new-build encouraged greenfield development but stagnation of previously developed land, which contributed to a cycle of decline and a trend towards rundown areas which were less attractive to investors.³⁴² The Architectural Heritage Fund drew our attention to the gains for sustainable development arising from re-use and retention.³⁴³

172. We note that the former ODPM itself recognised the cost-effectiveness of repair and refurbishment, citing evidence from *Heritage Counts 2003* demonstrating that older housing "costs less to maintain and occupy over the long-term life of the dwelling than more modern housing". ODPM found that when the energy costs of demolition, site remediation and new construction were taken into account, there was "an even stronger argument for promoting the re-use of the historic built stock".³⁴⁴

³³⁷ Hansard Written Answer, 8 June 2006, col.859W

³³⁸ Ev 161

³³⁹ Q 343

³⁴⁰ Mr Babb Q 142; Mr Spooner Q 170

³⁴¹ Ev 74; SAVE Britain's Heritage Ev 318

³⁴² Ev 74

³⁴³ Ev 16

³⁴⁴ Government response to the Eleventh Report of the ODPM Select Committee, on *The Role of Historic Buildings in Urban Regeneration*, Session 2003-04, HC 47-I, response to recommendation 4

173. Heritage Link wrote to the Chancellor of the Exchequer in March 2006 listing the various reasons why reduced or zero rating should be introduced for repairs to listed buildings, and urging him to take advantage of the window of opportunity secured by EU Finance Ministers. The Treasury made no such move.

174. The Government has cited two reasons for resisting calls to reduce or zero-rate VAT for repairs to listed buildings. The first, in response to the report by the former ODPM Select Committee on *The Role of Historic Buildings in Urban Regeneration*, was that the Government “had seen no compelling evidence that the absence of a reduced VAT rate on repairs significantly hinders the maintenance of historic buildings, and no evidence that most of the benefit of a blanket relief for repair and maintenance work would not just go to middle and higher income households making improvements to houses already in a good state of repair”.³⁴⁵ The second reason given, this time in response to a Parliamentary Question tabled by the Committee Chairman asking whether the Government would take up the opportunity afforded by the European Commission, was that a reduced rate for the renovation and repair of private dwellings was “one of a number of reduced rates introduced into EU legislation on an experimental basis whose objective is to create employment opportunities by stimulating demand through lower prices” and that the Government had always chosen not to participate, as it believed that its employment objectives were “better targeted through measures such as the welfare to work strategy and the New Deal”.³⁴⁶

175. In the past, the Minister of Culture (Mr Lammy) has described the case for change to the existing regime applicable to repair costs as “unproven”.³⁴⁷ When the question was raised with him in oral evidence, he said that he was “in constant dialogue” with Treasury colleagues on the issue but that “gains specific to the heritage sector might mean losses in other areas like new construction and other things”.³⁴⁸ He did not however offer a specific rationale for favouring new build; nor was any given in the Government response to the ODPM Committee in 2005.

176. Mr Lammy told us that it would “be unusual to restrict that kind of VAT relief [i.e. zero-rated] to one sector”.³⁴⁹ This is not a convincing argument, given that the Treasury has agreed to refund VAT payments for repairs to listed places of worship and memorials. The Chancellor announced in the 2006 Budget that the refund scheme would continue until 2010-11 and that it would be extended to cover professional fees and repairs to fixtures and fittings.³⁵⁰

177. The present VAT regime for repairs distorts priorities, rewards neglect and works against conscientious maintenance of historic assets. The result can be either a slide towards demolition or a call on public funds for grant aid. We find it extraordinary

³⁴⁵ *The Role of Historic Buildings in Urban Regeneration*, 11th Report of the Select Committee on the Office of the Deputy Prime Minister, Session 2003-04, HC 47-1

³⁴⁶ *Hansard* Written Answer, 13 March 2006, col. 1983W

³⁴⁷ *Hansard* Written Answer 27 October 2005, col. 527W

³⁴⁸ Q 388

³⁴⁹ Q 393

³⁵⁰ *Financial and Budget Statement Report 2006* para 5.75

that the Government did not take up the opportunity afforded by the EU earlier in the year to seek a carefully targeted relief when urged to do so by Heritage Link, on behalf of the sector. Opting in would have cost the Government nothing. The chance to secure such a relief has passed for now, but the Government should instead take a policy decision to return as grants some or all of the VAT paid on repair work to listed buildings. At the very least, building preservation trusts and other charitable institutions should be beneficiaries of such a scheme. In addition, proper consideration should be given to including heritage properties in private ownership where a clear public benefit can be demonstrated. The Treasury should recognise that the majority of potential private owner beneficiaries would not be high income earners; and many of the buildings at risk that would stand to benefit are not residential properties.

Fiscal relief for private owners

178. The Historic Houses Association proposed a “new limited fiscal relief” for the maintenance of historic buildings, to help fill the funding gap caused by the fall in the level of grant support from English Heritage.³⁵¹ It pointed out that such a relief would allow owners to have more control over the timing of conservation work and possibly to secure better value for money.³⁵² The Association expanded on the idea in oral evidence, suggesting that it be framed as an annual relief capped at a certain level and offsetting the cost of repairs against owners’ personal income. The trade-off would be a degree of public access, similar to that required for a grant from English Heritage.³⁵³

179. This is not a new problem: the Historic Houses Association told us that the threat 30 years ago had been “really bad” and that after the Second World War up to a thousand houses had been demolished and major sales had taken place. The situation may be less severe currently, but it is undeniable that the range of grant funding available is not as great as it was. The National Trust, we were told, was no longer in a position to take custody of such houses;³⁵⁴ and it was put to us that without some form of Government support, houses would gradually become denuded of effects and would eventually be sold.³⁵⁵

180. The Chair of the Heritage Lottery Fund listed three choices for a private owner of a historic building: maintain it, turn it into a trust (thereby opening the door to support from the Fund) or sell it.³⁵⁶ The question is: which option is of greatest benefit to the general public? Sale of the home may bring in a new owner and a new source of money to be spent on necessary repairs but offers no promise of any gain in terms of public access. The trust solution offers benefits to both the owner and the public. The argument put to us by the Historic Houses Association, however, favoured preserving a historic home as a live asset, in family ownership, in return for public access. Much of the appeal of Doddington Hall in Lincolnshire was the distinctive way in which the house had been furnished and the signs that the house was lived in rather than solely for display. It should not be assumed that all

³⁵¹ Ev 182

³⁵² Ev 187

³⁵³ QQ97 - 100

³⁵⁴ See Mr Burton Q 70

³⁵⁵ Mr Hervey-Bathurst, QQ 95 and 105

³⁵⁶ Q248

owners of significant buildings have at their disposal sufficient funds to ensure the maintenance and repair of these national assets. For those who are prepared to offer a reasonable degree of public access, an incentive in the form of a limited tax relief would be effective. The total annual sum and the level of relief for each applicant could be capped at a level that ensures an equitable distribution of this incentive and prevents the pool from being scooped by the largest applicants. **We recommend that DCMS should encourage the Treasury to assess the cost of a limited relief set against income for private owners, subject to the same type of requirements as those placed on owners under the Conditional Exemption scheme.**

Incentives to encourage maintenance

181. Neglect of a building's fabric leads to damage and decay which, if unchecked, can have consequences for the structure of the building. Repair costs can rise exponentially as a result, and the burden of meeting those costs may in time fall upon the public purse. Mr Venning, Secretary of the Society for the Protection of Ancient Buildings, was one of several who argued strongly in favour of encouraging better maintenance, and he urged DCMS to take a lead in convening an interdepartmental working party to promote maintenance of buildings. not just for their own good but as a way of increasing sustainability.³⁵⁷

182. Mr Wilkinson, representing Save Britain's Heritage, pointed out that preventative maintenance could save public money and that there was a case for maintenance grant funding as an incentive.³⁵⁸ DCMS has recognised the validity of much of the argument and it indicated in *A Force for our Future* in 2001 that it would "explore [with English Heritage] how a shift of emphasis towards preventative maintenance might be reflected in grant programmes".³⁵⁹ **DCMS has in the past shown welcome signs of recognising the case for grant funding to encourage preventative maintenance work on buildings. It should now report on progress made in developing policy on such grant funding.**

4 Places of worship

183. There are at least 14,000 listed places of worship in England, 12,200 of which are Anglican churches with the remainder being mostly Roman Catholic churches or non-conformist churches and chapels.³⁶⁰ Anglican churches alone form 45% of Grade I listed buildings in England.³⁶¹ Most cathedrals and many churches are the oldest buildings in continuous use in their environments, and in many cases they stand as the focus of conservation areas. The Church Heritage Forum made no exaggeration when it stated in

³⁵⁷ Q 12; see also evidence from *Maintain our Heritage*, Ev 232. The merits are set out in detail in *Putting it off: how lack of maintenance fails our heritage*, published by Maintain Our Heritage, November 2004.

