

HE 53

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol
Communities, Equality and Local Government Committee
Bil yr Amgylchedd Hanesyddol (Cymru)/Historic Environment (Wales)
Bill

Ymateb gan: Cyngor Sir Penfro

Response from: Pembrokeshire County Council

Scope of the consultation to consider:

- *The general principles of the Historic Environment (Wales) Bill and the need for legislation with the aim of:*
 - *giving more effective protection to listed buildings and scheduled monuments;*
 - *enhancing existing mechanisms for the sustainable management of the historic environment;*
 - *introducing greater transparency and accountability into decisions taken on the historic environment.*
- *any potential barriers to the implementation of the Bill's provisions and whether the Bill takes account of them,*
- *whether there are any unintended consequences arising from the Bill,*
- *the financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum),*
- *the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum).*

1.0 Pembrokeshire County Council broadly welcomes the Historic Environment (Wales) Bill.

1.1 Pembrokeshire County Council welcomes:

- the measures on the establishment of an advisory panel for the Welsh historic environment.
- proposals for interim protection of historic assets during consultation periods.
- proposals for extension of the definition of a scheduled monument to ensure that the defence of ignorance of the status or location of a protected monument can only be used if the accused has taken all reasonable steps to find out if a protected monument would be affected.
- proposals for the Welsh Ministers' compilation and maintenance of a comprehensive register of historic parks and gardens of special historic interest in Wales and make the information publicly available.
- proposals for the extension of the scope of urgent works and the recovery of costs (and charging interest). Powers of sale and lease. Institute the costs for urgent works as a local land charge and further

enforcement powers. Help manage the financial risks associated with urgent works. Greater tool to halt the further decay of Wales' nationally important listed buildings.

- additional powers including those relating to urgent works notices to occupied and unoccupied buildings.
- Proposals for Heritage Partnership agreements – for larger sites, e.g. with both listed and scheduled assets and the proposals for a simplified application procedure for Scheduled Monument Consent (to be determined by Welsh Ministers).

1.2 The Bill also proposes a duty on local planning authorities to create and keep up to date a publically accessible historic environment record (HER). Specific statutory guidance on this also consulted upon – with options to create, manage and maintain own HER, work with other local planning authorities to create, manage and maintain a joint HER, or discharge functions by adopting and supporting a HER developed and maintained by a third party. This can be independent or with other local planning authorities.

1.3 PCC has concerns regarding additional resources likely to be needed for proposals within the Bill, including:

- changes regarding archaeological advice and adjustments needed for the service level agreement with regional trusts.
- additional powers and duties set out in the Bill: the Regulatory Impact Assessment identifies minimal financial impacts for local planning authorities, but, realistically, these proposed additional powers and duties will require increased resources.