

**National Assembly for Wales**  
Communities, Equality and  
Local Government Committee

## Inquiry into the Welsh Government's Historic Environment Policy

March 2013



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

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

Tel: 029 2089 8505  
Fax: 029 2089 8021  
Email: [CELG.Committee@wales.gov.uk](mailto:CELG.Committee@wales.gov.uk)

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## **Communities, Equality and Local Government Committee**

The Committee was established on 22 June 2011 with a remit to examine legislation and hold the Welsh Government to account by scrutinising expenditure, administration and policy matters encompassing: Wales's culture; languages; communities and heritage, including sport and the arts; local government in Wales, including all housing matters; and equality of opportunity for all.

### **Current Committee membership**



**Ann Jones (Chair)**  
Welsh Labour  
Vale of Clwyd



**Peter Black**  
Welsh Liberal Democrats  
South Wales West



**Janet Finch-Saunders**  
Welsh Conservatives  
Aberconwy



**Mike Hedges**  
Welsh Labour  
Swansea East



**Mark Isherwood**  
Welsh Conservatives  
North Wales



**Lindsay Whittle**  
Plaid Cymru  
South Wales East



**Gwyn R Price**  
Welsh Labour  
Islwyn



**Ken Skates**  
Welsh Labour  
Clwyd South



**Rhodri Glyn Thomas**  
Plaid Cymru  
Carmarthen East and Dinefwr



**Joyce Watson**  
Welsh Labour  
Mid and West Wales

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## The Committee's Recommendations

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**Recommendation 1.** Before proceeding with any merger involving the Royal Commission on the Ancient and Historical Monuments of Wales, the Minister should give full consideration to the concerns raised by expert witnesses during the course of our inquiry. (Page 13)

**Recommendation 2.** The Welsh Government should explore options to strengthen the status of the Historic Environment Records, including putting them on a statutory footing. (Page 29)

**Recommendation 3.** The Welsh Government should explore options to simplify the listing system. (Page 29)

**Recommendation 4.** The Welsh Government should ensure that Local Authorities are applying and enforcing rules around listings consistently. (Page 29)

**Recommendation 5.** The Welsh Government should explore options to introduce a statutory timescale for the review of listed properties or buildings, taking into account sustainability and usage. (Page 30)

**Recommendation 6.** The Welsh Government should explore options to introduce a system so that, where local authority searches show that a building is listed and/or in a conservation area, the new owner is provided by the local authority with clear guidance concerning restrictions and responsibilities associated with the listed status. (Page 30)

**Recommendation 7.** The Welsh Government should introduce a system to ascertain, at the point of sale/transfer, whether there has been any violation of listed building regulations and to gather information on the condition of the building. (Page 30)

**Recommendation 8.** The Welsh Government should explore the introduction of a mechanism so that, following work to a listed building, a listed building appraisal should be undertaken within a specified timeframe. (Page 30)

**Recommendation 9.** The Welsh Government should take steps to introduce a statutory register for historic parks and gardens, so that they are fully protected within the planning system. (Page 30)

**Recommendation 10.** The Welsh Government should put in place mechanisms to ensure better collaboration in promoting the historic environment. (Page 38)

**Recommendation 11.** The Welsh Government should explore options to transfer the responsibility for promoting local authority sites to Cadw. (Page 38)

**Recommendation 12.** The Welsh Government should explore the possibility of establishing a national membership-based heritage organisation, in order to promote historic sites. (Page 38)

**Recommendation 13.** The Welsh Government should ensure that Cadw prioritises accessibility to its sites, and ensures that its approach is consistent. (Page 38)

**Recommendation 14.** The Welsh Government should explore the possibility of establishing a representative umbrella body, such as English heritage, to represent non-Government organisations in the third and private sectors.(Page 58)

# 1. Introduction

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## Introduction

1. As part of its legislative programme, the Welsh Government announced its intention to introduce a Heritage Bill to modernise the way the historic environment is managed and protected in Wales. In January 2012, the Minister for Housing, Regeneration and Heritage published a [set of priorities](#) for the sector and began consulting with stakeholders on these issues. His intention was to publish a Historic Environment Strategy in the autumn of 2012, which would form a basis for further appraisals and consultations leading up to the introduction of a Bill sometime in 2014-15.

2. In May 2012, the Minister made a [further announcement](#) that he had set up a working group to look at options for the possible merger of the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) and other organisations, including Cadw. The working group was originally due to report by autumn 2012.

## *Terms of Reference*

3. As such, in July 2012, the Committee decided to hold an inquiry into the Welsh Government's historic environment policy in order to feed into the above processes and to make recommendations as necessary. The inquiry's terms of reference were based on the following questions:

- how appropriate and successful are the current systems employed by the Welsh Government for protecting and managing the historic environment in Wales?
- how well do the Welsh Government's policies promote the historic environment in Wales (for instance, in terms of interpretation, accessibility, attracting new audiences and tourism)?
- how well do the policies for the historic environment tie in with wider Welsh Government policy objectives (such as the regeneration of communities)?
- what would be the advantages and disadvantages of merging the functions of the RCAHMW with functions of other organisations, including Cadw?
- 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?

## ***Method***

4. In all, the Committee received 83 written responses to its consultation and held three oral evidence sessions, with the witnesses being the Welsh Local Government Association; the RCAHMW; the Minister for Housing, Regeneration and Heritage; the National Trust; Conwy County Borough Council; and the Minister for Business, Enterprise, Technology and Science (covering her tourism brief).

## **Welsh Government actions**

5. In its 2011 Programme for Government, the Welsh Government said that its priorities for the historic environment during the Fourth Assembly were to:

- introduce a Heritage Bill with supporting policy activity and public engagement;
- implement Cadw's Heritage Tourism Project and to deliver Cadw's Pan-Wales Heritage Interpretation Plan, Lifelong Learning Strategy and Heritage and Arts Framework;
- deliver Cadw's conservation programme for monuments in state care, alongside the designation of further heritage assets.

6. Its success in achieving these objectives will be measured through looking at the percentage of visitors to Cadw sites who are from under-represented groups; an evaluation of Cadw's Heritage Tourism Project; and the percentage of annual conservation and maintenance programmes for monuments in state care that are completed.

7. On 16 October 2012, the Minister for Housing, Regeneration and Heritage published his [Historic Environment Strategy for Wales](#) (followed by the publication of a [Headline Action Plan](#) and a debate in Plenary on 23 October 2012). The strategy and action plan show that future actions in this policy area will revolve around four themes:

- heritage protection and sustainable development. This will include a consultation on the Heritage Bill and related measures in spring 2013, work to identify heritage at risk, and promoting distinctive regeneration through heritage;
- skills and opportunities. This will include work on developing traditional building skills and developing skills in the community;
- public engagement and enjoyment. This will include work to develop new audiences through interpretation; volunteering and participation; records, information and archives; and properties in state care;

- the economy, which will include implementing the Heritage Tourism Project, organising a Wales history festival and work with higher education and other partners.

8. The strategy also notes that partnership and delivery will be key for its implementation. This will include a review of the capacity and resilience of third sector bodies, a review of a national structure for heritage (and the role of the RCAHMW) and a review of the best option for a new advisory body (i.e. Cadw).

9. The Minister made clear that, although many of the steps would be taken through the introduction of the Heritage Bill, several other measures could be taken sooner without the need for legislation. Others would need further discussion and research before they could be developed.

## 2. The Royal Commission on the Ancient and Historical Monuments of Wales

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### **Possible merger of the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) and other organisations, including Cadw.**

10. In May 2012, the Minister announced that he had set up a working group to look at options for the possible merger of the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW) and other organisations, including Cadw. The Minister initially announced that he expected the working group which he had set up to look at these issues to report to him and to present him with options by autumn 2012. As such, due to the time-sensitive nature of this matter, the Committee discussed a paper summarising the evidence relating to this part of the inquiry in its meeting on 4 October 2012.

11. On 10 October 2012, the [Chair wrote to the Minister](#) highlighting the fact that 83 written responses had been received to the inquiry and that a large amount of this evidence related directly to the possible merger of the RCAHMW. It was pointed out to the Minister that, at least numerically, there was overwhelming opposition from stakeholders to the prospect of merging the functions of the RCAHMW with the functions of other organisations, including Cadw. This was particularly if merger was to take place within the Welsh Government itself.

12. The key themes that were raised in the evidence and that were drawn to the Minister's attention were:

- the fact that the Chitty report seemed to have already addressed a number of issues covering the structure of the historic environment organisations in Wales;
- the timing of the proposal, which many felt was being rushed and should not proceed before a full consultation and the introduction of the Heritage Bill;
- the distinct roles of the RCAHMW and Cadw;
- the risk of losing the skills and expertise of the RCAHMW's staff;
- the loss of the RCAHMW's independence and the arm's length principle that underpins it.

13. The Committee asked the Minister to fully consider the impact of merger and to address the issues raised in the evidence before proceeding with any action.

### ***The Minister's response***

14. The [Minister replied to the Chair](#) on 29 October 2012. He emphasised that his concern, in setting up the working group to look at the RCAHMW's responsibilities, was to 'ensure the future resilience of these important services at a time of unprecedented public service funding cuts'. He also stressed that the focus in the future should be on outcomes as much as on organisational models. With regard to the specific concerns raised in the evidence that the Committee received, the Minister stated the following:

- with regard to the Chitty report, it was narrow in that it focused on possible duplication and overlap in activities and whether those could be delivered in a more streamlined way and with further collaboration. These issues now need to be considered in a 'harsher financial context';
- with regard to the timing, the Minister will consult fully on the 'nature of change' if he decides that change is required;
- with regard to the distinct roles and functions of the RCAHMW and Cadw, the review will consider the synergies within the existing system and whether the current organisational structures are fit for purpose;
- with regard to the risk of losing the skills and expertise of the RCAHMW's staff, the Minister said that he is committed to retaining and developing the current skills and expertise across the sector;
- with regard to the possible loss of the RCAHMW's independence, the Minister stated that he expects issues around independence to be part of the working group's recommendations.