³⁵⁸ Q 12

³⁵⁹ *A Force for our Future*, DCMS, 2001, para 4.13

³⁶⁰ Ev 104

³⁶¹ Ev 81

evidence that it was impossible to consider the heritage of the country without recognising the contribution of church buildings.³⁶²

184. Church buildings have a value not just as a heritage landmark and architectural example but also as a base for the community, sometimes being the only local space of any size with public access. Cathedrals host concerts, lectures, degree ceremonies and other ceremonial events;³⁶³ parish churches host local events, although more often it is associated buildings which provide the venue for community activities, such as youth and children's groups, out-of-school classes, social clubs and counselling.³⁶⁴

185. Church buildings belonging to certain denominations enjoy an exemption from listed building and conservation controls applicable to all other buildings – the Ecclesiastical Exemption. In the Church of England, responsibility for maintaining buildings rests with the parochial council, which seeks permission from the diocese for work to churches through the faculty system. The Inspection of Churches Measure 1955 requires an inspection of each church every five years. DCMS recently conducted a review of whether or not the Exemption ought to be retained, and it concluded that in principle it should.³⁶⁵

186. As one witness pointed out, the Church of England is widely regarded as being immensely rich,³⁶⁶ but it was put to us that much of the income from the Church of England endowment was absorbed by clergy pensions and that many dioceses were in fact in some financial difficulty. The total spent by parishes on major repairs to churches in 2003 was £101 million, although a further £373 million worth of major works was deemed necessary and awaiting funding.³⁶⁷ English Heritage have since advanced a figure of £925 million as the cost of major repairs needed over the next five years, and it observes that although the annual cost (£185 million) might be shrunk, it is not a backlog which can be eliminated once and for all.³⁶⁸ The bulk of the cost of repairs is met by a blend of public funding (approximately 30%) and contributions from congregationers (approximately 65%); one assessment placed the average congregation's fundraising effort at about £5,000 per year.³⁶⁹ Public funds include English Heritage grants, Heritage Lottery Fund grants, VAT relief (under the Listed Places of Worship scheme, described above at paragraph 176) and payments from landfill tax receipts.

187. The scale of the repair task across the Church estate is huge and the impact on individual parishes rather irregular. An analysis of spending on repairs in 2001 found that 42% of parishes spent nothing on repairs that year and a further 33% spent less than £5,000. Only 2% spent more than £50,000. If such a pattern is truly representative, a parish might expect to spend less than £5,000 most years but face bills of £50,000 or more once every fifty years. The occasional nature of very expensive events poses problems for

³⁶² Ev 81

³⁶³ See Ev 30

³⁶⁴ See Church Heritage Forum Ev 82

³⁶⁵ *The Ecclesiastical Exemption: The Way Forward*, DCMS July 2005

³⁶⁶ Ev 105

³⁶⁷ Ev 85

³⁶⁸ <http://www.english-heritage.org.uk/inspired/server/show/nav.9560>

³⁶⁹ Ev 105

financial planning.³⁷⁰ The Association of English Cathedrals noted that the combination of higher conservation standards and health and safety legislation had made it substantially more expensive to maintain all heritage buildings and that cathedrals were no exception.³⁷¹

188. English Heritage grants for the upkeep of churches are made through the Repair grants for Places of Worship Scheme run jointly with the Heritage Lottery Fund. A breakdown of contributions by each of the two bodies since the inception of the scheme in 1996-97³⁷² showed considerable fluctuation from year to year but with totals of £20 million to £25 million normally being offered.³⁷³

189. English Heritage recently launched a major programme – *Inspired!* – to raise awareness of the challenges facing places of worship in maintaining their buildings in good condition. Among the various solutions proposed in the programme are a new small grants scheme to supplement the main Repair Grants scheme, and a maintenance grant scheme to encourage regular maintenance work in an attempt to prevent major repairs becoming necessary.³⁷⁴ We note that at least one diocese (St Edmundsbury) is operating a central maintenance service.³⁷⁵

190. Cathedrals are financially almost totally independent of the Church Commissioners, and responsibility for upkeep of the fabric rests with individual Cathedral chapters. Any changes to the fabric have to comply with the planning regime established under the Care of Cathedrals Measure 1990. A further Measure in 1999 requires cathedral authorities each to employ an architect or fabric surveyor and stipulates that a survey of the fabric should be undertaken every five years.

191. Church of England cathedrals presently spend approximately £11 million per annum on repairs and maintenance, although a recent estimate by English Heritage found that £39 million of urgent work was outstanding.³⁷⁶ We saw at first hand at Lincoln Cathedral the scale of a £2 million project to restore the Dean’s Eye rose window, widely acknowledged as one of the greatest in existence. This was only one element of a repair programme due to last until 2020 and costing £1 million per annum at today’s prices.³⁷⁷ Similar or even greater challenges are faced by other cathedrals, including York Minster.³⁷⁸ Yet, despite the constant level of need, grant funding is becoming harder to obtain. English Heritage provided £3 million per annum under the Cathedrals Grant Scheme in 1991 but now offers only £1 million. We heard that as a result of difficulty in securing grant aid, some cathedrals had had to neglect essential fabric repair programmes or only tackle small parts of schemes, with the result that the need for work become ever more acute. Phasing work is

³⁷⁰ Ev 105

³⁷¹ Ev 31; see also Heritage Lottery Fund, Q 252

³⁷² Initially known as the Joint Places of Worship Scheme

³⁷³ Ev 126, HC 912-III, Session 2005-06; see para X for figures

³⁷⁴ Ev 142, HC 912-III, Session 2005-06

³⁷⁵ Mr Wilkinson Q 25

³⁷⁶ Ev 78

³⁷⁷ Ev 76

³⁷⁸ Repair of the East Front and East Window at York Minster is expected to cost £23 million: Ev 31

an expensive way of doing things, as the Cathedral Architects Association demonstrated with reference to Carlisle Cathedral.³⁷⁹

192. Cathedrals in particular have sought to recoup part of their maintenance costs through charging for entry. At Lincoln Cathedral, the decision to charge (£4) had been taken reluctantly and the immediate response had been a dip in visitor numbers, but these had since recovered. The charging policy was generating some £250,000 more per annum than had been received through voluntary donations, which had generally averaged between 50 and 75 pence when applied at York Minster.³⁸⁰ We were told that the receipts from entry charges were applied just to offset the costs of visitor services and maintenance costs arising directly from wear and tear due to visitor traffic.³⁸¹ Lincoln Cathedral had also agreed to allow the building to be used as a location for filming *The Da Vinci Code* and told us that the benefits had not just been financial: regional awareness of the building had increased and so had local pride.

