

HE 25

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 Bwrdeistref Sirol Pen-y-bont ar Ogwr
Response from: Bridgend County Borough Council

Having considered the content of the proposals of the above document, I have the following comments to make;

1. Giving more effective protection to listed buildings and scheduled monuments;

1.1 With regard to proposed interim protection measures afforded whilst Welsh Ministers are determining whether a building should be listed, clarification is sought on the likely timescale in which a decision will be made as this may affect the registration and determination of planning applications/listed building consent applications rather than as specified "as soon as possible".

1.2 All notifications should be sent to the Planning Department and copied to the relevant Conservation Officer to mitigate potential appeals and any effect on determination statistics in relation to the above

1.3 Para 2(D) where a review of certain listing decisions is undertaken, the local authority should be identified as one of the immediate consultees

1.4 Building preservation notice – sustained reluctance by local authorities to serve a notice due to the risk of compensation which is dependent on a decision by Welsh Ministers

1.5 Temporary Stop notices and Urgent works notices have compensation opportunities and costs associated and despite the imposition of a land charge, will it provide confidence that the costs are recoverable as unless the building is sold then this is unlikely. Often the best way of getting a building repaired / maintained is for the ownership to change.

1.6 Local lists - engagement of 3rd sector organisations in preparation of local lists will impact on resource levels, inclusion on the HER record will not in itself afford adequate protection to buildings of local historic importance. Demolition of buildings can occur at short notice outside of conservation areas with often limited opportunity to intervene / serve a Building Preservation Notice

1.7 No reference to any proposals relating to listed building delegation and any future plans for local authorities taking on this responsibility for all Grade II Listed Buildings which may encourage local authorities to develop heritage partnership agreements.

2. Enhancing existing mechanisms for the sustainable management of the historic environment;

2.1 Heritage partnership agreements – are these likely to be an attractive option for owners or will they see them as committing to obligations and liabilities. Also there are resource implications for drawing up the agreements / legal costs / ongoing monitoring arrangements. Associated risks of interpretation of what is contained in the agreement whereas under the present system regular contact is maintained with owners.

2.2 Historic Environment Record – introduction of statutory duty at a time of diminishing resources will commit Local Authorities decreasing revenue budgets to Archaeological Trusts where relevant without allowing each Authority the option to receive the funding directly to explore what is appropriate for its area. Whilst consistency is important, Local Authorities it appears will have little influence or control over how and when their HER is updated.

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

3.1 Interim protection and consultation with owners could mislead owners in them being able to influence a decision relating to listing and in the meantime create a period of uncertainty for developers and administrative problems for local authorities

4. Any potential barriers to the implementation of the Bill's provisions and whether the Bill takes account of them.

4.1 Austerity measures and loss of conservation staff

5. Whether there are any unintended consequences arising from the Bill

5.1 Not applicable

6. The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum),

6.1 Not applicable

7. 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).

7.1 Not applicable

The above written evidence is submitted as an individual based on my 21 years experience working in Planning, Conservation and Regeneration but the representations made are on an individual basis and **not on behalf of Bridgend County Borough Council with which I am currently employed.**