15. The Minister emphasised that he had taken no decisions yet and that he was awaiting the report and recommendations from the working group. The Historic Environment Strategy states that the Minister expected to receive that report before the end of 2012. The action plan includes a commitment to complete the review of options for the future delivery of the RCAHMW's functions.

### ***Minister's Written Statement, 17 January 2013***

16. On January 17, 2013, the Minister issued a written statement on the development of a business case for the delivery of the functions of the RCAHMW and Cadw.

17. The Minister wrote that the working group had reported and:

"The Working Group has concluded that there is a case for change and have subjected three options in particular to preliminary scrutiny. These

ranged in scale from the reconstitution of the Commission as a modernised arms length body; merging the Royal Commission's functions with those of Cadw within the Welsh Government; and merging the Commission's functions with those of Cadw into a new body operating at arms length from Government.”<sup>1</sup>

and

“In order for me to come to a final view on the future organisational model for the functions of the Commission and Cadw, I have therefore asked for a full business case to be developed for the merger of the Commission's functions with Cadw within the Welsh Government. The modernised stand alone Commission will be used as a cost comparator during this exercise. I expect to receive the business case by March.

“I recently met with the Chair of the Commission to explain my response to the Working Group's report and to stress the priority I accord to the Commission's functions. The Commission has made an invaluable contribution to the historic environment sector in Wales and I want to ensure that we can build on this through the next stage of this process. I welcome the Commission's continued commitment to working with us to ensure that the historic environment sector is appropriately configured for delivering on my priorities.

“I am very aware that the possibility of major organisational change will be unsettling for the staff of both organisations concerned. I will ensure that staff continue to have opportunities to contribute and engage with this process, while also engaging with the relevant trade unions as the Working Group have done to date. This process will support my aim to protect services and jobs. I reiterate my commitment that the jobs currently associated with delivering the Commission's functions should remain in Aberystwyth.

“I will make a final decision on how to proceed once I have received and considered the full business case that I have now commissioned.”<sup>2</sup>

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<sup>1</sup> Written Statement,  
<http://wales.gov.uk/about/cabinet/cabinetstatements/2013/royalcommissionbusinesscase/;jsessionid=F9FA87E2342C549A701865E46E9FF4BA?lang=en>

<sup>2</sup> Written Statement,  
<http://wales.gov.uk/about/cabinet/cabinetstatements/2013/royalcommissionbusinesscase/;jsessionid=F9FA87E2342C549A701865E46E9FF4BA?lang=en>

## **Our View**

18. In terms of the proposed merger of the RCAHMW and Cadw, we would reiterate the views expressed in the letter of 10 October 2012 from the Chair of this Committee to the Minister.

19. We emphasise that we believe the Minister should give full consideration to the evidence raised during this inquiry, and satisfy himself that all concerns have been addressed, before proceeding with any merger.

20. We welcome the Minister's commitment<sup>3</sup> to publish the report of the Working Group, which we expect will provide a fuller picture of the issues the Group has considered and that have informed the Minister's thinking.

## ***Recommendation***

**Recommendation 1: Before proceeding with any merger involving the Royal Commission on the Ancient and Historical Monuments of Wales, the Minister should give full consideration to the concerns raised by expert witnesses during the course of our inquiry.**

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<sup>3</sup> Written Assembly Questions, 29 January 2013, <http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-written-questions.htm>

### **3. Current approaches to protecting and managing the historic environment**

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#### **Introduction**

21. A key part of the inquiry was the appropriateness and effectiveness of the current systems for managing and protecting the historic environment.

22. There was praise from a number of witnesses for the current historic environment systems. It was suggested that the systems had ensured, to a large extent, the effective protection of Wales' heritage. Indeed, it was suggested that aspects of historic environment services in Wales were more effective than in other parts of the UK.

23. However, witnesses told us that there was a pressing need to simplify the system, as much of the associated legislation and guidance had been in place for many years and had developed in an ad hoc manner. This had led to inconsistencies, and a "harmonisation" of the different mechanisms for management and protection was needed, to ensure that the system was effective.

#### **Structural and organisational set-up**

24. A number of witnesses referred to the Chitty report, which had concluded that the structure of the system was appropriate and effective. Witnesses also felt that the system in Wales, with CADW, the RCAHMW and the four archaeological trusts, worked effectively. However, it was emphasised that, as the Chitty report had proposed, cooperation and coordination was important.

25. In terms of the Welsh Government's Historic Environment Group, it was felt that the group played an important role and had given "strength and purpose" to strategic direction. The Heritage Lottery Fund said, in written evidence:

"[...] the Historic Environment Group stimulates coherent cross sector communication and partnership working [...]"<sup>4</sup>

26. However, comments were received about the impact, or perceived impact, of the Group's work. The Welsh Religious Building Trust said, in written evidence:

"We know of the Heritage Minister's Historic Environment Group, and it seems to have an interesting and useful work programme. However, the Trust cannot be alone in not seeing the fruit of this work, either in the

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<sup>4</sup> Heritage Lottery Fund, HIS 51

form of reports or minutes. We would urge that its work be more widely disseminated.”<sup>5</sup>

27. The National Trust told us:

“The Historic Environment Group has been in existence for about 10 years, and it is time to look at the outputs and outcomes and at whether they match the original terms of reference.”<sup>6</sup>

### **The role and activities of Cadw**

28. Some witnesses felt that there was still some confusion about the role of Cadw, particularly how it and other organisations fitted together. A respondent said:

“The Society is also aware that some confusion exists regarding the role of CADW; in relation to the Assembly, the local authority decision making process, and the public as land and property owners.”<sup>7</sup>

29. Some issues were raised in relation to Cadw’s status as a part of the Welsh Government. One view was that:

“Cadw is not at 'arm's length' to the Welsh Government. Cadw’s role has been perceived to be diminished since it became an Advisory Body and was no longer an independent Executive Body. This independence of its paymaster is essential in order to protect the heritage and function effectively.”<sup>8</sup>

30. However, we also heard that:

“The role of Cadw as part of the Welsh Government enables a much more rapid response to immediate threats than is the case in England.[...] Any considerations for change should not involve decentralising the role of any organisation responsible for managing the historic environment.[...]”<sup>9</sup>

31. We also heard concerns about the focus Cadw was giving to parts of its role, and whether or not this was appropriate:

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<sup>5</sup> Welsh Religious Buildings Trust, HIS 72

<sup>6</sup> National Trust, Oral Evidence

<sup>7</sup> Wrexham Area Civic Society, HIS 30

<sup>8</sup> Ruperra Castle Preservation Trust, HIS 49

<sup>9</sup> Headland Archaeology Ltd, HIS 60

“The Trust believes that Cadw could be more outward facing in terms of its message and purpose [...] Cadw could provide more advice and guidance and undertake a more proactive educative and standard setting role.[...] Cadw’s general website now seems to carry less information on policy issues, technical guidance, and information in general than previously. It may be that Cadw wants a site that is more welcoming to the general visitor, and if so, it should create a parallel sector/technical site, similar to Historic Scotland’s new Technical Conservation website to provide more technical and policy advice.”<sup>10</sup>

“[an issue that needs to be addressed is] The refocusing of Cadw's efforts on its estate due to commitments placed on it by Ministers, which has possibly diverted limited resources away from supporting other owners and users of historic buildings”<sup>11</sup>

32. A number of respondents commented on the level of Cadw’s resources, and its consequent ability to fulfil its role. Indeed, one view was that:

“In terms of systems, it must be said that we have noticed a downturn in Cadw’s capacity to perform basic functions, both due to staff cuts and the changing agenda of Cadw towards ‘heritage tourism’.”<sup>12</sup>

33. The Welsh Religious Buildings Trust said:

“It appears to us that Cadw may well be under-resourced for what the Welsh Government as a whole requires of it.”<sup>13</sup>

## **Specific issues relating to the current system**

### ***Issues around listing***

34. A number of witnesses felt that the listing system was too restrictive:

“There is a lot of controversy about listed building consent and people being frustrated. We need to have clarity around the process. It has to be something that is readily understood so that people can sign up to it and it has to make sense.”<sup>14</sup>

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<sup>10</sup> Welsh Religious Buildings Trust, HIS 72

<sup>11</sup> Institute of Historic Building Conservation, HIS 64

<sup>12</sup> Rob Scourfield, HIS 12

<sup>13</sup> Welsh Religious Buildings Trust, HIS 72

<sup>14</sup> National Trust, Oral Evidence

“There are ever increasing demands for alteration to the historic environment, renewable energy being just one, that decisions can be complex and require time. The public increasingly demand faster decisions and more transparency about the process which means there is a need to review the implementation of what is a good system but one that is sometimes undermined by lengthy procedures or under-resourcing”<sup>15</sup>

“The need for referring all the Listed Building Consent applications to Cadw (except for only internal alterations) is questioned. This requirement slows down the process of consent and frustrates applicants.”<sup>16</sup>

“The focus of our representation is upon the current system of listed building consent. This system in our view represents in many ways a serious impediment to the preservation or enhancement of our historic buildings. In our experience developers are, in many cases, put off finding beneficial uses for listed buildings due to the significant bureaucratic hurdles faced with achieving change. It seems far too often that the system and those that police it prefer historic assets to fall to ruin than to accept changes that may sustain that asset's long term future.”<sup>17</sup>