193. The Church Heritage Forum spoke up strongly for the role of churches as a focus for the whole of the community (not just congregations) and drew our attention to its recent report *Building Faith in our Future*, which set out that case in detail.³⁸² It noted that buildings were increasingly becoming fit for community use, with a trend towards the installation of new toilets and heating.³⁸³ The Government recognised in the Rural White Paper the value of church buildings as a community resource and as the last remaining public building in many rural communities;³⁸⁴ but there is a question mark about how far that community resource is being supported by community funding. For instance, it was suggested by Mr Trevor Cooper, Chairman of Council of the Ecclesiological Society, that parish councils rarely gave grants to church buildings even though they were empowered to do so,³⁸⁵ although it was unclear whether this was due to what one witness described as “a fear of religion”³⁸⁶ or a lack of effort by churches to make applications. Mr Cooper also pointed out that Defra appeared to have overlooked, in its review of parish governance, the part which parishes could play in supporting church buildings.³⁸⁷

194. Church buildings may need to be adapted if they are to be fit for community use. Some striking and radical examples were given by Mr Cooper in his book *How do we keep our parish churches?*, which he supplied to the Committee.³⁸⁸ The Church Heritage Forum also drew our attention to examples of churches or church buildings being used as cafés, post offices or “cyber centres”.³⁸⁹ More often the changes will entail the addition of heating,

³⁷⁹ Ev 76

³⁸⁰ Average voluntary contributions at Lichfield Cathedral are 80 pence, some way short of the £4 suggested; See *Hansard*, 2 February 2006, col. 490 (Deb).

³⁸¹ See also Association of English Cathedrals, Ev 30

³⁸² Ev 81

³⁸³ Ev 84

³⁸⁴ *Our Countryside: The Future – A Fair Deal for Rural England*, DEFRA, 2000; see also Mr Truman Q 39

³⁸⁵ Mr Cooper Q 174

³⁸⁶ Mr Slee Q 189

³⁸⁷ Q 172

³⁸⁸ ISBN 0 946823 16 2

³⁸⁹ Q 193

cooking and toilet facilities. Witnesses for the Church Heritage Forum were generally satisfied that English Heritage achieved a suitable balance between preserving church fabric and enabling adaptation for community use, and they described English Heritage as having been “very positive and supportive”.³⁹⁰ Other evidence was put to us however suggesting that English Heritage and amenity societies were sometimes inflexible in their approach to alterations and gave too much weight to conservation rather than adaptive re-use. The Archdeacon of Suffolk cited two examples, one where proposals by the parish for modern facilities such as lavatories and kitchens had been consistently rejected, and another where a proposal to widen a doorway to allow wheelchair access to a lavatory was being opposed even though parishioners saw no alternative means of access.³⁹¹ We raised these examples with the Church Heritage Forum; they replied that they were aware of occasional difficulties in reaching agreement with amenity societies but that early consultation was usually fruitful.³⁹²

195. The Forum identified “major potential” for churches to contribute to tourism and it called for “a greater sense of recognition and partnership” to assist those in the Church engaged in developing church tourism activities.³⁹³ The Association of English Cathedrals expressed frustration at what it saw as a lack of effort by DCMS officials responsible for tourism policy in maintaining contact with organisations representing cathedrals despite their significance as tourist attractions.³⁹⁴

196. The separation of Church and state is long established in the UK, and responsibility for maintenance of the Church estate rests squarely with the Church Commissioners, albeit supplemented by grant funding from English Heritage. As the Bishop of London noted in a widely quoted remark in September 2003, the Church of England is in financial terms the most disestablished church in Western Europe.³⁹⁵ The Ecclesiastical Exemption reiterates the separation, acknowledging the exemption from secular listed building controls for churches in ecclesiastical use, on the understanding that denominations will maintain their own systems of control and protection. One witness believed that separation went so far as to amount to DCMS “ignoring cathedrals and churches in discharging its responsibilities” and following “a secular agenda”,³⁹⁶ and witnesses from the Church Heritage Forum claimed that DCMS had “on a number of occasions and in lots of different ways failed to recognise the existence of not only cathedrals but of churches ... as places of architectural heritage and as places of community interaction”.³⁹⁷

197. It was suggested to us that the value of churches in furthering the aims of central Government with regard to community cohesion should be reflected in a willingness by

³⁹⁰ Q 199;

³⁹¹ Ev 14

³⁹² Q 202; see also Church Heritage Forum Ev 84

³⁹³ Ev 83

³⁹⁴ Ev 30

³⁹⁵ Speech by the Rt Hon and Rt Revd Richard Chartres, Bishop of London, at the annual conference of Diocesan Advisory Committees, 9 September 2003.

³⁹⁶ Association of English Cathedrals Ev 30

³⁹⁷ Q 172

the Government to contribute substantially to the upkeep of the buildings themselves.³⁹⁸ Certainly, other Western European countries have taken a different approach: in France all church buildings older than 1904 are fully financed by the state; and the level of state support for church buildings in both Germany and Scandinavia is substantial.³⁹⁹ Witnesses representing the Church Heritage Forum did not advocate such a regime for the UK, suggesting that in churches in both France and Finland there was a sense that churches were not being cared for and were “dead” because of the transfer of responsibility from the local populace to the state.⁴⁰⁰ The solution preferred by the Church Heritage Forum would be what it saw as a partnership approach - for DCMS to provide through English Heritage funding to meet half of the cost of urgent building repairs, in addition to a favourable regime for VAT on repairs.⁴⁰¹

198. The major obstacle to be overcome by denominations making the case for more public funding is the perception by the public that churches are – as Mr Cooper said – “rather like a public utility, free at the point of service, paid for by mysterious means, just there”.⁴⁰² Public awareness of how the costs of maintaining church buildings are met is low, as English Heritage point out on their web pages devoted to the *Inspired!* campaign.⁴⁰³ **We believe that state support for all places of worship through general taxation would not be readily understood by the public and would at present be inappropriate.**

199. **Faith groups have responsibilities: they should be approaching parish councils for support and showing imagination in how buildings could be used. We recommend that each denomination should fund small local teams to visit each place of worship perhaps once a year in order to carry out basic survey and maintenance services; individual dioceses might fund such teams for Church of England buildings. There will always, however, be a need for major repairs. Existing funding through English Heritage is quite inadequate, and the phasing of repairs which results is driving up their cost significantly. If dioceses are prepared to commit to providing basic maintenance services, then we recommend that in return English Heritage should be resourced to provide a level of grant funding for major repairs to both cathedrals and other places of worship equivalent in real terms to that provided until only five or ten years ago. If repair projects can be completed more quickly, more efficient use will be made of public funds.**

Redundant places of worship

200. Declining congregations can lead to hard decisions about whether or not the cost of maintaining a building is too great a burden for parishioners. From time to time churches are declared redundant and no longer needed for worship; in the case of Church of England buildings, the Church Commissioners then have a responsibility to settle the future of the building. 1626 Anglican churches were declared redundant between 1969 and

³⁹⁸ Church Heritage Forum Ev 83

³⁹⁹ Mr Brindley Q 171; see also memorandum by John Dentith, Ev 134

⁴⁰⁰ Q 174

⁴⁰¹ Ev 83

⁴⁰² Q 172

⁴⁰³ <http://www.english-heritage.org.uk/inspired/server/show/ConWebDoc.6445>

2002.⁴⁰⁴ The future trend in redundancy, at least for Church of England buildings, is uncertain, although one witness has predicted an acceleration from the present 30 per year.⁴⁰⁵ The Churches Conservation Trust pointed out that many teeter on the brink, with small and ageing congregations supporting growing repair bills.⁴⁰⁶ Dr Freeman, Director of the Historic Chapels Trust, told us that about ten listed buildings used for worship by Methodists were becoming redundant each year and that the Roman Catholic Church was planning large-scale declarations of redundancy in the north-west.⁴⁰⁷

201. Once a church has been declared redundant, the Church Commissioners have three options. One option is to find an alternative use, perhaps with a measure of acceptable internal or external change; a second option, where the church is of outstanding value but does not lend itself to re-use, is for it to be vested in the Churches Conservation Trust and maintained jointly by the Church Commissioners and public funds; and the third option, followed when neither of the other two are appropriate, is demolition. 113 cases were considered by the Commissioners between 2000 and 2004: alternative uses were found for 72%, 11% were vested in the Trust, and 17% were demolished.⁴⁰⁸

202. Until now, the Church Commissioners have been advised on which course to follow by an Advisory Board for Redundant Churches, formed of independent members appointed by the Archbishops after consultation with the Prime Minister. Synod has however approved abolition of the Advisory Board and the establishment of a Special Advisory Committee within the Council for the Care of Churches. We are aware of arguments against abolition, and we note in particular the tension between re-use, which can reduce integrity in purely heritage terms but which can generate receipts for the Church Commissioners, and vesting in the Churches Conservation Trust, which will preserve the fabric but remain a drain on Church resources. We did not explore arguments for or against the Board's abolition in detail, and we therefore we make no comment here.

