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Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol
Communities, Equality and Local Government Committee
Bil yr Amgylchedd Hanesyddol (Cymru)/Historic Environment (Wales) Bill
Ymateb gan: Ymddiriedolaeth Archaeolegol Clwyd–Powys
Response from: Clwyd–Powys Archaeological Trust

22 May 2015

Committee Clerk
Communities, Equality, and Local Government Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Sir/Madam

Consultation: Historic Environment (Wales) Bill

Thank you for the opportunity to provide evidence to the Committee on the Historic Environment (Wales) Bill. This letter is a preliminary response in outline, in advance of the Committee meeting on 10th June. A further and more detailed response will be submitted following that meeting.

1. Clwyd-Powys Archaeological Trust

- 1.1 The Clwyd-Powys Archaeological Trust (CPAT) is an educational charity which was established in 1975. Its objective is 'to advance the education of the public in archaeology', and it achieves this with the support of funding from a variety of sources, including Welsh Government. CPAT is one of four Welsh Archaeological Trusts (WATs) which work to help protect, record and interpret all aspects of the historic environment. This includes the provision of advice to local authorities on archaeology and planning, undertaking archaeological projects for private- and public-sector clients, and delivering a programme of community archaeology events and activities.
- 1.2 Governance of the Trust is through a Board of Trustees, which meets four times per year. Other activities of the Trust are advised by an Ethics Committee, an Investment Committee, and the Board of Directors of the CPAT HER Charitable Trust. As an independent Charitable Trust we submit publicly-accessible annual accounts to the Charities Commission, and as a limited company we file returns to Companies House. CPAT is a Registered Organisation with the Chartered Institute for Archaeologists.

2. Giving more effective protection to listed buildings and scheduled monuments

- 2.1 Overall the Bill will increase the effectiveness of the protection of designated heritage assets.
- 2.2 We particularly support the improvements in the Bill to the definition and protection of scheduled monuments. The expansion of the definition to comprise ‘any thing, or group of things, that evidences previous human activity’ is welcome, as are the introduction of enforcement and temporary stop notices for scheduled monuments and powers of entry for the archaeological investigation of scheduled monuments in imminent danger.
- 2.3 The Bill improves the situation with regard to the ‘defence of ignorance’ in the case of damage to scheduled monuments, but in our view there is still room for improvement in this area. In practical terms we are also concerned that there remains insufficient support in the Bill for Welsh Ministers to successfully prosecute cases where damage has occurred without consent, or where the conditions of scheduled monument consent have been breached.

3. Enhancing existing mechanisms for the sustainable management of the historic environment.

- 3.1 Overall the Bill will enhance mechanisms for the sustainable management of the historic environment.
- 3.2 We very much welcome the requirement for local authorities to create and maintain Historic Environment Records. The wording of the clauses in the Bill, and the nature of supplementary guidance, needs careful consideration to ensure that the coherence and consistency of the current arrangements is maintained across Wales. Further comments will be made on this subject after 10th June.
- 3.3 We also support the provisions for Heritage Partnership Agreements, and welcome the consistent approach in this area between scheduled monuments and listed buildings.
- 3.3 The creation of a statutory register for historic parks and gardens is also very welcome, although it is regrettable that similar provision has not been made for World Heritage Sites and registered historic landscapes.

4. Introducing greater transparency and accountability into decisions taken on the historic environment.

- 4.1 Overall the Bill does introduce greater transparency and accountability into decisions taken on the historic environment.
- 4.2 The creation of a Heritage Advisory Panel is a welcome step, but its relationship with the existing Historic Environment Group and other inter-departmental and inter-agency bodies and groupings does need careful consideration.

- 4.3 The general improvements to the consultation, review and designation processes to scheduled monuments and listed buildings are also to be welcomed. Approaches to both types of designated asset will be very similar; together with the relaxation of the conditions for applications for immunity these measures should streamline the system and remove inefficiencies. We also welcome the improvements to the dissemination of information in this area.

Yours sincerely

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Clwyd-Powys Archaeological Trust