“[...] because current legislation assumes that any change to heritage requires expert scrutiny, the system has a very high resource need, much higher than is (or is ever likely to be) provided in practice. That means that the heritage consent process often does not work properly, and it is too difficult to get consent for desirable change, especially (counter-intuitively) more minor change.”<sup>18</sup>

“In the past our members have experienced an overly precautionary approach in application of policies to protect historic environments, most often at the local level. For example, additional arbitrary buffers have been applied to some historic landscapes, with little acknowledgment that most of these in themselves are man altered landscapes. This is a point set out quite clearly in technical guidance provided by the Statutory consultees who recognise that some development is inevitable. However, this guidance often appears to be misinterpreted at the local level to imply that

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<sup>15</sup> Prince's Regeneration Trust, HIS 81

<sup>16</sup> National Parks Wales, HIS 58

<sup>17</sup> Mango Planning and Development Ltd, HIS 69

<sup>18</sup> County Land & Business Association, HIS 46

any change in the environment in or around these areas should be restricted or prohibited.”<sup>19</sup>

35. However, the Countryside Council for Wales was of the view that:

“An unfortunate pattern is becoming very apparent in Wales in the built environment. It is that if the place is not protected because of its historic importance (such as a World Heritage Site, listed building, ancient monument or Conservation Area) or its landscape importance (such as AONB or National Park) the likelihood is that a poor quality of siting and design process is sometimes more likely to get through the planning process. The result that we see far too frequently across Wales is isolated areas of careful thought about landscape and heritage issues, surrounded by an area subject to less rigorous control or consideration. The cumulative effect is a divergence of character from what was locally distinct and very strong, to sometimes rather chaotic and discordant collection of unrelated built elements and features and a very poor quality of public realm and greenspace.”<sup>20</sup>

### ***Curtilage***

36. Many witnesses commented on a lack of clarity around the curtilage of buildings, many felt that this issue needed to be addressed:

“Advice on curtilage structures of listed buildings are often a very grey area, and the guidance in the Circular could usefully be clarified. Ideally curtilage structures should be identified in the listing descriptions, or at least for the Circular advice to be clearer.”<sup>21</sup>

“It would be helpful if all listing notices included a plan by Cadw clearly identifying the statutory designation rather than a reliance on description alone. The current lack of clarity on the curtilage of listed buildings is causing uncertainty and impacting on the ability to ensure preservation of the buildings with a clear historic merit.”<sup>22</sup>

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<sup>19</sup> RenewableUK Cymru, HIS 67

<sup>20</sup> Countryside Council for Wales, HIS 47

<sup>21</sup> National Parks Wales, HIS 58

<sup>22</sup> NHS Wales Shared Services Partnership, HIS 63

“The statutory lists of listed buildings and Scheduled Ancient Monuments need development including the definition of curtilages, the improvement of descriptions and the rationalization of overlaps between the systems.”<sup>23</sup>

“Existing listing records are in our experience very poor and in far too many cases fail to explain fully those features or characteristics of a building or its history that have given rise to its listing. The records are also often unclear as to the physical extent of the listing, particularly with regard to curtilage buildings.”<sup>24</sup>

### ***Appeals***

37. A number of respondents expressed the view that the system was currently lacking an adequate appeals system:

“[...] the process of listing buildings would benefit from including an opportunity to appeal against the proposed listing.”<sup>25</sup>

“The current system lacks a robust process of appeal against a local authority’s definition of curtilage buildings.”<sup>26</sup>

“In our view, if CADW is to hold such power over the status of listed buildings then a system of appeal ought to be introduced to allow landowners to challenge their listing decisions or refusals to review listings, without recourse to the courts.”<sup>27</sup>

### ***Unification and harmonisation of lists***

38. A number of witnesses suggested that the system would benefit from a harmonisation of the listing and scheduling regimes. Clwyd-Powys Archaeological Trust shared this view, and said:

“The creation of a single category of historical assets would help the system for protecting the historic environment to become more transparent at a local level, as the current multiplicity of statutory and non-statutory designation can cause uncertainty and confusion.”<sup>28</sup>

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<sup>23</sup> Institute of Listed Building Conservation, HIS 64

<sup>24</sup> Mango Planning and Development Ltd, HIS 69

<sup>25</sup> National Parks Wales, HIS 58

<sup>26</sup> NHS WALES Shared Services Partnership, HIS 63

<sup>27</sup> Mango Planning and Development Ltd, HIS 69

<sup>28</sup> Clwyd-Powys Archaeological Trust, HIS 25

### ***Assets that are not statutorily protected***

39. A number of witnesses told us that there is a need for better protection of undesignated sites that are not regulated by the planning system. The RCAHMMW said:

“There are some important things to be achieved through heritage, and top of the list is statutory protection for those additional assets that do not fit into the existing framework of listing and scheduling.”<sup>29</sup>

40. The National Trust also referred to this issue:

“The systems for protecting those elements of the historic environment that do receive statutory protection are successful. However, the systems might not be appropriate to protect elements that do not meet the criteria for statutory listing.”<sup>30</sup>

41. The RTPI told us:

“Wales’ historic environment extends beyond the protected assets such as Listed Buildings and Conservation Areas. Urban areas, including parts of towns and cities and villages, often have a strong historical character which if managed and used in an appropriate manner can enhance these areas, providing established quality built urban fabric, and can support their regeneration and vitality. This has particular importance in the economic areas of town and village centres. Historic properties and areas should not be seen in isolation but within the wider context of what makes up the character of all areas. Landscape Character Areas have been used to define the environmental differences and characteristics between areas something similar could be used to define these differences in the built environment both urban and rural.”<sup>31</sup>

### ***Responsibilities of owners of protected assets***

42. A number of respondents referred to the issue of the responsibilities of owners. Many said that the situation should be made clearer:

“The system of enforcement could be truncated and the legislation clarified as to the responsibilities of owners and LPA’s with regard to repair

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<sup>29</sup> RCAHMMW, Oral Evidence

<sup>30</sup> National Trust, HIS 71

<sup>31</sup> RTPI, HIS 50

and maintenance. This is a significant issue for the historic environment throughout the UK.”<sup>32</sup>

43. On this issue, the Prince’s Regeneration Trust said that the system could seem “like all stick and no carrot”. They went on:

“Systems that are focused on helping owners to look after their part of the historic environment rather than controlling them to do so would be advantageous, especially with regard to buildings at risk.”<sup>33</sup>

### ***Conservation areas***

44. It was suggested that it should be a requirement for public consultation to be carried out before conservation areas are designated. There should also be statutory timescales as to when local authorities should review conservation areas and monitor changes.

### ***The planning process***

45. Some respondents raised concerns about the planning process. The RTPI said:

“The current process can confuse applicants as to what is the correct way to proceed and creates frustrations with the process. Owning such assets brings responsibilities and there are considerable additional costs, however it is also important that the systems are in place which supports such owners. A trigger system for new owners of listed buildings or owners of newly listed buildings providing an explanation about the listing process, guidance over additional controls, sources of help etc could help.”<sup>34</sup>

46. The Country Land and Business Association said:

“That (even in the relatively recent Planning Policy Wales) formal planning policy still has a strong presumption in favour of the “preservation” of heritage, implying the prevention of change, not on the “conservation of significance” which is modern conservation best practice.”<sup>35</sup>

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<sup>32</sup> National Parks Wales, HIS 58

<sup>33</sup> Prince’s Regeneration Trust, HIS 81

<sup>34</sup> RTPI, HIS 50

<sup>35</sup> Country Land and Business Association, HIS 46

## ***The Historic Environment Records***

47. There was a view that the Historic Environment Records were essential for effective management of the historic environment, particularly in informing the planning process. A number of respondents said that the status of the Records should be strengthened, perhaps by being made statutory. Trysor expressed this following concern:

“Negatives are that there is a lack of consistency in the standards which underpin the NMR and Regional HERs, and Cadw’s Scheduled Ancient Monuments and Listed Buildings Registers. There are great variations in terminology and quality of record. It is also evident that there are significant gaps in the various records which make it unrealistic to assume that they are comprehensive records of the Welsh historic environment.”<sup>36</sup>

48. The Institute for Archaeologists wrote:

“[...] although Wales has comprehensive Historic Environment Record (HER) coverage, in the absence of a statutory duty on local authorities to maintain or have access to a HER, we cannot be confident of maintaining that provision in the future in the light of the funding challenges facing all public bodies.”<sup>37</sup>

## ***Historic landscapes and gardens***

49. Respondents made a number of points in relation to strengthening the arrangements for registering landscapes and gardens. The Countryside Council for Wales felt that the emphasis on the historic character of landscapes could be enhanced:

“The historic environment (whether buildings, monuments, parks or landscapes), contributes significantly to a locally distinctive ‘sense of place’. These places, whether designated or not, are highly valued by both society and individuals. This is the part that can potentially slip in-between policy, protection and management and be the subject of fragmentation of historic character and features of interest. The attention to managing wider historic landscape character and making the connections and relationships between individual assets and the natural resources of an

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<sup>36</sup> Trysor, HIS 54

<sup>37</sup> Institute for Archaeologists, HIS 42

area is important, often the importance is greater when collective rather than individual.”<sup>38</sup>

50. Some felt that the lack of statutory arrangements could lead to issues with the planning process. The Welsh Historic Gardens Trust wrote:

“The inclusion of Parks and Gardens on the Cadw/ICOMOS Register is at present voluntary, and at the discretion of the owners, and therefore there is the danger that important sites can be overlooked in the consultation process.”<sup>39</sup>

51. In oral evidence, the National Trust told us:

“There are challenges around how the Welsh Government deals with registered landscapes. Registered landscapes and registered parks and gardens are material considerations in the planning process, but they have no statutory protection.”<sup>40</sup>