203. The Churches Conservation Trust, which maintains redundant churches of outstanding heritage value but for which there was no prospect of alternative use at the time of vesting, currently has a portfolio of 335 Grade 1 or Grade II* listed buildings. This portfolio is expanding by two or three churches each year. It receives grant-in-aid from DCMS of just over £3 million per annum: this is complemented by a grant of just over £1 million from the Church Commissioners. Further funds generated partly by the Trust itself and partly through HLF and other grant funding bring its total annual budget to approximately £5 million.⁴⁰⁹

204. The Trust has achieved a great deal since its establishment in 1968, particularly in bringing major urban churches back into community use (often with the aid of the

⁴⁰⁴ *Church Commissioners Redundant Churches Committee, Report, 2002*

⁴⁰⁵ Trevor Cooper hazarded a guess at an increase to around 60 per year: see *How do we keep our parish churches?* p.4. See also Advisory Board for Redundant Churches Ev 2, Churches Conservation Trust Ev 91

⁴⁰⁶ Ev 91

⁴⁰⁷ Q 39

⁴⁰⁸ Advisory Board for Redundant Churches Ev 1. Before demolition, Church Commissioners will in certain cases request a non-statutory public inquiry if there are reasoned objections from the local planning authority, English Heritage or the national amenity societies. See *New Work in Historic Places of Worship*, English Heritage, 2003, para 3.2

⁴⁰⁹ Churches Conservation Trust Ev 90

Heritage Lottery Fund). Its costs however do not diminish, although its funding settlement has been frozen since 2001 and is therefore decreasing in real terms.⁴¹⁰ Indeed, pressure on funds is more likely to increase as the portfolio grows, and the Trust's Chairman, the Rt Hon Frank Field MP, warned that if current trends were sustained, the Trust would “go under” and that the longer term future for “the greatest collection of historic buildings in the country” was “grim”.⁴¹¹ The Church Commissioners have therefore made “strenuous efforts ... to contain and control the flow of new vestings”.⁴¹² The Trust told us that it had worked “energetically” to develop new revenue sources and it envisages an increase in such funds of 20% over the next three years, but it believes that a strategic rethink and a sustainable long-term funding formula is needed. In practice this means an increase in grant-in-aid, and this is the solution favoured by the Trust, the Church Commissioners and others.⁴¹³ It suggested that any increase might be tied specifically to projects which aid wider regeneration and community development goals of the Government.⁴¹⁴

205. We also heard from the Historic Chapels Trust, formed in 1993, which takes into ownership redundant chapels, mostly Nonconformist, of Grade I or Grade II* quality. It has a far smaller portfolio than does the Churches Conservation Trust, numbering only 17 chapels. Unlike the Churches Conservation Trust, it receives no grant-in-aid but has relied upon grants from English Heritage and the Heritage Lottery Fund to complement its own fundraising activities. From the outset the Trust aimed to continue to use chapels for community activities such as concerts and exhibitions, and its chapels have usually generated enough money from events and donations to cover basic maintenance costs and improvements. Local involvement would appear to be an essential element of success: when the Trust acquires a chapel, it calls a public meeting to discuss plans and to form a group of volunteers to organise events.⁴¹⁵

206. We commend the Historic Chapels Trust for its vigour in raising funds and its success in sustaining itself. It cannot, however, serve as a direct comparison with the Churches Conservation Trust, which has far more properties to maintain and has no control over the rate at which its portfolio increases. **The Churches Conservation Trust is being asked to achieve too much with limited funds. Its grant should be increased substantially, although we see benefit in any increase being linked to proven community gain or generation of match funding.**

5 Engagement with the public

207. In answer to the very first question asked in oral evidence during the inquiry, Mr Venning, Secretary of the Society for the Protection of Ancient Buildings, spoke of the power of familiar local buildings to evoke strong feelings among members of surrounding communities. As he said, a building might perhaps not be architecturally terribly

⁴¹⁰ Ev 91

⁴¹¹ Q 50

⁴¹² Ev 89

⁴¹³ Ev 89, 91

⁴¹⁴ Ev 91

⁴¹⁵ Ev 174-5

important, but it would have associations which could generate a real attachment, enough to make a community fight for its protection.⁴¹⁶ This represents engagement with the historic environment of a type which is open to everyone, at no financial cost. As the Architectural Heritage Fund told us, the historic built environment is unique in this respect and offers genuine accessibility for as long as such buildings survive.⁴¹⁷ Heritage Link made a very similar point, describing ‘rich resources’ spread across the country and forming the ‘most widely available free cultural resource’.⁴¹⁸

208. Mr Venning also spoke of the Government’s wish to bring about greater involvement with ordinary members of the public in decisions about what buildings should or should not be protected, a key theme of the Public Value Conference held in January 2006 and addressed by both the Secretary of State at DCMS and the Minister with responsibility for heritage (Mr Lammy).⁴¹⁹ The public is in part already involved in decision-making procedures in the planning system, either indirectly, through elected local councillors on planning committees, or directly, taking part as members of Conservation Area Advisory Committees in those areas where they have been established and are being maintained.⁴²⁰ The Heritage Lottery Fund has been active in developing ways of reflecting public views on its decision-making procedures, through citizens’ juries,⁴²¹ and we have described the pilot programmes allowing purchasers of Lottery tickets to choose from potential beneficiary projects.⁴²²

209. The public has also shown itself attracted through voluntary commitment, joining local action groups to protect or ‘save’ local buildings from demolition.⁴²³ Such buildings might be local landmarks such as former hospitals, train stations, chapels⁴²⁴ or swimming baths, or they might be homes scheduled for clearance, such as in the Housing Market Renewal (HMR) Areas⁴²⁵. In many cases, public interest in the heritage of that community has been stimulated and supported by the Lottery-funded Local Heritage Initiative programmes.⁴²⁶ The dramatic rise in membership of the National Trust – currently at a rate of 100,000 per year – is a further indication of public affection for the historic environment.⁴²⁷

210. There was consensus in the evidence to the inquiry that the public appetite for knowledge about the past was growing, whether through an interest in genealogy or in

⁴¹⁶ Q1

⁴¹⁷ Ev 16; also Ms Case Q 270

⁴¹⁸ Ev 159

⁴¹⁹ Q1

⁴²⁰ The establishment of Conservation Area Advisory Committees was recommended by the Government in 1975 as part of a periodic review of good practice in heritage management. Typically, a Committee would advise on all conservation areas within a local authority area and would be formed of representatives of local professions and lay opinion. 75% of councils do not have such a Committee (see Dr Dungavell, Q 7).

⁴²¹ See para 73

⁴²² See para 74

⁴²³ Mr Wilkinson Q 34; Mr Burton Q 51; Dr Heyworth Q211, describing the Adopt a Monument scheme

⁴²⁴ Dr Freeman Q 41

⁴²⁵ Known as Pathfinders

⁴²⁶ Ev 75

⁴²⁷ Mr Burton Q 51

archaeology programmes on television,⁴²⁸ awareness of local buildings, street names or monuments, or participation in archaeological events.⁴²⁹ We heard that the appetite for archaeology was “huge”, manifesting itself in high attendances at national archaeology days and the popularity of digs, such as the Dig Manchester project run by the University of Manchester, which has brought together children and volunteers to work alongside professional archaeologists on a series of excavations across the city. The aim is to involve people and schoolchildren in a practical, ‘live’ environment and the project has been energetically championed by a local councillor. The success of the dig in generating engagement is ascribed by the University largely to its novelty, being in a deprived area where few were aware of any local historical connection. Both primary and secondary schools were involved. We heard that the project had “opened the eyes of schoolchildren” to archaeology as a skill and potentially as a job.⁴³⁰ The University noted that the project ‘seemed to tap into a real need for community activity and purpose’, possibly accentuated by the lack of any community centre or local hall as a focus for activities.⁴³¹ Such enthusiasm should not be allowed to wither. **We believe that successor guidance to PPG 16 should be enhanced to reflect the importance of public access to information from archaeological excavations, and proper storage of items unearthed. Records of excavations should be publicly deposited, with appropriate linkage to Historic Environment Records.** As we have already noted, Historic Environment Records have a part to play in developing awareness of local areas of archaeological interest.

