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**EVIDENCE TO COMMUNITIES, EQUALITY AND LOCAL GOVERNMENT,
NATIONAL ASSEMBLY FOR WALES**

Evidence for the Inquiry into Welsh Government's Historic Environment Policy

Introduction

I am a manager of a local authority conservation section that also includes landscape, tree and regeneration functions (total 5 FTEs). I have worked for Conwy County Borough Council since 2009 to the present day. I was previously the Head of Conservation and Environment at Flintshire County Council (1996 to 2009).

I have been working for a number of council planning/ conservation teams in England, including Chester City Council and in Wales since starting my career in planning in 1978. I have been involved in the North Wales Conservation Officers Group since its inception and have worked with groups examining options for specialist service collaboration since 2008.

I have managed three townscape heritage initiatives for Holywell, Flint and Colwyn Bay and other property enhancement schemes. A number of projects have been recognised with awards.

Question 1:

1. How appropriate and successful are the current systems employed by the Welsh Government for protecting and managing the historic environment in Wales?

Answer:

The pressure for inappropriate change and for the loss of historic assets and their fabric and authentic character has steadily increased since the 1960/70's. For instance the surge in the manufacture and installation of PVCu products was not envisaged when conservation area legislation was introduced in the early 1970's.

The question addresses the fundamental issues about conservation at the beginning of the 21st century. Are the current systems appropriate? Many people believe that now is the time to change the approach to conservation in Wales. There are calls amongst many owners to adopt a more flexible and less preservationist style. These arguments are often supported by calls to conserve energy and to adopt measures that will tackle climate change. I have always thought that consideration of options of least impact, facilitating change where possible and the adoption of a constructive approach to proposals is the best way to conduct 'conservation'. However there is a central tenet to conservation in my opinion and that is that there are occasions

when preservation is the imperative and so saying 'no' to change in these cases is justified. When the authenticity and specialness of our historic assets is threatened, this is often when protection measures are most justified. I often hear terms "well it's already been spoilt by" or "you allowed it (or didn't do anything about that.....)" and so further removal or loss of this and that is now ok". A line must often be established in conservation and the failure to 'draw the line' can often lead to complications, accumulative damage and more work!

Conservation areas such as Llandudno and Conwy and other designated areas that cover our market town etc, are also our great income generators. The economic argument to preserve the specialness of places has never been stronger.

However although many owners and stakeholders who 'sign up' to conservation by visiting these places for holidays etc they also have a different view when it comes to the control of their own properties. Without protection of comparatively rare historic assets there would be a rapid erosion of the quality and value of these items and areas. The approach of the Republic of Ireland to the protection of its historic environment is a lesson for us in Wales. It is true that special things are often unappreciated (and undervalued in monetary terms) until there are far fewer of them. Then it may be too late to reverse the trend.

I would say that current protection measures are needed now more than ever. There is a line for preservation beyond which conservation becomes an ever more difficult thing to sustain and it also gets ever more difficult to manage. Protection and management are essentially the same thing. Preservation needs management, as does change. Protection measures for listed buildings remain on the whole robust and there is a need for a system where change can be prevented if aspects of significance are threatened.

Statutory protective measures for conservation areas are not so robust however and the need to positively apply for additional controls is considered to be a weakness. There have been relatively few Article 4 Directions issued for conservation areas in Conwy County and the lack of these in respect of historic residential areas has resulted in significant loss of character. Once an area is eroded in this way, by minor inappropriate alterations, it is a very difficult task to regain authenticity and special character.

The compensation regime for Article 4 Directions has recently been changed to coincide with the English regulations. This is welcomed, but the vast majority of local authorities are very nervous about issuing Article 4 Directions and this increases their exposure to compensation. Where conservation character has been eroded there is greater risk of compensation being paid as residents increasingly apply for modern replacements when they see neighbouring properties already with modern replacements that were installed prior to the making of the Direction.

There needs to be a review of conservation area controls and the current statutory policy requirement to only preserve the character of designated areas. The Civic Trust for Wales and others have long highlighted the decline in the quality and distinctiveness of our conservation areas. The present test for development of merely needing to preserve existing character will make it harder for local authorities to regain the specialness of eroded designated areas. There should be provision for enhancing areas if this is identified as an objective in for instance a specific conservation area management plan.

Enforcement and statutory powers to achieve general repairs to listed buildings are commonly given low priority by local authorities. Planning enforcement sections are managed separately and the legislation itself particularly needs to be review and strengthened.

Controls over advertising within conservation areas are not fit for purpose. Circular 61/ 96 states that where authorities have pursued programmes to improve signage in partnership with local businesses and these have failed they may apply to make a Regulation 7 Direction. To my knowledge no Local Planning Authorities have applied for such a Direction and many commercial conservation areas are plagued by signs that fail to take the special character and appearance of an historic area into account.