52. Many respondents felt that the register of landscapes should have full statutory status. The Welsh Historic Gardens Trust had a similar comment on the consultation arrangements around historic park and gardens in Wales:

“The WHGT is therefore effectively the acting Non-statutory Consultee for planning applications affecting listed historic parks and gardens in Wales. Indeed currently some LPAs, at their discretion and as a result of locally negotiated arrangements, are willing to consult us directly and appreciate our contributions. We would therefore strongly urge the National Assembly for Wales to formalise this arrangement and appoint the Welsh Historic Gardens Trust as the Statutory Consultee for planning applications concerning historic parks and gardens in Wales and that sufficient government funding should be forthcoming for this role.”<sup>41</sup>

### ***Ecclesiastical buildings***

53. Some respondents referred to the current arrangements for protecting ecclesiastical buildings, which they felt was inadequate. The Victorian Society suggested that:

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<sup>38</sup> Countryside Council for Wales, HIS 47

<sup>39</sup> Welsh Historic Gardens Trust, HIS 82

<sup>40</sup> National Trust, Oral Evidence

<sup>41</sup> Welsh Historic Gardens Trust, HIS 82

“[...] Wales lags behind best practice in England, for example in failing to require statements of significance in support of faculty applications, with the result that often the impact of the proposals on the significance of the building is often poorly understood. The Church in Wales would benefit from a central conservation resource of the sort which the Church Buildings Council provides in England.”<sup>42</sup>

54. Concern was also expressed about a lack of progress following the Welsh Government-commissioned Review of the System of Ecclesiastical Exemption in Wales (2004), with one respondent saying that “of particular concern is the failure of the Welsh Assembly Government to do anything about the Review [...] it seems to have disappeared without trace”.<sup>43</sup>

### ***Marine historic environment***

55. A number of respondents said that current arrangements for protecting maritime heritage were inadequate. The Joint National Archaeology Policy Committee wrote:

“The coastal and marine areas of Wales’ coast harbour a vast wealth of cultural heritage with a rich and diverse archaeological record. However, there are very significant weaknesses in the current systems employed by the Welsh Government for protecting and managing the marine historic environment. [...] The primary legislative mechanism for protecting historic assets in the marine zone [...] is not well suited to provide a comprehensive, fit for purpose framework for the management and protection of Wales’ maritime heritage.”<sup>44</sup>

56. It was also suggested that the legislation in place to protect the maritime environment is “not fit for purpose” and this area should be addressed in the forthcoming heritage bill.

### ***Portable and intangible heritage***

57. A number of respondents referred to the protection of intangible assets. One respondent wrote:

“There is a considerable and unfortunate current conceptual and geographical disjoint or fault-line in current Government structures and

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<sup>42</sup> The Victorian Society, HIS 68

<sup>43</sup> The Victorian Society, HIS 68

<sup>44</sup> Joint Nautical Archaeology Policy Committee, HIS 43

systems in Wales, which isolates the protection of historic and archaeological sites and landscapes on the one hand, from museums and research projects on the other, dealing with material culture and holding artefact collections retrieved from historic and ancient places. For the visitor or user, the experience of the historic environment is a fractured one – places in landscapes barely integrating with collections of objects retrieved from excavations, chance finds or through metal detecting or archives.”<sup>45</sup>

58. The National Trust also referred to this issue in oral evidence:

“It is a difficult challenge to embrace the intangible, but it is such an important part of life in Wales. We need to put measures in place that make sure that archaeology and the historic environment that we are not aware of now is protected for future generations.”<sup>46</sup>

59. The Federation of Museums and Art Galleries of Wales felt that this issue could be addressed in the forthcoming Heritage Bill:

“It is essential, in our view, that the historic environment includes portable objects and the intangible heritage but we suspect that these are being ignored. [...] This is particularly important in terms of the Heritage Bill, which we know, from the Federation’s conversations with the Minister, is intended to cover objects (portable heritage) and stories (intangible heritage) that reflect the wider heritage of Wales. The role of museums in preserving and interpreting this heritage is a vital element in any legislation.”<sup>47</sup>

### ***Industrial heritage, battlefields etc***

60. In relation to the protection and management of historic industrial monuments, the Welsh Mills Society felt that the current arrangements needed to be improved. They wrote:

“Current legislation is not well-suited to these types of structures and monuments which often consist of several individual components [...] In view of the particular importance of industry to the heritage of Wales we consider the Welsh Government should improve the legislation to, in

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<sup>45</sup> Adam Gwilt, HIS 56

<sup>46</sup> National Trust, Oral Evidence

<sup>47</sup> Federation of Museums and Art Galleries of Wales, HIS 18

effect, protect industrial *processes* rather than individual structures that often remain out of context in inappropriate settings.”<sup>48</sup>

61. In relation to battlefields, the Battlefields Trust felt that the current system was lacking:

“At present battlefields as such enjoy no separate registration, recognition or protection in Wales [...] The Trust hopes that the Welsh Government will be able to institute more measured and considered provisions in Wales. [...] The Trust asks the Welsh Government to give proper recognition to the importance of tourism in terms of people visiting battlefields. It is an important driver of economic regeneration as well as a cultural and educational asset in its own right.”<sup>49</sup>

### **Minister’s view**

62. On why a Heritage Bill is needed, the Minister explained to the Committee:

“The legislation that currently applies to the Welsh historic environment, we see that it is a bit of a hotchpotch, a piecemeal evolution of things that have happened on an England-and-Wales basis very often, over 30 years or more. To my mind, that is where the streamlining comes in for sure. We have an opportunity now with our primary legislative powers to put together a package of legislative support for the historic environment that suits Wales specifically.”<sup>50</sup>

63. He also said that a fundamental rethink was needed as to how Welsh communities are connected to the historic environment around them and what kind of access they have to their own historic environments. He said that this was an opportunity to look at who benefits from those, and how communities make best use of them in an educational, cultural and an economic sense. He further acknowledged the tensions that could exist around buildings that are neglected at local level due to their non-inclusion on statutory lists and said that this was one of the strongest themes to emerge from his consultation workshops.

64. The Minister told the Committee that, following the publication of the Historic Environment Strategy, he intends to introduce a White Paper in the early part of 2013 followed by a consultation on actual primary legislative change.

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<sup>48</sup> Welsh Mills Society, HIS 66

<sup>49</sup> Battlefields Trust, HIS 14

<sup>50</sup> Oral Evidence, 11 July

However, many of the steps he intends to take may not need legislation and a much of it will be about guidance, policy guidance, and audience development.

### ***Historic Environment Strategy and action plan***

65. The strategy and action plan contain numerous commitments related to the issues raised by stakeholders above. These include:

- preparing guidance for protecting heritage assets of local importance;
- establishing a register of Historic Battlefields in Wales;
- considering options for the future management and protection of historic areas, including landscapes, parks and gardens, and maritime heritage;
- developing guidance for the designation of historic building types and parks and gardens;
- establishing an all-Wales review of the condition of heritage assets to identify those at risk and promoting the Buildings at Risk register in targeting regeneration activity;
- commissioning research on the existing arrangements for taking enforcement action over unauthorised works or neglect to buildings at risk;
- launching a 'Stop the Rot Campaign' in Wales to address the decay of buildings at risk;
- preparing new guidance for the conservation and modification of places of worship including chapels;
- commissioning an audit of industrial heritage assets at risk in Wales;
- creating options for improving access to records and information relating to the historic environment, including assessing the potential for a unified or shared record;
- reviewing and revising the strategic framework for records relating to the Welsh historic environment;
- with regard to Cadw, undertake a review to consider the best option for a new advisory body.

66. Both the strategy and action plan place significant emphasis on developing skills for the historic environment. Specific actions include developing skills for working on traditional buildings with Construction-Skills Wales, commissioning research and publishing a Community Archaeology Framework for Wales.

## **Our View**

### ***The role and activities of Cadw***

67. We believe that steps should be taken to clarify Cadw's role, **both** as a promoter of historic sites and as a **conservation and** advisory body. We also feel that any proposed merger involving Cadw should remove what can be perceived as conflicting interests and duties.

### ***Historic Environment Records***

68. We agree that the status of the Historic Environment Records should be strengthened, and options to place a statutory duty on local authorities to maintain them should be explored.

### ***Issues around listing***

69. We agree with witnesses that the system needs clarity. We feel that work needs to be undertaken to simplify the system. The system should also be extended to include other elements of the environment i.e. historic routes, landscapes and trees.

70. We agree with the view that the system can sometimes appear to be balanced more in favour of preservation than regeneration. This issue should be given further consideration in advance of the Heritage Bill.

71. We feel that more should be done to ensure that local authorities are applying and enforcing rules around listing consistently.

72. There should be a statutory timescale to review buildings listed on the register. As part of consideration of whether or not buildings should continue to be listed, sustainability and usage should be taken into account.

### ***Responsibilities of owners of protected assets***

73. We agree with the views of witnesses that the responsibilities of owners and local authorities should be clarified.

74. Where searches from local authorities show a building is listed and/or in a conservation area, clear guidance should be provided by the local authority to the new owner concerning restrictions and responsibilities associated with the listed status.

75. We feel that there should be a point of sale/transfer appraisal of listed buildings and buildings in conservation areas, to ascertain whether there has been

any violation of listed building regulations and to gather information about the condition of the building. This would ensure that there is no uncertainty as to when or by whom regulations have been violated.

76. Following work to a listed building, a listed building appraisal should be conducted to sign off the work. In addition, a maximum timeframe should be agreed for such a certificate to be granted, in order to prevent developers carrying out damaging work and then choosing not to seek an appraisal.

77. We recognise the point made by witnesses that the system can seem “like all stick and no carrot”. We feel that this should be addressed by a better integration of heritage and regeneration resources.