211. Heritage Open Days offer similar opportunities in relation to buildings. The Civic Trust, a charity seeking to improve design in the built environment and bring about regeneration and local improvements, described its role in managing Heritage Open Days, which it described as “England’s biggest and most popular voluntary cultural event, attracting over 800,000 people every year”.⁴³² The Trust told us that the Open Days “raised awareness and appreciation of the built environment and stimulated curiosity and learning in people of all ages, abilities and backgrounds by offering full access to a wide range of properties and activities”. Heritage Open Days have proven success in attracting new visitors from groups identified as ‘priority’ by DCMS (people in their twenties, or from ethnic minority groups, or from C2DE socio-economic groups).

212. The momentum of such initiatives needs to be maintained. People need to be given a chance to understand and value their surroundings if they are to become active in their preservation.⁴³³ The Heritage Lottery Fund and the Civic Trust have achieved a great deal, as have English Heritage and the National Trust. **Both central and local government have a role in ensuring that grassroots initiatives enabling direct access at no cost to the local historic environment can prosper. Local authorities should be prepared to assist in publicity and administrative support for such events if required.**

⁴²⁸ National Trust, Ev 275; Mr Kelsall Q 234

⁴²⁹ Q 212

⁴³⁰ Ms Toms Q 153

⁴³¹ Ev 117, HC 912-III, Session 2005-06

⁴³² Ev 101

⁴³³ Ms Cherry Q 31

Targets for participation

213. Making the nation's heritage accessible to all is defined by DCMS as a Government priority,⁴³⁴ and participation is reflected in the Department's PSA 3 Target, to increase the take up of cultural and sporting opportunities by adults and young people aged 16 and above from priority groups. One indicator is directly relevant to the historic environment, measuring attendance at designated historic environment sites by people from black and minority ethnic groups, people with a limiting disability and people from C2DE socio-economic groups. To achieve the targets, DCMS recognises that the delivery chain is complex, with non-DCMS sponsored bodies (such as the National Trust and the Civic Trust) playing a major part in attracting and broadening the visitor base.⁴³⁵

214. The National Trust told us that "broadly speaking" it was "very supportive of the PSA target and the aspirations behind it in trying to reach new audiences", and it expected to play a significant role in helping to achieve the targets. It was critical however of the lack of consultation by DCMS in drawing up the target. The Trust warned that it was important "not to get distracted too much by crude numbers" and argued that quality and depth of experience were more important than the number and kind of people "through the door".⁴³⁶ Mr Hutcheon, giving oral evidence on behalf of the Trust, saw the barriers to participation as being not so much the financial cost of entry but perceptions of how welcome visitors from certain groups would be: he argued that the sector needed to have the ability and the confidence to communicate effectively with young people or different types of people.⁴³⁷

215. The reliance of the PSA Target upon the measurement of visitors to designated historic environment sites is unfortunate, as it reinforces the impression gained by some that DCMS is concerned with major sites rather than the more "everyday" heritage which is more accessible (and more valued) by the public.⁴³⁸ The *Taking Part* survey, commissioned by DCMS as a continuous household survey to gather statistical data on participation, is likewise based upon visits to designated sites and museums.⁴³⁹

216. DCMS Ministers have given a quite different impression in public, for instance at the Public Value Conference held in London in January 2006. Both the Secretary of State and Mr Lammy gave keynote speeches. The Secretary of State spoke of the historic environment as being "a vital part of the public realm ... the places that people instinctively recognise and value as not just being part of the landscape or townscape but as actually being part of their own personal identity". This message echoes much of what was said by DCMS in *A Force for our Future* in 2001. **We are confident that DCMS does recognise the presence of heritage beyond iconic sites, although it has yet to convince many in the sector. We recommend that DCMS should acknowledge clearly in policy documents that using targets which measure visits to designated sites does not reflect the full**

⁴³⁴ Ev 134

⁴³⁵ DCMS Annual Report 2006, p 91

⁴³⁶ Q 72

⁴³⁷ Q 74

⁴³⁸ Dr Dungavell Q 32; Ms Case Q 270

⁴³⁹ Ev 139

extent of engagement with the historic environment. We believe that the Department's commitment to heritage would be reinforced if a specific PSA target were to be developed reflecting progress in protecting and preserving the historic environment, perhaps including a target for a reduction in the number of buildings classified as being at risk.

Heritage and education

217. A large part of *A Force for our Future* was devoted to realising the educational potential of the historic environment. As the document made clear, archaeological remains and historic buildings give valuable clues about the individuals and institutions which created them and occupied them. Both English Heritage and the National Trust attract large numbers of schoolchildren on visits – in the region of 500,000 in each case.⁴⁴⁰ Historic Royal Palaces, the Civic Trust and members of the Historic Houses Association also run educational programmes or workshops based upon school visits.⁴⁴¹ Most cathedrals offer tours, trails and workshops to supplement classroom learning.⁴⁴² Ms Cherry, Vice Chair of the Twentieth Century Society, described the potential for schools to “encourage children to be interested in their surroundings at primary level [and] at secondary level” and to spur children into thinking about design. She stressed that local streets and 1960s buildings had just as much of a role to play in stimulating interest as did major heritage sites.⁴⁴³

218. The Commission for Architecture and the Built Environment (CABE) submitted evidence to the inquiry by the Education and Skills Committee in the previous Parliament into Education Outside the Classroom; and it argued strongly that “getting young people out of the classroom to actively experience their immediate built environment is crucial”. CABE drew attention to research listing a huge range of benefits from off-site trips to buildings and public spaces, including contextualised learning, increased motivation, interaction with professionals, and “resonant experiences”. CABE acknowledged however that there was a shortage of educationalist able to interpret the built environment to children, a challenge which it was seeking to address by developing and encouraging those with the potential.⁴⁴⁴

219. DfES has since launched its Manifesto for Outside the Classroom. The launch was hosted by the National Trust, which saw the initiative as “absolutely central in terms of ... engaging youngsters in their natural and historic environment”.⁴⁴⁵ DCMS and the Department for Education and Skills have recently published *Laying the Foundations*, a guide for teachers and others to various ways in which the historic and built environment can be applied to a wide range of curricular subjects. Besides offering a series of case studies, *Laying the Foundations* lists sources of advice and support for teachers seeking to draw on the opportunities presented by the built environment. DCMS plans further

⁴⁴⁰ English Heritage Annual Report and Accounts 2004/05, HC 705 (Session 2005-06), p 9; National Trust Ev 275

⁴⁴¹ Ev 192; Q 86

⁴⁴² Ev 31

⁴⁴³ Q 34

⁴⁴⁴ *Education Outside the Classroom: Second Report from the Education and Skills Committee*, HC 120, Session 2004-05, Ev 157-9

⁴⁴⁵ Q 55

activity later in 2006 through the *Engaging Places* project, providing online resources and other support to the historic and contemporary built environment sector to enable a more strategic approach to education.⁴⁴⁶

220. We commend DCMS and DfES for their efforts to raise the profile of the historic environment in curricular education. We see this as a valuable long-term investment in participation in heritage.