The historic environment should ideally be treated in a holistic manner. There is encouragement to survey and identify Buildings of Local Importance (BLI's). Controls over alterations and partial or entire demolition of unlisted BLI's that are located outside conservation areas are weak and a new Heritage Protection Bill should look to address this deficiency.

Other parallel controls on ecclesiastical buildings are considered by many to be less rigorous than listed building consent controls exerted on non-church buildings. I would agree with the views of the Victorian Society who refer to the lack of a review of the system of Ecclesiastical Exemption (EE) in Wales. A recent case for radically altering a grade II* listed church was considered by the Local Planning Authority and several other consultees as being inappropriate and damaging. The case was referred to the chancellor of the church whose judgement in allowing the proposals bore few references to establish conservation principles.

Protective controls are in many cases more straightforward to implement than exerting management measures. This latter area is often described by Local Planning Authority conservation staff as being more problematic. Because the limited numbers of local authority specialist conservation staff are in the main engaged in a high daily volume of reactive work, less time can be set aside for management. Yet the latter is the true test of the effectiveness of our controls. The greater appreciation and acceptance of historic area controls for instance is likely to make controls within designated areas more effective. However, little progress can be made in the area of engagement and awareness raising because of current levels of specialist resources. How many Welsh conservation areas have got up to date management plans? The answer is very very few. The majority of designated areas that have

management plans are those that were required as a condition of approval of a regeneration scheme such as the THI.

The proposed Heritage Protection Bill of the previous government made it clear that such proposals as the creation of conservation plans and management plans for listed buildings/ monuments could not be introduced due to shortages of resources in Wales compared to England.

It is my opinion therefore that it is the deficiencies in management of heritage assets that need to be addressed rather than contemplating radical modifications to legislation/ procedures.

The following management prescriptions could improve the effectiveness of controls as well as creating a more accepting and sympathetic environment for conservation: -

1. Conservation area management plans and local engagement.
2. World Heritage Site management plans and the formulation of policies for considering distant viewpoints and buffer zones etc.
3. Building at risk initiatives that include proactive measures to inform owners of the implications of listing and the importance of regular maintenance.
4. Local community engagement in the identification of BLI's and their ongoing monitoring and safeguarding and assistance in the appreciation of their local environment in holistic terms.

Question 2

2. How well do the Welsh Government's policies promote the historic environment in Wales (for instance, in terms of interpretation of communities)?

Answer:

The fundamental requirement for the historic environment must, in the first place, be to preserve and where possible enhance the special interest of our heritage assets. Without assets being authentic and in good condition policies for promotion would hardly be necessary and would struggle to succeed. A degraded historic environment is neither a cultural nor an economic asset.

The Welsh Government policies towards supporting sustainable development and tackling climate change have been impressive. However there needs to be an equally strong vision from government on achieving clear heritage goals. Cadw is widely perceived by local authority specialists as being under resourced and has in recent years prioritised their actions to ensure their own estate assets are safeguarded. At a time of financial constraints this is understandable. However we are in a period of increased pressure imposed on the historic environment with fewer funds to tackle damage and

degradation to vulnerable assets. (e.g. Conwy has several large and important listed country houses that are currently vacant and at high risk)

There is a need for Welsh Government to give a clear policy message that is accompanied by a vision of how important the historic environment matters in Wales. A national audit of the health of the nation's heritage assets would be a good start and would inform a much needed national action plan. (say of 5-10 year duration) The plan should focus on the five areas identified by the IHBC in their evidence and should facilitate improved collaborative working together with a increasing the capacity and involvement of the third sector in the aspects mentioned in the question.

The Built Heritage Forum has been one method that has brought dividends for mutual discussion on priority issues and the Forum is now providing more of a focus of integrating local authority and Cadw actions. However in my opinion there is still a lack of national vision and co-ordination of action could be much improved. There are compelling reasons to bring in these improvements however leadership and resource issues represent real drawbacks. There is currently nowhere near the critical mass of resources available to bring these improvements into play.

Question 3

3. How well do the policies for the historic environment tie in with wider Welsh Government policy objectives (such as the regeneration of communities)?

Answer:

Again there is a strong message and steer from the Welsh Government in areas such as sustainable development etc. This is to be admired however there is not such a strong message being spelled out for the historic environment. Circular 61/96 is outdated in its guidance on many areas, not least in the guidance relating to historic assets and climate change issues. There is a perception that this means improvements for e.g. thermal upgrading and energy generation etc take priority. The balance between the objectives of other Welsh government policies and initiatives has not clearly been set out. This results in cases of significant anomaly and contention that must often be resolved at local level.

The impacts of policies and initiatives, including major funded projects, do not often appear to have been considered beforehand in relation to fragile historic assets. Furthermore the potentially damaging impacts of some initiatives/programmes such as 'ARBED' do not appear to have been scoped in relation to a more holistic architectural / heritage sensitivity.