### ***Conservation areas***

78. We agree with the suggestion from witnesses that there should be a requirement for public consultation to be carried out before conservation areas are designated. Further to this, there should be a statutory timescale as to when local authorities should review conservation areas and monitor changes.

### ***Historic landscapes and gardens***

79. We feel that the WG should take steps to introduce a statutory register for historic parks and gardens, so that they are fully protected within the planning system.

80. We feel that listed gardens should incorporate long term planning responsibilities i.e succession planting programmes, restricted use of damaging chemicals. Where a garden or park is listed, enforcement of a tree succession planting programme should be a duty of the Local Authority and owners should be made aware of their responsibilities.

### **Recommendations**

**Recommendation 2: The Welsh Government should explore options to strengthen the status of the Historic Environment Records, including putting them on a statutory footing.**

**Recommendation 3: The Welsh Government should explore options to simplify the listing system.**

**Recommendation 4: The Welsh Government should ensure that Local Authorities are applying and enforcing rules around listings consistently.**

**Recommendation 5: The Welsh Government should explore options to introduce a statutory timescale for the review of listed properties or buildings, taking into account sustainability and usage.**

**Recommendation 6: The Welsh Government should explore options to introduce a system so that, where local authority searches show that a building is listed and/or in a conservation area, the new owner is provided by the local authority with clear guidance concerning restrictions and responsibilities associated with the listed status.**

**Recommendation 7: The Welsh Government should introduce a system to ascertain, at the point of sale/transfer, whether there has been any violation of listed building regulations and to gather information on the condition of the building.**

**Recommendation 8: The Welsh Government should explore the introduction of a mechanism so that, following work to a listed building, a listed building appraisal should be undertaken within a specified timeframe.**

**Recommendation 9: The Welsh Government should take steps to introduce a statutory register for historic parks and gardens, so that they are fully protected within the planning system.**

## 4. The promotion of the historic environment

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### Introduction

81. A key theme to emerge from our inquiry was the promotion of the historic environment, including in terms of interpretation, accessibility, attracting new audiences and tourism. This chapter explores the issues raised during the inquiry.

### The Welsh Government's overall policy direction for promotion

82. Many respondents expressed concern that the Welsh Government's programme for government did not refer specifically to the promotion of the historic environment. National Parks Wales felt that "the importance of the historic environment could have a greater recognition across the Welsh Government in terms of its importance to Wales' identity and economy". On this issue, Dyfed Archaeological Trust wrote:

"Promotion of the historic environment is an important element of Welsh Government thinking, and has become an increasingly strong element over the past six-seven years. However, this is not reflected in the *Programme for Government* document, which has little specific on the promotion of the historic environment."<sup>51</sup>

83. The Institute for Archaeologists were of the view that:

"There is a lack of detailed policies for promotion of the historic environment in Wales in terms of interpretation, accessibility, attracting new audiences and tourism. The Programme for Government is largely unspecific in this regard and there is a need to develop both policy and programmes (such as the HLF Skills for the Future Community Archaeologists Training Placement Scheme) to this end."<sup>52</sup>

84. A number of respondents also raised issues about a perceived lack of collaboration across the various organisations involved in the sector. The WLGA said:

"Good work is being undertaken to promote certain sites but there is concern about the number of organisations that can be involved and the lack of coordination in this respect. As there are many owners responsible

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<sup>51</sup> Dyfed Archaeological Trust, HIS 36

<sup>52</sup> Institute for Archaeologists, HIS 42

for different sites, there is not always a joined up approach to marketing an area to highlight all of the opportunities available.”<sup>53</sup>

85. The Council for British Archaeology and CBA Wales suggested that more work could be done in this area:

“A clear Welsh Government led policy to promote effective joint working and collaboration in this area would be welcome given the diversity of the organisations involved and the scarcity of the resources.”<sup>54</sup>

86. The National Trust expressed a similar view in oral evidence:

“In terms of promoting the historical environment across Wales, there is perhaps a role for the Welsh Government in thinking of creative ways of supporting people to work together and joined-up marketing, as there is tremendous scope for that. A framework might encourage people to maximise opportunities and overcome resource barriers.”<sup>55</sup>

87. Some respondents referred to issues around tourism, stating that there was a perception that promotion was focused on sites with a perceived tourism, rather than historical, value. On this issue, Trysor wrote:

“The focus is on attracting “new audiences and tourism” when in reality it is the existing audience (the people of Wales) who are most relevant to the protection and promotion of our national heritage. The priority should be to ensure that people are better informed about the heritage of their own communities and regions to ensure that in future they become the natural ambassadors for Welsh heritage. Moreover, the Welsh government is, unwittingly perhaps, overreaching itself. Most of the Welsh landscape and most of Welsh heritage lies outside the remit of government organisations such as Cadw. It is quite appropriate that Cadw sets policies for the promotion and management of sites under its remit, but it should have no role in setting parameters on interpretation or promotional projects which are undertaken by private business, local authorities, third sector partners or community groups, other than in an advisory role or as an optional source of information. The remit of Cadw is to *conserve Wales’s heritage, help people understand and care about their history, and help sustain the distinctive character of Wales*. There is another branch of the Welsh Government whose role is tourism and there seems to be overlapping and

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<sup>53</sup> WLGA, Oral evidence

<sup>54</sup> Council for British Archaeology and CBA Wales, HIS 65

<sup>55</sup> National Trust, Oral Evidence

duplication between the two with the high profile Cadw projects being aimed at tourists and not the people of Wales. Arguably, there is an over-emphasis on big projects, for big themes, at big sites. The Welsh Government seems to be missing the point that Welsh heritage is woven into the very fabric of our communities and cultures in all parts of Wales, not just at high-profile sites such as castles and abbeys.”<sup>56</sup>

88. Many respondents praised Cadw’s work in promoting the historic environment:

“At a general level, we feel that over the past decade enormous strides forward have been made by both Cadw and RCAHMW and the Welsh Archaeological Trusts in terms of access to and interpretation of sites, monuments and buildings, on- line information to all levels of the public, local initiatives, publications and working with a very broad range of partners.”<sup>57</sup>

89. The Monmouthshire Antiquarian Association echoed this view:

“Cadw has shown remarkable success in developing its monuments for education, tourism and presentation to the Welsh public. Its guidebooks are recognised as among the best in Europe.”<sup>58</sup>

90. The National Trust told us:

“Cadw’s approach to interpretation has changed out of all recognition. It has done a wonderful job and has brought lots of different audiences in.”<sup>59</sup>

91. However, a number of respondents were critical of Cadw’s activities. It was suggested that Cadw were very effective at promoting sites which fall within its control, but that the organisation did not promote other parts of the sector, or the sector as a whole, effectively. The Welsh Religious Buildings Trust wrote:

“Cadw may well even appear to be open to the perception of a conflict of interest, in that although it presumably has a remit to promote the whole sector and all historic buildings in Wales, the current emphasis does seem to be on Cadw’s own estate. Consideration should be given to separating the policy, regulatory, advisory and awareness-raising functions of Cadw

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<sup>56</sup> Trysor, HIS 54

<sup>57</sup> Cambrian Archaeological Association, HIS 19

<sup>58</sup> Monmouthshire Antiquarian Association, HIS 34

<sup>59</sup> National Trust, Oral Evidence

from its role as an operator of important heritage sites, which are also highly successful visitor attractions.”<sup>60</sup>

92. Rob Scourfield suggested that:

“There is a strong perception that Cadw’s closeness to the Welsh Government precludes it from championing the environment which it is charged to designate and regulate. In terms of Cadw-managed sites, the standard of interpretation and access provision is excellent – and Convergence funding will assist in bringing in new audiences. Outside of this, one struggles to see what Cadw has achieved in this respect.”<sup>61</sup>

93. In oral evidence, the National Trust said:

“Working in partnership with other organisations, it could be possible for Cadw’s promotional activity to expand into different fields. It has done a certain amount of that with its interpretation strategy, and it is moving gradually in that direction, but there is still a journey to be travelled. There are a lot of organisations that would like to work with and join Cadw on that journey.”<sup>62</sup>

### ***The promotional contribution of the RCAHMW, the archaeological Trusts and museums***

94. Respondents suggested that the RCAHMW, the archaeological trusts and museums had been effective in promoting the historic environment. Indeed, Rob Scourfield suggested that the RCAHMW had, “through its publications [...] done much more than Cadw to promote sites that are outside of Cadw’s control.”

95. Gwynedd Archaeological Trust wrote:

“[...] the RCAHMW has made a significant contribution through publication, broadcasting and other events. The four Welsh Archaeological Trusts, both through grant-aid from Cadw and other resources, have provided considerable regional initiatives to promote these policies.”<sup>63</sup>

96. Amgueddfa Cymru referred to the role museums can play:

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<sup>60</sup> Welsh Religious Buildings Trust, HIS 72

<sup>61</sup> Rob Scourfield HIS 12

<sup>62</sup> National Trust, Oral Evidence

<sup>63</sup> Gwynedd Archaeological Trust, HIS 35

“Museums have a major role to play in delivering interpretation, accessibility, attracting new audiences and tourism, and in particular the future role of Amgueddfa Cymru, has been to some extent understated within the Welsh Historic Environment Assessment Exercise.”<sup>64</sup>

### **Accessibility issues**

97. A respondent referred to the accessibility of historic sites, emphasising that more needs to be done to enable disabled people to enjoy and understand our heritage in a manner afforded to others. It was suggested that Cadw’s policies on this issue had not been applied consistently, and that while some historic sites had been adapted to increase accessibility, others remained lacking in this regard.