221. As a postscript, we note that positive, stimulating experiences during primary and secondary education can awaken children's interest and lead to career decisions. Regular engagement with the historic environment, well interpreted, can encourage children to enter associated professions such as archaeology, local authority conservation services, and crafts. A variety of issues were raised in evidence suggesting that increasingly there were barriers to entry into such professions, either as a result of Government secondary and further education policy or pay rates and career prospects. There were serious questions about disincentives at key decision-making points in young people's lives, which deserve fuller scrutiny than we are able to give in this report. We may return to the issue in a future inquiry.

⁴⁴⁶ Ev 124, HC 912-III, Session 2005-06

Conclusions and recommendations

1. We are in no doubt that the decline in real terms in grant-in-aid to English Heritage has led to justified fears that English Heritage will in future be unable to carry out its functions to the standard required. There is a real prospect that the condition of heritage assets will worsen and that grassroots organisations and local authorities will lose confidence in English Heritage's ability to provide the support which they need – whether that be grant funding or expert advice. It is also essential that the key role provided by English Heritage expert advice and leverage funding in delivering regeneration of historic city and townscapes and World Heritage Sites, is understood and supported by the Department of Communities and Local Government; and DCMS must ensure that the role is communicated effectively. DCMS needs to take action to ensure that English Heritage can fulfil its functions properly. (Paragraph 33)
2. While we commend the positive approach to the Peer Review adopted by English Heritage – at least in public – we are not convinced that this is a good time for further examination of English Heritage's internal structures and method of operation. We strongly encourage the Peer Review to bear in mind that a period of stability and confidence-building is needed at English Heritage, both for its own good and to permit sound medium-term planning with stakeholders. (Paragraph 36)
3. We endorse the efforts of English Heritage to become more responsive to the wishes of the public and those partners it needs to work with, and we believe this approach will pay long-term dividends. However, refashioning should not be at the expense of its functions as regulator and source of advice: no other body has the expertise to provide such a service. It is not clear how English Heritage's ethos of constructive conservation will manifest itself, but it should not be allowed to develop into a willingness to be accommodating to all. It should not run away from taking principled and possibly exposed decisions defending historic assets from inappropriate development. (Paragraph 37)
4. The omission of a reference to the importance of the historic environment from the Prime Minister's recent 'priorities letter' to DCMS is a surprising and worrying omission, given the emphasis the Government places on regeneration and the important role of the historic environment in leading urban regeneration. We encourage DCMS to restate the priority it attaches to the role of the historic environment, and the Government should remedy this omission in its response to this report. (Paragraph 41)
5. We believe that a mechanism is needed to achieve more in representing heritage across Government. Although there is merit in the concept of rural proofing, we suspect that heritage proofing could too easily become bureaucratic and develop into a tick-box, formulaic approach. Inter-departmental understanding is what is needed and we recommend that the heritage role envisaged for Green Ministers in A Force for our Future in 2001 should be revived and enhanced. (Paragraph 45)

6. DCMS and DCLG should take more account of these examples of best practice in refurbishment which have already been demonstrated and which are more likely to command the support of local communities. (Paragraph 49)
7. Although reuniting historic environment policy with planning policy seems a logical step, we are on balance more confident that heritage stands a better chance, given proper ministerial interest and leadership, of being given more prominence if it remains within DCMS. We recommend no change to existing responsibilities for heritage matters within Government but would like to see more effective action from DCMS to promote the value-added aspects heritage can bring to planning and developing cohesive communities. (Paragraph 50)
8. We welcome the avowed commitment of the present Minister with responsibility for heritage, but he will need to demonstrate his commitment through action not just within his own Department but across Government. (Paragraph 51)
9. DCMS's approach to reform of the heritage protection system has been less than energetic. The process of consultation on the reforms has been commendably thorough, but the slow progress is placing stakeholders in limbo and delaying decisions by local authorities on medium-term allocation of resources. (Paragraph 55)
10. While we see no harm in restating principles, the groundwork has already been laid: the priority for the Heritage White Paper is to state exactly what action the Government proposes to take and when, and how it expects to resource its plans in the medium term. (Paragraph 56)
11. DCMS should strive to put together an economic case to justify to the Treasury the level of settlement which the historic environment deserves, and we believe that there is no justification for allowing its share to decrease. Again, we find this state of affairs a surprise given the emphasis the Government, including the Treasury, places on regeneration. Taken with the omission of the historic environment from the Prime Minister's recent 'priorities letter', the falling relative share of spending begs the question of how hard DCMS champions heritage and the historic environment in joined-up working across Government. (Paragraph 59)
12. We have received evidence that public heritage investment has been successful in leveraging in significant private and voluntary investment, and DCMS should undertake research to enable this case to be put clearly to the Treasury. The significance of heritage as a factor in tourism growth must also be identified more effectively, particularly in view of the opportunities provided by the London 2012 Olympics. We look to DCMS to redress the balance in the case which it presents to the 2007 Comprehensive Spending Review. (Paragraph 59)
13. We find the logic underlying DCMS's explanation of why funding to English Heritage has decreased in real terms in recent years unconvincing, and it inevitably leads observers to conclude that its claim to attach priority to heritage issues is cosmetic and not borne out by the facts. (Paragraph 60)

14. We can see no reason why funding for English Heritage should remain at a level which is clearly insufficient, particularly if there are to be significant costs in establishing the new heritage protection regime. We recommend that there should be an above RPI annual increase in Grant-in-Aid to English Heritage for the term of the 2007 Comprehensive Spending Review. English Heritage should not be expected to fund its portion of the costs of setting up the new heritage protection regime without such an increase. (Paragraph 61)
15. We believe that dual sponsorship of English Heritage by DCMS and DCLG would introduce confused lines of accountability that would outweigh any benefits. We therefore reject the idea. (Paragraph 62)
16. We encourage DCMS not to take a short-sighted approach to heritage funding and to recognise the long-term benefits in terms of leverage, value added, and an enhanced sense of place. (Paragraph 64)
17. We encourage the HLF to follow its instincts and design programmes which are flexible enough to be accessible, sustainable and meet the needs of a wide range of community and public interests. (Paragraph 66)
18. We wholeheartedly support the Heritage Lottery Fund's stress on encouraging access for all to heritage assets: we are confident that this policy will have long-lasting benefits. (Paragraph 67)
19. We recognise the distinct roles of English Heritage and the Heritage Lottery Fund. However the HLF should not be expected to fill the gap caused by the decline in English Heritage's ability to continue grant funding, as is evident from Table 3 in paragraph 32. Assistance for private owners should remain a function of English Heritage when a clear public benefit can be shown. (Paragraph 70)
20. We believe that simplification of the application process for Heritage Lottery Fund grants and a commitment of resources to facilitate applications should be high priorities for the Fund. (Paragraph 72)
21. We are satisfied that the HLF's current policy on public involvement in its strategy and decision-making is healthy and does not threaten the professional knowledge on which decisions must be based. We will watch with interest the experiment by DCMS with public voting, although we recognise that it should not be allowed to descend into a crude beauty contest. DCMS should explore whether the public preference should be treated as a presumption in favour of a project rather than as a binding commitment. (Paragraph 75)
22. We are concerned that latest assumptions of the number of applications which the HLF will receive show a dramatic fall, from 6,385 in 2005-06 (estimated) to only 2,400 in 2006-07 and 2007-08. (Paragraph 78)
23. We welcome the largely positive view taken by the heritage sector of the impact of the London 2012 Olympic and Paralympic Games. We agree that there could be benefits for the sector and that these will be maximised if it shows itself willing to make the effort to seek out opportunities. DCMS should bear in mind that 2012 will

be a showcase for tourist attractions across the UK. Investment to ensure that major sites are presented to best effect should begin now, and the point should be driven home to other Departments which play a role, such as the Department for Transport in relation to Stonehenge, and to the regional development agencies. (Paragraph 80)

