

Dear Petitions Committee

Following on from the Senedd debate on 18 October 2023 asking for conservation management plans to be made compulsory for scheduled monuments at risk like Ruperra Castle, we met with Deputy Minister Dawn Bowden in November to discuss Ruperra Castle and the petition.

You will probably all be aware of the very good news that Cadw is part funding a structural survey and level 4 historic building record for Ruperra Castle to take place before March 2024. We are delighted and wanted to thank Dawn Bowden and Cadw, plus all the members of the petitions committee for their support by recommending a plenary debate and raising awareness of the situation at Ruperra Castle, and other nationally important scheduled monuments at risk in Wales.

We were also pleased to hear that Cadw will ensure appropriate conservation management plans are submitted in support of any future applications for Cadw grant support for Ruperra Castle. This shows the importance that Cadw places on conservation management plans and we hope that the owner will be encouraged to put a future plan in place.

Whilst assessing the current state of the monument it is a positive first step for Ruperra Castle, the castle will still be at a high risk of being lost. Since the plenary debate, in November 2023 Caerphilly County Borough Council published a Buildings at risk register and strategy, which places Ruperra Castle as the highest priority for action. Ruperra Castle was described by Cadw inspectors as "structurally unsound with multiple failures - loss may follow in short term".

<https://democracy.caerphilly.gov.uk/documents/s46909/Appendix%201.pdf>

There are still 14% of nationally important scheduled monuments in Wales that we are at risk of losing which was the focus of the petition.

The letter from the Deputy Minister said: whilst their use is justified in some cases, for example for larger, more complex and sensitive proposals, "it would not be appropriate to apply this methodology wholesale to many smaller and simpler scheduled monuments at risk in Wales. Making such plans compulsory would also require new legislation." However, there were several suggestions we sent in August 2023 in response to the Deputy Ministers letter which could provide opportunities to look at complex sites at risk:

#### **1. Formal review of the Historic Environment Bill**

In 2017 the Culture, Welsh Language and Communications Committee held an inquiry into Wales's historic environment. This inquiry followed on from the Committee's summer consultation in 2016 during which the public highlighted 'preserving local cultural heritage' as one of the key areas which the Committee should prioritise.

<https://business.senedd.wales/mglIssueHistoryHome.aspx?Ild=19747&Opt=0>

This resulted in a report - Past and Present – Report of an Inquiry into the Historic Environment that recommended that the Historic Environment Bill should be kept under review. "Recommendation 5: The Government should keep the Act under review and formally review its impact after it has been in operation for five years."

The last update we can find on progress is from January 2021 where it says that: "Formal review will be undertaken when the significant provisions of the Act relating to heritage partnership agreements and the register of historic parks and gardens have been in operation for sufficient time to measure their effectiveness." If our suggestion can't be achieved as a one-off amendment to the Act we suggest that our

request is considered as part of this upcoming review. It would be helpful to know when this formal review will take place?

<https://business.senedd.wales/documents/s115586/Welsh%20Government%20update%20on%20progress%20against%20recommendations%202021.pdf>

## **2. Alternative ideas to legislative changes**

Given that conservation management plans are advised by Cadw we suggest that - as an alternative to legislative change - the Deputy Minister could consider the option of issuing a policy statement to strengthen that policy for all scheduled monuments at risk on large, complex and sensitive sites, including Ruperra Castle. We are confident that Cadw could produce a list of such sites reasonably quickly and could fully justify the need for strengthened advice for such monuments in the light of recent statistics on increasing risk levels. Selecting these important complex sites would not lead to disproportionate scale and costs. We therefore request this is considered as an option which could lead to an improving situation for our significant heritage assets in Wales for the benefit of our sustainable tourism industry.

Alternatively, the policy statement could require a conservation management plan to be produced if any large, complex or sensitive scheduled monument - or its setting - is at risk of being affected by a planning or listed building application on an adjacent site.

Kind regards

Ruperra Castle Preservation Trust