

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol / Communities,
Equality and Local Government Committee
CELG(4)-16-15 Papur 4 / Paper 4



22nd 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 invitation to provide evidence to the Committee on 10 June. As you requested we have used the terms of reference set by the committee for our response. Our comments are set out to reflect the layout of the Explanatory Memorandum as issued on 1 May 2015, and our headings mirror those set out in the memorandum.

Gwynedd Archaeological Trust is one of four Welsh Archaeological Trusts which, together, provide a historic environment service throughout Wales. The Trust is a non-profit making educational charity and private limited company. It was established in 1975 with the object of advancing the education of the public in archaeology. The Trust has three primary strategic objectives: improving understanding of the historic environment; improving effective management and conservation of the historic environment; and raising awareness and appreciation of the historic environment. The Trust also recognises five strategic objectives for the development of the Trust: ethical management; human resource management; maintaining suitable internal management procedures; maintaining appropriate premises and equipment; and encouraging partnership working with other educational and heritage organisations and institutions.

Our comments follow.

Measures to introduce greater accountability and transparency

Establishment of an advisory panel for the Welsh historic environment

An advisory panel has the potential to provide Welsh Ministers with expert advice and an additional level of scrutiny of policy and strategy in relation to the historic environment of Wales. We are particularly pleased to see that the intention is to maintain a balance between the three core activity areas. The relationship between the advisory panel and the existing



Historic Environment Group (HEG) needs to be carefully defined to ensure they complement one another successfully.

Consultation, interim protection and review for designations

The proposals for consultation, supplemented by interim protection, should ensure greater transparency, and are to be welcomed.

Measures to enable the Welsh Government and local authorities to give more effective protection to the historic environment

Extension of the definition of a scheduled monument

The limitations to scheduling created by the monument definition in the 1979 Act have been recognised for some time, and we support the broadening of the definition.

Amendments to the criminal offences and defences relating to scheduled monuments

These amendments are to be broadly welcomed, however the proposed criteria still allow a degree of defence which may limit the occasions when a successful legal case can be made against offenders.

Introduction of enforcement and temporary stop notices for scheduled monuments

We support these additions to the existing legislation.

Powers of entry for the archaeological investigation of an ancient monument in imminent danger of damage or destruction

We support this addition to the existing legislation.

Creation of a statutory register for historic parks and gardens

We support the creation of a new statutory register for historic parks and gardens. Implementation of this provision will require resources to review the current register, and identify potential additions. There is no provision for the monitoring of sites other than through the planning process. The inclusion of registered parks and gardens in the monitoring process currently undertaken for scheduled ancient monuments would enable any structural changes to be recorded.

Introduction of temporary stop notices for listed buildings

We support this introduction, and it aligns the measures more closely with the proposals for scheduled ancient monuments, though this proposal lacks the addition of powers of entry to carry out archaeological investigation and recording, a proposal which would ensure appropriate records are made of buildings at risk before remedial works remove the evidence.

Measures to enhance existing mechanisms for the sustainable management of the historic environment

Requirement for local planning authorities to create and maintain historic environment records

We fully support this proposal, though we note that additional resources will be required to allow the minimum of a full time HER archaeologist to manage the record.

Introduction of heritage partnership agreements

We support the proposed introduction of heritage partnership agreements.

Modifications to the scheduled monument consent process

We support these proposed modifications which should lead to a more streamlined process.

Relaxation of the conditions for an application for a certificate of immunity from listing

We support this proposed change, which, by allowing developers to apply for a COI prior to any planning application, should encourage improved investment in and sustainability of the historic environment.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Andrew Davidson', followed by a small horizontal dash.

Andrew Davidson
Chief Archaeologist