### **Other issues around promotion**

98. The Society of Antiquaries of London said that there was work to do to reach all parts of society, particularly ethnic minorities. They said that they felt “the problem is trying to reach out to greater audiences without over simplification of scholarship”.

99. The Society for Nautical Research emphasised that more should be done to increase understanding and visibility of the maritime historic environment.

### **Ministers’ views**

100. On widening access and encouraging greater participation, the Minister said this was one of his main priorities as heritage ‘provides a real opportunity to support communities that can often feel distanced and indeed dis-engaged from their historic environment.’ He also said that it is ‘vitaly important that the Welsh Government uses every opportunity to improve people’s connection with and pride in the place in which they live’. Changes in legislation would have to reflect that.

101. The Minister acknowledged that more could be done in terms of better joined-up marketing across Wales, but again stressed that getting local people engaged was crucial. He also said that he understood that there was a lead role for the Welsh Government and Cadw in this:

“Although we have to value the multiplicity of organisations involved in looking after the Welsh historic environment, unless the Welsh Government leads on ensuring that that sort of marketing, a window on Wales if you

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<sup>64</sup> Amgueddfa Cymru, HIS 79

like, is a coherent whole, it just will not happen spontaneously. This will not just grow of its own accord. It has to be worked for.”

102. With regard to tourism, the Minister for Business, Enterprise, Technology and Science acknowledged that:

“Visitor perceptions of Wales are strong for castles and industrial heritage including railways but our gardens and museums/galleries are less well known. Overall, Wales suffers from a perception that although Wales is endowed with plenty of natural beauty, there is little else to see and do ... Wales as a destination, and its strong heritage offering, is relatively less well known amongst international visitors and has a strong potential to drive additional visitor growth.”

103. Her department has a ‘destination management programme’ to address this and she accepted that there is ‘scope to further develop and improve focal heritage towns that have a critical mass of heritage attractions to improve their overall appeal to visitors’.

### ***Historic Environment Strategy and action plan***

104. The strategy places considerable emphasis on the dual aims of attracting tourism visitors through Wales’s heritage, while simultaneously appealing to Welsh communities and local people, especially those not traditionally engaged in the historic environment. Specific steps in the action plan include:

- delivering the Pan Wales Heritage Interpretation Plan;
- delivering the Heritage Tourism Project and the new Heritage Icons Initiative;
- establishing a partnership to develop a Lifelong Learning Framework for the Welsh Historic Environment;
- reviewing the management for the current World Heritage Site in Gwynedd;
- developing a Wales History Festival for 2015;
- developing new audiences by undertaking research with target groups;
- developing a programme of events linked to Cadw sites;
- encouraging young people to participate in the development of their own Historic Environment Strategy;
- developing best practice for working with communities and volunteers on archaeological and built heritage projects;

- developing a partnership network to set up a programme of community-focused historic environment projects;
- improving visitor facilities and new interpretation at Cadw monuments in state care;
- supporting the development of the nomination of a further World Heritage Site for the slate industry of Gwynedd;
- reviewing and republishing the 'Overcoming Barriers' guidance for the adaption of heritage assets to facilitate access for disabled people;
- reviewing monument access and safety provision at properties in state care;
- generating options for improving public access to archaeological archives and the way in which they are stored.

### **Our view**

105. A number of witnesses praised Cadw's promotional work over recent years, particularly for its own sites. However, a number commented on its emphasis on promoting its own estate. We feel that this is a weakness in the system, and we echo the National Trust's view that, by working in partnership with other organisations, significant improvements could be achieved.

106. We acknowledge the view that the RCAHMW is effective in promoting the historic environment. We feel that there must be an increased synergy in promotional activities, particularly if there is to be a merger between the RCAHMW and Cadw.

### ***Collaboration/joint working***

107. We support the view of the National Trust that there is tremendous potential for a more joined-up approach to promotion. We feel that there is an opportunity to be bold and creative, and make the following suggestions to the Welsh Government.

108. We feel that the responsibility for promoting local authority owned and operated sites should be transferred to Cadw or such a body referred to above. Local authority sites are rarely, if ever, promoted outside their local authority boundaries and the branding of them as Local Authority attractions can devalue sites, as well as confuse what is being promoted.

109. Further to this, the Welsh Government should explore the possibility of establishing a national membership-based heritage organisation, comprising Cadw and Local Authority sites, as well as privately owned and third sector

owned/operated sites. This would, potentially, create a strong brand and deliver greater consistency of service and promotion, provided membership consists of a charter.

### ***Accessibility***

110. We feel strongly that more needs to be done to ensure that the historic environment is accessible to all. We also feel that the policies on this issue need to be applied fairly and consistently. It is our intention to make further inquiries on this issue later in 2013.

111. We also feel that more needs to be done to reach all parts of society, particularly ethnic minorities.

### **Recommendations**

**Recommendation 10: The Welsh Government should put in place mechanisms to ensure better collaboration in promoting the historic environment.**

**Recommendation 11: The Welsh Government should explore options to transfer the responsibility for promoting local authority sites to Cadw.**

**Recommendation 12: The Welsh Government should explore the possibility of establishing a national membership-based heritage organisation, in order to promote historic sites.**

**Recommendation 13: The Welsh Government should ensure that Cadw prioritises accessibility to its sites, and ensures that its approach is consistent.**

## 5. Integration of historic environment policies across Welsh Government

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### Introduction

112. A key theme in consultation responses was a lack of synergy and integration across Government departments when considering policies relating to the historic environment. Indeed, it was felt that this synergy was fundamental to the success of any such policies. The Institute of Historic Building Conservation wrote:

“The lack of historic environment policy embedded in all aspects of Government policy means that the good work being done by Cadw and the Conservation Trusts is undermined by LA programmes that are based in narrowly framed general Government policy which does not adequately reflect historic environment issues and policy.”<sup>65</sup>

113. The Society of Antiquaries of London emphasised that “the positive impact of the historic environment to policy areas such as education, tourism, health, agriculture, nature conservation and energy production must not be overlooked.”<sup>66</sup>

114. The Institute of Historic Building Conservation wrote:

“Wales has an enormous resource of historic assets and in many ways is well -placed to develop this resource into a world-beating heritage management system. The trick will be to embed heritage policy in all aspects of Government policy for the benefit of the economy and community rather than treating the historic environment as an add-on which needs to be supported as far as can be afforded.”<sup>67</sup>

### *Heritage Bill*

115. A number of respondents suggested that the Welsh Government’s programme of legislation should also be more integrated. The Institute of Archaeologists were of the view that “whatever the Heritage Bill contains, it will not be wholly effective unless consistent and integrated into other legislation”.<sup>68</sup> National Parks Wales felt that:

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<sup>65</sup> Institute of Historic Building Conservation, HIS 64

<sup>66</sup> Society of Antiquaries of London, HIS 75

<sup>67</sup> Institute of Historic Building Conservation, HIS 64

<sup>68</sup> Institute of Archaeologists, HIS 42

“We believe that the Welsh Government needs to invest time and energy to ensure that the synergies between the Heritage Bill and other legislation such as the proposed Planning Bill and the Environment Bill are realised.”<sup>69</sup>

## ***Regeneration***

116. Many respondents felt that historic environment policies should be more integrated with regeneration policies. The Civic Trust for Wales felt that “it enables a synergy between key policy areas and reflects the contribution the conservation and protection of the historic environment makes to the physical and social regeneration of communities”.<sup>70</sup>

117. However, the Society of Antiquaries of London said that:

“The positive impact that measures for the protection of the historic environment can contribute to other policy areas such as education, tourism, health, agriculture, nature conservation and energy production must not be overlooked. In all these areas, a well-protected and managed historic environment can generate a local distinctiveness and sense of well-being can only benefit Wales as an attractive place to live and work in.”<sup>71</sup>

118. In oral evidence the RCAHMW told us:

“A lot of resources go into regeneration that could be melded with heritage. Wales could do better than it has in the past to get more bang for the buck in heritage. There is huge concern that historic buildings are sitting derelict (eg Cardiff Bay). Something has been wrong for decades in the way that caring for Wales’s heritage has fed through into regeneration and the culture of our towns and cities.”<sup>72</sup>

119. The WLGA felt that it was important that historic environment policy should be considered alongside the current review of regeneration policy undertaken by the Welsh Government, “as it is impossible for these policy areas not be considered jointly”.

120. Respondents referred to examples of good practice where historic environment and regeneration initiatives had aligned:

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<sup>69</sup> National parks Wales, HIS 58

<sup>70</sup> Civic Trust for Wales, HIS 62

<sup>71</sup> Society of Antiquaries of London, HIS 75

<sup>72</sup> RCAHMW, Oral Evidence

“The examples of Blaenavon and Merthyr Tydfil both show the role of Cadw and the Commission in promoting the regeneration of communities. Both Blaenavon and Merthyr are former industrial communities with a strong sense of their own identity and history. The physical remains of their past are central to that identity, but these remains need to be understood and properly presented before can be used to reinforce that identity and to attract visitors and tourists to those places.”<sup>73</sup>

“Recent Welsh Government initiatives to promote regeneration in Blaenavon and Pontcysyllte are especially noteworthy.”<sup>74</sup>

121. However, the Welsh religious Buildings Trust warned that:

“The requirement for the historic environment to play its part in regeneration must not lead to regulators failing to protect archaeological and built heritage in its own right when policies might conflict with those of other departments.”<sup>75</sup>

122. Headland Archaeology Ltd warned of potential conflict between regeneration and heritage policies:

“In our experience there has been conflict between heritage policies and regeneration etc. In many cases this relates to sites of former industrial activity where land can be obtained cheaply by potential developers, but which contain considerable heritage value. The difficulty in these cases has been a lack of funding on behalf of the government to put in place better management of the land or powers to purchase it at reasonable prices, commonly leaving vast derelict areas of landscape with no use. Whilst not advocating wholesale destruction of these areas of industrial heritage, on the other hand there needs to be some means of securing a future of these sites or clear policies and powers that might be put in place to assist owners manage them.”<sup>76</sup>