24. We are concerned that the Secretary of State has already accepted that £410 million from non-Olympic Lottery games will be diverted to the public funding package. This will increase the fears of the heritage sector that an overspend on the Olympics will lead to a further diversion of funds from good causes. The Government should give an assurance that the £410 million limit will not be exceeded. (Paragraph 81)
25. We welcome the Secretary of State's confirmation that heritage will continue to be one of the good causes to benefit from Lottery proceeds and that the 16.66% share will remain until 2019. (Paragraph 83)
26. The argument on additionality is unlikely to be resolved. We warn that any further decline in the capacity of English Heritage to give grants for repair or capacity development will inevitably lead to more pressure on the Heritage Lottery Fund and that substitution will appear to be the outcome. This reinforces our argument for better funding for English Heritage. (Paragraph 91)
27. A detailed picture of the level of provision of conservation advice in local authorities both now and in the mid-term is fundamental to any decisions on resources for implementation of the Heritage Protection Reform programme. DCMS should undertake such research now. (Paragraph 104)
28. We agree that encouragement should be given to local authorities to treat the historic environment as a higher priority. We recommend that a set of statutory services and standards should be developed, possibly along the lines suggested by the Institute of Historic Building Conservation, with discretion left to local authorities on how they should be met, according to the extent and range of heritage assets to be managed. Alongside research into the availability of conservation skills within local authorities, DCMS should, with DCLG, also examine how bodies such as the CABE-sponsored Architecture and Built Environment Centres might be augmented in terms of skills and funding to be a pooled source of conservation as well as urban design expertise for local authorities. (Paragraph 110)
29. DCMS and DCLG should make renewed efforts to encourage public bodies to exercise dispensations to dispose of assets for less than best consideration when those assets have heritage value and it is satisfied that the buyer has a viable plan for maintenance. (Paragraph 114)
30. We recommend that DCMS ministers improve dialogue with Heritage Link as the collective voice of the voluntary heritage sector. (Paragraph 118)
31. We recommend that DCMS and English Heritage should undertake research into the problems faced by private owners of small-scale built heritage assets. (Paragraph 119)

32. We recommend that RDA Boards should have at least one member able to serve as a persuasive advocate on behalf of heritage. More effort should be made by RDAs to identify the benefits of heritage-led regeneration and share good practice. (Paragraph 125)
33. We recommend strongly that the merger and replacement of existing Planning Policy Guidance concerning the historic environment and archaeology should be undertaken without delay after publication of the Heritage White Paper. It should not be delayed until implementation of the proposed new heritage protection regime in 2010: some of the advice is very outdated and needs revision, but the principles are largely sound and significant benefits could be gained from comparatively little effort. (Paragraph 134)
34. The proposed combined Register is sound in principle, but the supposed benefits cannot be realised unless resources are made available for a substantial one-off task in updating existing records. (Paragraph 138)
35. We agree with witnesses that a statutory requirement on local authorities to maintain or have access to Historic Environment Records is an important step in disseminating information and increasing public engagement. DCMS should confirm that it intends to bring the proposal forward. (Paragraph 140)
36. DCMS should make it clear what priority local authorities should give to the digitisation of paper-based records to form Historic Environment Records; and it must recognise the scale of the task. (Paragraph 141)
37. The Government should consider carefully whether target times for processing applications for listed building consent should be revised to reflect the extra task of rewriting the relevant list description. (Paragraph 144)
38. A measure which permits the blanket authorisation of damage to archaeological sites of national importance cannot be allowed to continue in its present form, but we believe that the provision of financial incentives to encourage good environmental stewardship may be a more promising approach than straightforward repeal of the Class Consents Order. (Paragraph 152)
39. We accept that there is a clear rationale for reforming the present system of designation protection: it is indeed disjointed, complex and confusing. We also welcome the Government's assurance that the reforms would not entail any dilution of the current levels of statutory protection. (Paragraph 154)
40. We are not certain however that DCMS has grasped fully the implications for local authority staff, some of whom are already struggling to find space for conservation work in a timetable driven increasingly by the demands of giving advice on development applications. (Paragraph 155)
41. If the Government wants the heritage protection reforms to succeed, it must ensure that local authorities invest in historic environment services and that they are funded to do so. We note the Minister's assurance that resources would be provided to local

authorities to meet the costs of any further burdens: we expect to see this commitment delivered by DCLG. (Paragraph 155)

42. The Government's approach in addressing the Shimizu decision has been dilatory and unacceptable. Nothing is to be gained from further delay, and steps to place the previous understanding on a secure legal footing should be given a high priority. (Paragraph 157)
43. DCLG should aim to complete its consultation on the General Permitted Development Order and bring forward a statement of intent by the end of 2006. (Paragraph 158)
44. We believe that a statutory duty of care could be a significant disincentive to private owners to take on properties where unique features and required conservation standards make maintenance particularly expensive or problematical, and we reject the idea. (Paragraph 159)
45. All interested parties should recognise that it is in the interests of the general public that the current opportunity to reach a solution at Stonehenge should not be lost. (Paragraph 163)
46. It is a judgment for each local authority as to whether the benefits of employing such staff outweigh the costs, and we do not believe that there should be a mandatory requirement for local authorities to do so. We recognise that World Heritage Site status can place extra cost processes on local authorities and we believe that regional development agencies should do more to recognise the strategic importance of World Heritage Sites to local communities and to help local authorities with these costs to maximise the benefits of World Heritage Site status. (Paragraph 167)
47. The present VAT regime for repairs distorts priorities, rewards neglect and works against conscientious maintenance of historic assets. The result can be either a slide towards demolition or a call on public funds for grant aid. We find it extraordinary that the Government did not take up the opportunity afforded by the EU earlier in the year to seek a carefully targeted relief when urged to do so by Heritage Link, on behalf of the sector. Opting in would have cost the Government nothing. The chance to secure such a relief has passed for now, but the Government should instead take a policy decision to return as grants some or all of the VAT paid on repair work to listed buildings. At the very least, building preservation trusts and other charitable institutions should be beneficiaries of such a scheme. In addition, proper consideration should be given to including heritage properties in private ownership where a clear public benefit can be demonstrated. The Treasury should recognise that the majority of potential private owner beneficiaries would not be high income earners; and many of the buildings at risk that would stand to benefit are not residential properties. (Paragraph 177)
48. We recommend that DCMS should encourage the Treasury to assess the cost of a limited relief set against income for private owners, subject to the same type of requirements as those placed on owners under the Conditional Exemption scheme. (Paragraph 180)

49. DCMS has in the past shown welcome signs of recognising the case for grant funding to encourage preventative maintenance work on buildings. It should now report on progress made in developing policy on such grant funding. (Paragraph 182)
50. We believe that state support for all places of worship through general taxation would not be readily understood by the public and would at present be inappropriate. (Paragraph 198)
51. Faith groups have responsibilities: they should be approaching parish councils for support and showing imagination in how buildings could be used. We recommend that each denomination should fund small local teams to visit each place of worship perhaps once a year in order to carry out basic survey and maintenance services; individual dioceses might fund such teams for Church of England buildings. There will always, however, be a need for major repairs. Existing funding through English Heritage is quite inadequate, and the phasing of repairs which results is driving up their cost significantly. If dioceses are prepared to commit to providing basic maintenance services, then we recommend that in return English Heritage should be resourced to provide a level of grant funding for major repairs to both cathedrals and other places of worship equivalent in real terms to that provided until only five or ten years ago. If repair projects can be completed more quickly, more efficient use will be made of public funds. (Paragraph 199)
52. We commend the Historic Chapels Trust for its vigour in raising funds and its success in sustaining itself. (Paragraph 206)
53. The Churches Conservation Trust is being asked to achieve too much with limited funds. Its grant should be increased substantially, although we see benefit in any increase being linked to proven community gain or generation of match funding. (Paragraph 206)
54. We believe that successor guidance to PPG 16 should be enhanced to reflect the importance of public access to information from archaeological excavations, and proper storage of items unearthed. Records of excavations should be publicly deposited, with appropriate linkage to Historic Environment Records. (Paragraph 210)
55. Both central and local government have a role in ensuring that grassroots initiatives enabling direct access at no cost to the local historic environment can prosper. Local authorities should be prepared to assist in publicity and administrative support for such events if required. (Paragraph 212)
56. We are confident that DCMS does recognise the presence of heritage beyond iconic sites, although it has yet to convince many in the sector. We recommend that DCMS should acknowledge clearly in policy documents that using targets which measure visits to designated sites does not reflect the full extent of engagement with the historic environment. We believe that the Department's commitment to heritage would be reinforced if a specific PSA target were to be developed reflecting progress in protecting and preserving the historic environment, perhaps including a target for a reduction in the number of buildings classified as being at risk. (Paragraph 216)

57. We commend DCMS and DfES for their efforts to raise the profile of the historic environment in curricular education. We see this as a valuable long-term investment in participation in heritage. (Paragraph 220)

Formal minutes

Wednesday 12 July 2006

Members present:

Mr John Whittingdale, in the Chair

Philip Davies
Mr Paul Farrelly
Mr Mike Hall

Alan Keen
Helen Southworth

Draft Report (*Protecting and preserving our heritage*), proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 221 read and agreed to.

