

# The bill and beyond

A view from the national amenity societies

Dr Ian Dungavell

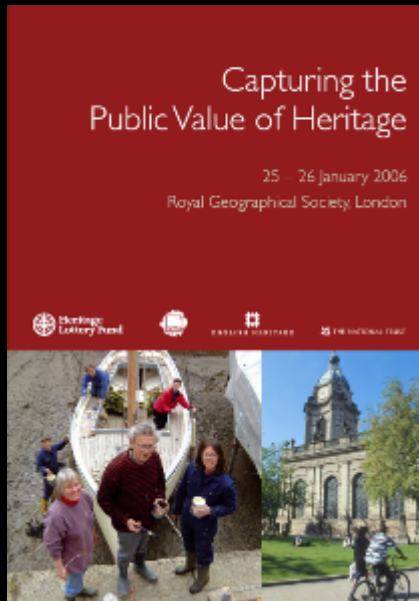
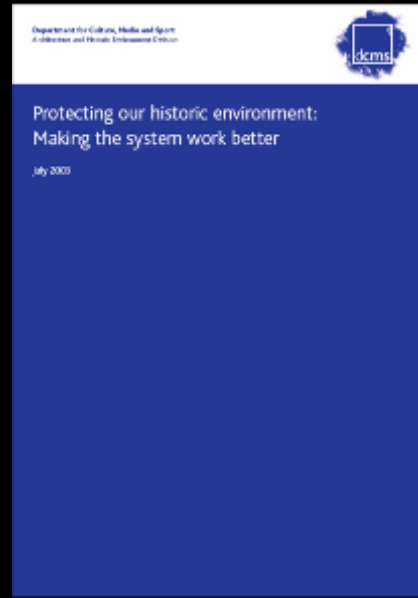
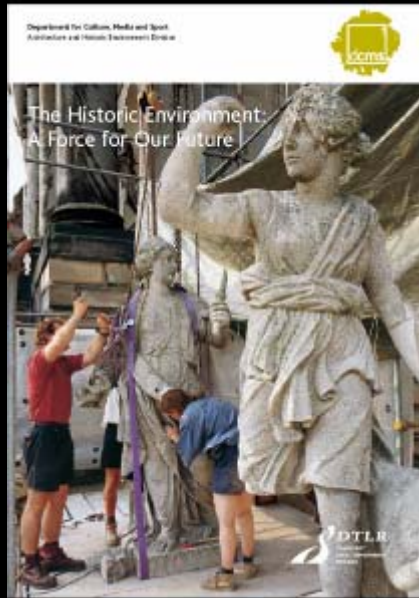
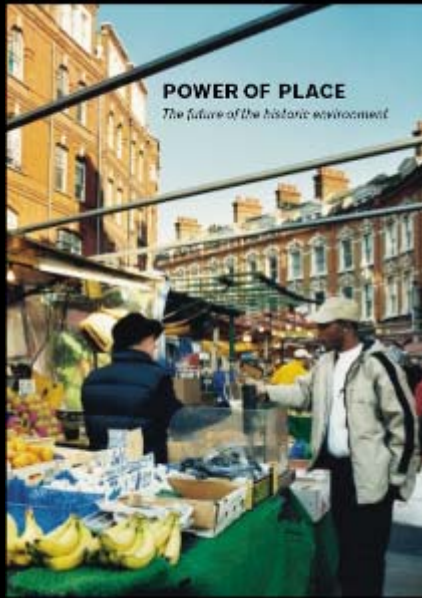
Secretary, Joint Committee of the National Amenity Societies  
Director, The Victorian Society

# JOINT COMMITTEE OF THE NATIONAL AMENITY SOCIETIES

- Ancient Monuments Society
- The Civic Trust
- Council for British Archaeology
- Garden History Society
- The Georgian Group
- Society for the Protection of Ancient Buildings
- Twentieth Century Society
- The Victorian Society

# Much to welcome...

- Designation process more open and transparent
- Tighter control on demolition within conservation areas
- Certificates of immunity (CNIRs) no longer tied to planning applications



“Help! I’ve heard my building will no longer be listed... What can I do?”

heritage partnership agreement

the register

certificate of immunity

conservation area

listed building consent

heritage structure

certificate of no intention to register

listed building

registered landscape

heritage asset consent

scheduled ancient monument

local list

designation

ecclesiastical exemption

heritage open space

Agreement (see Section 5) or apply for a Certificate of No Intention to Register (see Section 1). These, however, will be voluntary arrangements which we anticipate users will only enter into where there is a reasonable expectation of significant net savings over time, either through a reduced overall administrative burden, or increased certainty over the future of a site.