Regeneration policy at a national level could be greatly improved to target economic and condition issues connected with the Welsh historic environment. The historic environment of Wales is predominantly of a

vernacular type and well dispersed. There are many conservation areas that are market towns and smaller rural settlements/villages with residential areas. These are excluded from strategic regeneration funding areas. Cadw does not co-ordinate its funding schemes with local authorities and vice versa. A pilot joint BAR initiative with Cadw in Conwy takes collaboration a little further but this could be greatly developed.

It is considered important that, where an area of strategic regeneration funding is identified, such as in Colwyn Bay, funds are not diverted prematurely elsewhere. This disrupts momentum and can negate the effects of previous investments.

Question 4

4. What would be the advantages and disadvantages of merging the functions of the Royal Commission on the Ancient and Historical Monuments of Wales with the functions of other organisations, including Cadw.

Answer:

There would be theoretical advantages to a merge of functions. There are clear linkages and areas of common interest between RCAHMW and Cadw. However a merger of the two organisations raises concerns in practical terms. Cadw is undoubtedly increasingly under pressure to meet its obligations and wide ranging advisory demands.

There is a concern that a merger would place additional pressure on the research function of the RCAHMW. Nevertheless the promotional objectives of the two organisations clearly dovetail and if merging brings further opportunities to increase outputs this would be welcomed.

There would also be a concern amongst mid/ north Wales authorities that a physical merger would make the RCAHMW even less accessible to them.

Resources that are currently available to conservation organisations across the board are stretched. Collaboration is seen as a potential option to increase productivity. This view should be treated with caution in my opinion as specialist resources (those individuals with a high level of direct knowledge and experience of historic buildings and areas) are very limited in number.

Question 5

5. What role do local authorities and third sector organisations play in implementing the Welsh Government's historic environment policy and what support do they receive in this respect?

Answer:

Local authorities are the pivotal conservation organisation in Wales in terms of local objectives and actions. They play important statutory roles but also provide local stakeholders with information and advice about the historic environment. Local conservation teams have a wide ranging list of activities and these often provide the only such specialist expertise within an area that is free of charge. Stakeholders that are advised and supported include:

1. Owners of historic properties.
2. Businesses in conservation area etc.
3. Interest groups and local Civic Societies.
4. Politicians
5. Experts and practitioners.
6. The councils own needs as an owner etc of historic properties.

There are no national service delivery guide lines on the nature and extent of local conservation services and each unitary authority applies its own priorities and levels of resources to service provision. There are wide variations in staffing resources and the vision for local service delivery between different authorities. In the main local teams struggle to tackle the more strategic outputs of local conservation which invariably benefit the management of historic assets. I have mentioned some of these in answer to the first question.

Collaboration could improve the vision, consistency of service delivery and quality of advice and could possibly tackle much needed management issues however the shortage of expertise is a real potential obstacle to achieving these improvements. The north Wales officer collaboration report of 2009, the IHBC survey of conservation resources 2012 and the current work of the Simpson Compact are and will be useful references on the ability of existing resources to adapt to give better overall service.

Compartmentalisation is still a key drawback to progress. For instance the Simpson Compact will have two separate reports for planning and specialist conservation services.

The conclusion on present arrangements is that local authorities are potential best placed to work on the local management of historic assets. They have the ability and vision in many cases to provide a holistic service to the public and other agencies. However the existing teams are small, under continuous pressure and are often lacking in strategic and even corporate support. Vital areas such as galvanising community/ business engagement in local historic areas/ assets are beyond most teams at the moment. The objective is further impeded by the relative limited capacity of the third sector in Wales. Much work could be carried out by, Cadw, amenity bodies and local authorities to develop their roles, however there is no co-ordination, leadership over all sectors and resources to carry out effective management are currently virtually non-existent. These exercises need to commit resources over longer periods and they require on-going local leadership and support in order to

achieve self-sustaining conditions. Local authority is currently incapable of providing this in the majority of cases/ areas.

Collaboration may provide avenues for improvement however at the moment I have doubts as to whether there is adequate slack in the system to even begin to introduce and manage this type of initiative properly.

Having said this collaboration and integration of diverse services and organisations must be the way forward. Delegation of decision making to authorities must be the goal. However this must preferably be implemented in a way that ensures consistent standards and sound principles and policies (and a minimum requirement of resources) are achieved for each team afforded delegation. Collaboration can make this happen.

The sourcing and obtaining of funds to increase capacity say for community initiatives focused on raising awareness, knowledge and commitment to the architectural and historic environment and other regeneration schemes is going to be vital to the better management of these assets. Money spent in these areas will reduce the resources aimed at controlling and policing. Who is best placed to apply and use these funds? The third sector needs co-ordination or direction otherwise a quite chaotic situation could develop that would be characterised by conflict, rivalry, duplication of work, wasteful investment on task of lesser priority.