Summary read and agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chairman do make the report to the House.

Several papers were ordered to be appended to the Minutes of Evidence.

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 18 July at 10.15 am

Witnesses

Tuesday 14 February 2006

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Mr Philip Venning OBE, Secretary, Society for the Protection of Ancient Buildings, **Mr Matthew Saunders MBE**, Secretary, Ancient Monuments Society, **Dr Ian Dungavell**, Director, The Victorian Society, **Ms Bridget Cherry**, Vice-Chair, Twentieth Century Society, and **Mr Adam Wilkinson**, Secretary, SAVE Britain's Heritage Ev 1

Rt Hon Frank Field MP, Chairman, and **Mr Crispin Truman**, Chief Executive, The Churches Conservation Trust, **Mr David Baker**, Chairman, Advisory Board for Redundant Churches, and **Dr Jennifer Freeman**, Director, Historic Chapels Trust Ev 11

Tuesday 14 March 2006

Mr Tony Burton, Director of Policy, and **Mr Gregor Hutcheon**, Assistant Director of Policy, National Trust Ev 18

Mr James Hervey-Bathurst, Chairman, **Mr Nick Way**, Director-General, and **Ms Frances Garnham**, Assistant Director of Policy and Campaigns, Historic Houses Association, **Mr David Fursdon**, President, and **Mr Jonathan Thompson**, Heritage Adviser, Country Land and Business Association Ev 24

Dr Sean O'Reilly, Director, **Mr Bob Kindred**, Government Liaison Secretary, Institute of Historic Building Conservation, **Dr Stewart Bryant**, Chairman, Association of Local Government Archaeological Officers, and **Ms Rosemarie MacQueen**, The Planning Officers Society Ev 31

Monday 20 March 2006

Ms Fran Toms, Head of Cultural Strategy, and **Mr Peter Babb**, Head of Planning, Manchester City Council, and **Mr Mike Burchnall**, Regeneration Services, Liverpool City Council Ev 44

Mr Paul Spooner, Regional Director NW/WM, English Partnerships, **Mr Jim Gill**, Chief Executive, Liverpool Vision, and **Ms Heather Emery**, Head of Design and Built Environment, North West Development Agency (RENEW NW) Ev 52

Tuesday 28 March 2006

The Rev'd Canon Michael Ainsworth, and **Ms Paula Griffiths**, Lead Officer, Church Heritage Forum, **The Very Rev'd David Brindley**, Secretary and Treasurer, and **The Very Rev'd Colin Slee**, Executive Committee Member, Association of English Cathedrals, and **Mr Trevor Cooper**, Chairman of the Council of the Ecclesiological Society Ev 59

Mr Peter Hinton, Director, Institute of Field Archaeologists, **Mr Brian Ayers**, Association of Local Government Archaeological Officers, and **Dr Mike Heyworth**, Director, Council for British Archaeology Ev 67

Mr Frank Kelsall, **Dr Nigel Crowe**, Head of Heritage, British Waterways, and **Mr Stephen Dyer**, Trust Secretary, Chatham Historic Dockyard Trust Ev 74

Tuesday 18 April 2006

Dame Liz Forgan, Chairman, and **Ms Carole Souter**, Director, Heritage Lottery Fund Ev 79

Ms Anthea Case CBE, Chairman, and **Ms Kate Pugh**, Secretary, Heritage Link Ev 88

Tuesday 25 April 2006

Sir Neil Cossons, Chairman, and **Dr Simon Thurley**, Chief Executive, English Heritage Ev 94
Mr David Lammy MP, Parliamentary Under-Secretary of State, Department for Culture,
Media and Sport, and **Baroness Andrews OBE**, Parliamentary Under-Secretary of
State, Office of the Deputy Prime Minister Ev 106

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| 103 | The Victorian Society | Ev 343 |
| 104 | VisitBritain | Ev 344 |
| 105 | Wessex Archaeology | Ev 345 |
| 106 | Yorkshire Historic Environment Forum | Ev 349 |

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| 108 Architectural Heritage Fund | Ev 117 |
| 109 Association of English Cathedrals | Ev 118 |
| 110 Churches Conservation Trust | Ev 119 |
| 111 Community Landscape Archaeology Survey Project | Ev 120 |
| 112 Country Land and Business Association | Ev 121 |
| 113 Michael Coupe | Ev 122 |
| 114 DCMS | Ev 123, 126 |
| 115 English Heritage | Ev 126, 141 |
| 116 English Historic Towns Forum | Ev 141 |
| 117 Heritage Link | Ev 144 |
| 118 Heritage Lottery Fund | Ev 144 |
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| 120 Merseyside Civic Society | Ev 146 |
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| 123 Planning Officers Society | Ev 154 |
| 124 Royal Town Planning Institute | Ev 158 |

Submissions of written evidence 1 – 106 were published on 19 April 2006 as HC 912-II.

Submissions of written evidence 107 – 124 are published as HC 912-III.

List of unprinted written evidence

Additional papers have been received from the following and have been reported to the House but to save printing costs they have not been printed and copies have been placed in the House of Commons Library where they may be inspected by Members. Other copies are in the Record Office, House of Lords and are available to the public for inspection. Requests for inspection should be addressed to the Record Office, House of Lords, London SW1. (Tel 020 7219 3074). Hours of inspection are from 9:30am to 5:00pm on Mondays to Fridays.

City of Winchester Trust
 The British Institute of Organ Studies
 Janet Brown
 National Preservation Office
 Tim Parr
 Association of English Cathedrals
 The Goodison Review
 York Archaeological Trust
 John Price
 English Folk Dance and Song Society
 Hal Moggridge
 Heritage Consultancy Services
 UK Antarctic Heritage Trust
 Salvo LIP
 Veronica-Mae Soar
 The Woodland Trust
 British Film Institute
 Lantra
 Yorkshire Film Archive
 Yorkshire Gardens Trust
 Hampshire Gardens Trust
 South West Screen
 Christopher Sparey-Green
 Dr Reza Abouei
 The Countryside Agency
 The Archaeology Forum
 The Wildlife Trusts
 Maritime Steam Restoration Trust
 Heritage Link
 The Battlefields Trust
 Joint Nautical Archaeology Policy Committee
 Donald Insall
 The Institute of Historic Building Conservation
 Stuart and Jane Carruthers
 Lincoln Cathedral
 National Historic Ships Committee

Better Environmental Vision for Edge Lane
British Museum Portable Antiquities Scheme
The Users and Friends of Manor House Library
Olivier Sykes
Advisory Board for Redundant Churches
Department for Communities and Local Government
English Heritage
Department for Culture, Media and Sport
The Ramblers' Association
RSPB
John Paton
The Valley Gardens Action Group

Reports from the Committee since 2005

Session 2005–06

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| First Special Report | Maritime Heritage and Historic Ships: Replies to the Committee's Fourth Report of Session 2004-05 | HC 358 |
| First Report | Broadcasting Rights for Cricket | HC 720 |
| Second Report | Analogue Switch-off | HC 650 I, II |