14. **Other Sectors:** Amenity societies (voluntary sector) may also incur costs in providing advice on all designations. However, while they will be statutory consultees, they are not statutorily obliged to respond so are therefore free to fulfil this role in light of their resources and priorities.

## Summary of Savings/Benefits

15. The main benefit that the draft Bill will bring is a system that is better equipped to manage the historic environment effectively to ensure it will be better understood and passed on to future generations. The historic environment is valuable in many different ways. It contributes to Government's wider place-making agenda, educational opportunities across

*from the Impact Assessment*

## Summary of Savings/Benefits

15. The main benefit that the draft Bill will bring is a system that is better equipped to manage the historic environment effectively to ensure it will be better understood and passed on to future generations. The historic environment is valuable in many different ways. It contributes to Government's wider place-making agenda, educational opportunities across all age-groups, and the economy. It is appreciated by millions of people – professionally, academically and recreationally. The draft Bill will put in place a unified heritage protection system that is easier to understand and use, is more efficient, accountable and transparent, and maximises opportunities for public inclusion and involvement. It will remove unhelpful distinctions between different designation regimes (listing, scheduling, registering) to deliver a system that works for the whole historic environment.

However, we do not believe this will be the case. At present around 15% of listing applications come from amenity societies themselves so they are already well integrated into the heritage protection process. The new provisions will not impose any extra costs on them, as responding to consultation will be voluntary. The intended non-monetisable benefits of the new system are greater inclusivity through involving more groups in the decision-making process, and also improving the quality of decision-making through consideration of a range of expert opinion.

from the *Impact Assessment*



## A survey of voluntary sector experience of Local Authority consultation on Land-Use Planning

**Heritage groups want to be involved. They believe they can make a positive difference to the quality of local and regional planning outcomes. But ...**

- > Confidence in the consultation process is variable
- > Effective participation in the planning process is limited by:
  - Capacity to deal with increasing numbers and types of consultation
  - Poor communication between local planning authority staff and heritage groups
  - Poor quality consultation documents and off-putting language
  - Unrealistic turn around times for responses
- > Regional Spatial Strategy and Highways proposal consultations are perceived as the least satisfactory
- > Consultations on Conservation Area matters are a particular concern

**... the voluntary sector requires more resources and the consultation system needs to be improved in order to optimise heritage groups' involvement in planning decisions.**



Heritage Link

- > **Influencing policy**
- > **Underpinning Advocacy**
- > **Building Capacity**





Heritage Link Making Consultation Matter

A survey of voluntary sector experience of Local Authority consultation on Land-Use Planning

“Government’s enthusiasm for more and more consultation needs to be backed up by adequate resources.”

<b>BENEFITS</b>	<b>Average Annual Benefit</b> (excluding one-off)	arrangements that will decrease duplication of work and repeat applications and in many cases will speed up decision-making time.
	<b>£1.04 million</b>	<b>Total Benefit (PV)</b>
	<p><b>Other key non-monetised benefits by 'main affected groups'</b></p> <p>The main benefits of the reforms set out in the draft Heritage Protection Bill are non-monetisable, and may be best expressed in terms of <b>public value</b> and sustainability.</p> <p>The reform programme which has culminated in this Bill has focused on modifying the heritage protection system to make it more consultative and more open to scrutiny, where the reasons for decisions to protect or to enable change are clearly explained and challengeable, and where, if it is effective and desirable, flexible agreements are available to manage that change. While some of these elements can be analysed in terms of monetisable costs and benefits, the real benefits are not truly expressed through this type of analysis.</p> <p>The historic environment – buildings, landscapes, archaeological remains – is both a public and a private resource; it is a tangible reminder of our past and an expression of how we live now. The benefits of the heritage protection reforms set out in the draft Bill are that they enable us to preserve the historic environment and manage its transition to the future, in the light of both present values and in the interest of future generations.</p>	

from the *Impact Assessment*



Public value means “taking a genuine interest in what our citizens think, and not just consulting in a ritualistic and formulaic [way] because we have to...”