123. Trysor expressed concern that:

“The methodologies are not in place to achieve sustainable community regeneration through historic environment policies. Again, Cadw’s remit only reaches a limited percentage of the Welsh historic environment. [...] It

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<sup>73</sup> Monmouthshire Antiquarian Association, HIS 34

<sup>74</sup> ICOMOS, HIS 39

<sup>75</sup> Welsh Religious Buildings Trust, HIS 72

<sup>76</sup> Headland Archaeology Ltd, HIS 60

seems that a much more holistic approach to encouraging innovation and activity, drawing together the skills of all sectors, should be aimed for, rather than a top down policy which tries to micro-manage or influence heritage projects.”<sup>77</sup>

124. The Prince’s Regeneration Trust emphasised that funding for regeneration projects did not seem to be used to support the historic environment:

“The Regeneration Investment Fund for Wales on the face of it would appear to be an excellent source of financial support for the historic environment but initial impressions are that it is focused more on a type and scale of project that does not lend itself so easily to specific support for the heritage. The Heads of the Valleys area has benefitted from a great deal of investment through Welsh Government but it is not clear whether maximum potential benefit has been derived by the historic environment.”<sup>78</sup>

125. A number of respondents also referred to a more integrated approach for economic development and heritage policies:

“Policies to conserve our heritage whilst also being in the act of planning for the future are often not seen as compatible and, with imperatives for economic development, it is often heritage that loses out. Heritage assets, together with environmental capital, have the potential for a dramatic and positive effect on the quality and identity of the places we build and run our lives within. We need a radical shift in thinking towards recognition that heritage and environment can be significant contributors to regeneration and prosperity.”<sup>79</sup>

## **Housing**

126. Respondents saw clear opportunities for more integration with housing policy. Many felt that the opportunity was not being grasped. The National Trust highlighted that there was no reference to heritage or the historic environment in the Welsh Government’s white paper on housing. The Institute of Historic Building Conservation wrote:

“Another policy opportunity currently being lost is tackling Buildings at Risk and bringing the opportunity provided by unused historic buildings

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<sup>77</sup> Trysor, HIS 54

<sup>78</sup> Prince’s Regeneration Trust, HIS 81

<sup>79</sup> Countryside Council for Wales, HIS 47

together with identifiable local housing needs. Little work has been undertaken to actively bring these two areas of work. There is a clear opportunity for WG, Cadw, Local Authorities, Building Preservation Trusts and other 3<sup>rd</sup> sector bodies to hit two birds with one stone.”<sup>80</sup>

127. Adfer Ban a Chwm referred to rural areas and how former dwellings could be brought back into use as affordable housing, while also protecting buildings with historic significance. They wrote:

“The WG needs first of all to acknowledge the importance of these buildings and secondly to provide a system which encourages, by means of positive enabling and appropriate grant aid, these structures to be brought back into community use – to benefit the community in perpetuity, and to celebrate their roots and what they continue to represent – the traditions and heritage of rural Wales.”<sup>81</sup>

### **Sustainable development and the environment**

128. Many respondents emphasised the importance of closer integration between sustainable development and historic environment policies. The Council for British Archaeology and CBA Wales wrote:

“The role of the historic environment in sustainable development should be more strongly championed and explicitly supported in Government policy. [...] For example, consideration of the historic environment should be firmly included along with natural environment in the remit of the new body proposed to be formed from CCW, Forestry and Environment Agency in 'Sustaining a Living Wales'; they are equally valuable and key parts of our heritage.”<sup>82</sup>

129. Rob Scourfield felt that there was a natural link between both policy areas:

“Environmental factors need better integration too. We are pleased to note the progress on the Welsh Building Regulations, and the growing recognition that our historic building stock is valuable in terms of embodied energy, and that the existing ‘one size fits all’ approach is detrimental. There are positive links between conserving energy and conserving buildings and this must be made more of. At present, the two

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<sup>80</sup> Institute of Historic Building Conservation, HIS 64

<sup>81</sup> Adfer Ban a Chwm, HIS 24

<sup>82</sup> Council for British Archaeology and CBA Wales, HIS 65

are often seen as a conflict. Similarly, biodiversity issues need better integration.”<sup>83</sup>

130. Respondents expressed concerns about the lack of a reference to the historic environment in the Welsh Government’s consultation document relating to its Sustainable Development Bill. Some comments received were:

“In the consultation document there is no mention of organisations representing the historic environment such as Cadw or the Royal Commission as *‘an organisation making clear contribution to people’s economic, social and environmental wellbeing’* although the National Library, the Arts Council and the National Museums of Wales are listed.”<sup>84</sup>

“The recent lack of reference to the Historic Environment in the Natural Resources Wales single body proposals and the *Sustaining a Living Wales – Green Paper*, were particularly worrying given the proximity of related disciplines working in the two sectors.”<sup>85</sup>

“It is disappointing to note, however, that on occasion little more than lip-service is paid to the historic environment by some other sectors. This is exemplified by the absence of any reference to historic environment issues in the recent consultation paper for the Environment Bill.”<sup>86</sup>

## Other Issues

### *Culture*

131. A number of respondents commented on the potential for museums and cultural institutions to play a stronger role in historic environment policy. Amgueddfa Cymru said that “the cultural sector has an essential, and in our view, undervalued contribution to make to a wide range of government policies”.<sup>87</sup>

132. The Federation of Museums and Art Galleries of Wales said:

“The work of museums in promoting access to the historic environment (in all its forms) can link to the Welsh Government’s objective to eliminate

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<sup>83</sup> Rob Scourfield HIS12

<sup>84</sup> National Trust, HIS 71

<sup>85</sup> Glamorgan-Gwent Archaeological Trust, HIS 23

<sup>86</sup> Clwyd-Powys Archaeological Trust, HIS 25

<sup>87</sup> Amgueddfa Cymru, HIS 79

child poverty. There is a need to ensure that all this work is recognised in wider policy development for the historic environment.”<sup>88</sup>

### ***Health, wellbeing and education***

133. It was also suggested that there was potential to use Cadw and the RCAHMW to promote health issues eg by developing walking and cycling routes and guides; and education eg through using the historic environment to improve literacy and numeracy skills.

### ***Planning policy***

134. The National Trust said:

“A positive example of integration of the historic environment into other Welsh Government policies is Planning Policy Wales. This is designed to help local authorities develop Local Development Plans, and has a chapter on conserving the historic environment.”<sup>89</sup>

135. WYG Planning and Environment were of the view that further consideration should be given to the impact of historic environment policy on planning policy:

“This is a matter of considerable concern to members of the WPCF, whose clients include many public sector as well as private sector organisations, whose proposals are directly affected by the operation of policies designed to protect and manage the historic environment in Wales.”<sup>90</sup>

### **Minister’s view**

136. The Minister said that the Welsh Government’s ambition ‘is to see the environment managed as a whole’ and said that there was ‘synergy between policies that support the historic environment alongside wider priorities’. In his evidence to the Committee, he said:

“When we are looking at the regeneration of a community, we should simultaneously be looking at the heritage of that community and how that ties in to the regenerative prospects of that place. What are the implications for civic pride, for job creation and for the economy of the area, and, critically, what skills could we develop among local people to look after that heritage? That encompasses everywhere in Wales. I do not

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<sup>88</sup> Federation of Museums and Art Galleries of Wales, HIS 18

<sup>89</sup> National Trust, HIS 71

<sup>90</sup> WYG Planning and Environment, HIS 28

think that there is a community in Wales that does not have some sort of heritage, whether built heritage or a piece of the historic environment, that belongs to them. This will be a continuous theme within my portfolio.”

### ***Historic Environment Strategy and action plan***

137. In announcing the publication of his Historic Environment Strategy, the Minister said that it contained ‘synergies between the strategic objectives that I have outlined ... and every other portfolio in the Government’. Specific steps in the action plan include:

- working with Natural Resources Wales to integrate the historic components of Wales’s landscapes into the ‘Living Wales’ agenda;
- developing guidance to support the use of characterisation studies in planning and regeneration;
- working with sector partners and higher education establishments to develop programmes of work experience placements, training bursaries and research studentships;
- as regeneration policy is reviewed (see below), highlighting the role of historic character in promoting distinctiveness and establishing partnerships to deliver heritage-led regeneration projects.

138. The strategy also refers to the Heritage and Arts Framework, which outlines an approach to melding heritage with creativity in Wales.

139. On 22 October 2012, the Minister launched a consultation on [Vibrant & Viable Places: A New Regeneration Framework](#). This follows a policy review of the Welsh Government’s approach towards regeneration. The consultation document states:

“Heritage is a vital part of regeneration and will contribute to regeneration outcomes by delivering proven economic benefits. In addition the historic environment provides a sense of identity and gives a hook for standards of urban design and planning that respect a sense of place: traditional buildings make up a significant proportion of the Welsh housing stock – ensuring appropriate standards helps meet sustainability objectives and aspiration of decent housing. Heritage and the historic environment also provide an important focus for the third sector and community involvement.

“Many communities in Wales have unique heritage assets embedded in rich industrial histories and world-class landscapes. Development of these

assets within the visitor economy of Wales can make a significant contribution to regeneration in urban and rural communities. Ensuring that this takes place within national programmes linked to international promotion can provide local economic development opportunities for employment, business and social enterprises [...]

“Historic character lies at the heart of local distinctiveness and sense of place. No two places share a history, so every place has a unique historic character, which is a powerful asset in regeneration. Understanding that character and how it was formed is the foundation for planning, design and management that sustains local distinctiveness.