## Section 5: New Asset Management Arrangements – HPAs

40. The Bill provides a statutory framework for a new system of optional management agreements that will be of particular use for owners of large estates or complex sites including local authorities, educational establishments and government departments. These arrangements, which will be agreed by all interested parties involved in the management of a particular site, such as owners, local authorities, amenity societies, and approved by English Heritage, will be known as Heritage Partnership Agreements (HPAs). HPAs will give the owner permission to carry out certain types of work on the site (usually repetitive and/or small-scale works) without needing to apply for specific consent for each individual piece of work. HPAs will replace the need for repetitive consent applications for similar works, reducing bureaucratic and administrative burdens for owners and local authorities, and providing certainty on the long-term management of the site.
41. It is hoped that take-up of these new management arrangements will be high

from the *Impact Assessment*

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## Listed Buildings Online



<b>Building Name:</b>	1	<b>LBS Number:</b>	438390
<b>Parish:</b>	Hounslow	<b>Grade:</b>	II
<b>District:</b>	Hounslow	<b>Date Listed:</b>	02 February 1970
<b>County:</b>	Greater London	<b>Date of Last Amendment:</b>	02 February 1970
<b>Postcode:</b>	W4 1TT	<b>Date Delisted:</b>	
		<b>National Grid Reference:</b>	TQ2130978911

### Listing Text:

The listed houses in this road form part of the original Bedford Park development circa 1875 to 85. Picturesque style; mostly 3-storeys, red brick and tile, gabled and dormers.

1.  
4419 PRIORY GARDENS W4  
(Bedford Park)

No 1  
TQ 2178 NW 7/18 2.2.70.

II

2.  
Red and yellow brick; Dutch gable; oriel windows. Low addition to rear.  
Dated 1880. Corner pier to front garden.

Listing NGR: TQ2130978911



38. Almost all items designated under existing regimes will continue to be protected under new legislation<sup>23</sup>. The focus for the future will be on working with the public and the sector to identify future themes for designation and on implementing the new system rather than on reviewing all existing designations.

Our present *deplorably inadequate* lists will be perpetuated under the new system.



23. We will retain an open system that allows any individual, community or group to nominate a historic asset for protection. To make this application process more efficient, English Heritage will introduce a standard on-line application form for all designation applications.



In future, the new designation system will place a stronger emphasis on thematic programmes of protection rather than on individual designation requests.

13. Decisions about what should be protected affect everyone, and it is important that people have an opportunity to have their say. As part of these reforms, English Heritage will carry out a programme of public consultation to develop priorities for a new programme of national designation under the new system.



25. In addition to Conservation Areas, LPAs have the **scope to designate** individual historic assets. Evidence suggests that more and more authorities are responding to local need and choosing to do so<sup>17</sup>. We support the use of local designation, and want to encourage more authorities to make use of it. As part of our reforms, we will publish new criteria and good practice guidance for local designation, based on the national system, to make it easier for local authorities to develop their own local registers.



“If you’re looking for a testing ground for public value, you’d be hard pressed to find a better subject. We all know that local communities will rally round when local buildings are being threatened by demolition.”

# Ecclesiastical exemption

- Standards and operation vary enormously around the country
- Consistory courts do not take conservation seriously
- Needs regular review
- HPA procedures might be decided diocese by diocese!

# Resources

- For groups which act as an interface between people and the planning system
- For English Heritage, to bring the lists up to date and to keep them that way

# Resources for local authorities

- To enable them to recognise what local people value, through local listing
- To employ an adequate number of properly-trained conservation officers
- To help them maintain and enhance conservation areas, and designate new ones