“We can capture local distinctiveness through characterisation – identifying how places have been shaped over time and what makes them special. We find historic character in patterns of space and connection, as well as in traditions of building. These are the ingredients of unique identity, and we can use them to ensure that as places continue to change, they also keep hold of what makes them special. Cadw has been looking at a series of towns across Wales, each one of which has its own special character. The studies set out a definition of local character which can inform the management of change.”

## **Our View**

140. We agree with the view of the Institute of Historic Building Conservation that heritage policy needs to be embedded into all aspects of Welsh Government policy. We are pleased that the Minister, in oral evidence, said that he felt that there was synergy with wider Government priorities. However, we think that this needs to be monitored and will continue to do so as a committee.

141. We particularly feel that the Government should ensure synergy between the Heritage Bill and other Welsh Government legislation.

142. We feel that one of the barriers in terms of a holistic approach is the lack of clarity around the abundance of bodies responsible for the various services, enforcement and grant funding duties of organisations. More clarity is needed around these roles.

## 6. The role of local authorities and third sector organisations

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### Introduction

143. This chapter explores the final key theme to emerge from the inquiry: the roles played by local authorities and third sector organisations in implementing historic environment policy.

### The role and responsibilities of local authorities

144. It is clear that Local Authorities play an important role in relation to the historic environment. Some respondents felt that this role should be strengthened; the Institute for Archaeologists were of the view that:

“[...] the introduction of a statutory duty of care for the historic environment to be discharged by local authorities would provide an added safeguard for the historic environment.”<sup>91</sup>

145. Another respondent suggested that the Welsh Government and Cadw should be “insisting that local authorities take more active responsibility for the sites/monuments in their areas”.<sup>92</sup> National Parks Wales suggested that “it would be more appropriate if local authorities administered grants to historic properties on behalf of Cadw”.<sup>93</sup>

146. However, there were doubts that local authorities had the capacity or resources to fulfil their current role effectively. The Countryside Council for Wales felt that “local authorities have the potential to play a far more positive and effective role if sufficiently resourced in finance, capacity, experienced and creative staff”. Rob Scourfield was of the view that:

“LPAs are effectively the conduit between national (and wider) government policy, and the communities we serve through the implementation of local policies. LPAs receive some strategic support, but their ‘heritage’ capacity is typically minimal. As such, most LPAs can only concentrate on core statutory functions.”<sup>94</sup>

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<sup>91</sup> Institute for Archaeologists, HIS 42

<sup>92</sup> Dr John Law, HIS 09

<sup>93</sup> National Parks Wales, HIS 58

<sup>94</sup> Rob Scourfield, HIS 12

147. The Welsh Religious Buildings Trust felt that a lack of resources could lead to inconsistency in the effectiveness of local authorities:

“Local authorities are the layer between Welsh Government and communities across Wales. We have the impression of a wide variation in standards and resourcing from authority to authority. Often there is a lack of capacity to do much more than meet minimal statutory requirements, and where there is a lack of expertise, it results in a lack of confidence and imagination.”<sup>95</sup>

148. The Welsh Historic Gardens Trust echoed this view:

“Enforcement of planning approvals and conditions is also variable, with inconsistencies in policy between LPAs. The Trust feels strongly that any breaches of landscape conditions specifically designed to protect the historic landscape should be firmly dealt with by the LPAs. Not to do so is to devalue the time and effort of amenity groups and professionals who have worked together to achieve sensible and sensitive plans for historic sites. It moreover completely undermines the faith of the public in the collaboration of the LPA and amenity groups. Strong enforcement of landscape conditions are particularly important in historic parks and gardens and designed landscapes where mature trees and landscape features cannot be replaced once lost.”<sup>96</sup>

149. Glamorgan-Gwent Archaeological Trust commented on a lack of officers with expertise in local authorities:

“A recent and unpublished survey of provision of historic environment officers employed in, or through, external arrangements to local government in Wales found that there are forty-eight (FTE) conservation staff directly working for Welsh Local Authorities, of whom only thirty-three are skilled trained (building) conservation specialists in permanent posts. Sixteen authorities have only one staff member who is a specialist.”<sup>97</sup>

150. The Prince’s Regeneration Trust said that:

“In terms of how successful the systems are, there is some variance in their delivery around Wales due to the experience and seniority of the staff

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<sup>95</sup> Welsh Religious Buildings Trust, HIS 72

<sup>96</sup> Welsh Historic Gardens Trust, HIS 82

<sup>97</sup> Glamorgan-Gwent Archaeological Trust, HIS 23

advising on historic environment issues. [...] For the future it seems that either Cadw needs additional resources to be able to input into such a large number of Listed Building Consent cases referred to them or Welsh Government needs to enable local authorities to be more strongly resourced with conservation professionals so that delegation can be rolled out to more authorities in Wales.”<sup>98</sup>

### **Support from Welsh Government and Cadw for local authorities**

151. A number of respondents suggested that the lack of resources in local authorities meant that it was difficult to implement effectively the Welsh Government and Cadw’s strategic priorities. The Institute of Historic Building Conservation said:

“While the Welsh Government is seen to support local authorities and third sector organisations in principle with the delivery of its historic environment policy, the reality is little real strategic support can be found, leaving LAs, individuals and developers under-resourced at the point of delivery.”<sup>99</sup>

152. Rob Scourfield made a similar point:

“Cadw has encouraged regional forums of heritage expertise within the public sector, but the mixed results are all to do with capacity.”<sup>100</sup>

153. The Prince’s Regeneration Trust said:

“Cadw engages well re the historic environment at conservation officer level but not necessarily so extensively at Corporate Director level where the strategic and budgetary decisions are being made.”<sup>101</sup>

154. The WLGA said that joint working was taking place:

“Cadw has set up a working group with local authorities to respond to the Simpson Compact commitment to review the scope for collaboration in the future delivery of support for listed and historic buildings.”<sup>102</sup>

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<sup>98</sup> Prince’s Regeneration Trust, HIS 81

<sup>99</sup> Institute of Historic Building Conservation, HIS 64

<sup>100</sup> Rob Scourfield, HIS 12

<sup>101</sup> Prince’s Regeneration Trust, HIS 81

<sup>102</sup> WLGA, oral evidence

## **The role of the four regional archaeological Trusts**

155. Many respondents expressed support for the role of the four regional archaeological trusts. Anglesey Antiquarian Society and Field Club wrote:

“The Welsh Local Authorities are not well equipped with professional staff with historic environment knowledge and experience. The Welsh Archaeological Trusts are funded in part by Cadw and the local authorities to fill this gap by providing development control advice. This is the most cost-effective way of doing it and should continue. If possible, it should become a statutory arrangement.”<sup>103</sup>

156. The Institute of Archaeologists felt that the Trusts could be strengthened:

“IfA is strongly supportive of the work of the four Trusts, all of which are registered under IfA’s Registered Organisations Scheme (a quality assurance scheme for those providing archaeological services) and would welcome proposals to strengthen the service which the Trusts provide. In particular, measures to provide stronger links between the Trusts and local authorities would facilitate more effective management of the historic environment.”<sup>104</sup>

## **The reliance of local authorities on the Trusts**

157. It was clear from the evidence that the Trusts provided an important service to Local Authorities. The reason for the need for this was explained as:

“One shortcoming in Wales is the lack of local authority County Archaeologists, who play an important role in England. Only Denbighshire has one.”<sup>105</sup>

and

“Only the national parks and one local authority in Wales have their own archaeological officers; some have no dedicated conservation officers.”<sup>106</sup>

158. Glamorgan-Gwent Archaeological Trust explained how this worked:

“[...] outside a few archivists, museum officers, conservation officers and the odd heritage officer, the authorities possess little in the way of historic

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<sup>103</sup> Anglesey Antiquarian Society and Field Club, HIS 45

<sup>104</sup> Institute for Archaeologists, HIS 42

<sup>105</sup> Monmouthshire Antiquarian Association HIS 34

<sup>106</sup> Council for British Archaeology and CBA Wales, HIS 65

environment expertise and rely on external support, in the main provided by the Welsh Archaeological Trusts, who as charities can undertake such works provided they fall within their established objects. In this regard we have established a Memorandum of Understanding with the twelve Unitary Authorities in the former counties of Glamorgan and Gwent that covers the provision of historic environment support in respect of Archaeological Planning Management, Historic Environment Records, and general Heritage Management advice. This might be advanced as an example of best practice.”<sup>107</sup>

159. Gwynedd Archaeological Trust explained how they worked alongside Local authorities:

“A formal agreement exists between the Trust and relevant Local Authorities, who fund the Trusts to undertake monitoring of archaeological mitigation following determination of individual applications. The Historic Environment Record underpins this work, and maintenance of this is funded through RCAHMW. However the funding for both post-determination planning advice and HER maintenance is insufficient to provide a comprehensive service. In the case of HER maintenance the Welsh Archaeological Trusts contribute by using their own resources raised for charitable purposes, but this method of support is not necessarily sustainable.”<sup>108</sup>

160. However, there were some concerns arising from the separation of roles:

“This is independent and authoritative but it is a concern that, as a consequence of this advice being out-sourced, local authorities have less sense of 'ownership' and engagement with the potential significance the archaeological heritage. The separation of in-house conservation specialists and out-sourced archaeological advice does tend to perpetuate a separation in approaches.”<sup>109</sup>

161. The Welsh Historic Gardens Trust referred to the potential impact of not developing skills within local authorities:

“[...] there is increased pressure to out-source expertise in conservation and landscape. This reduces the ability of the LA to react quickly and to have its own solid foundation of expert knowledge when dealing with

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<sup>107</sup> Glamorgan-Gwent Archaeological Trust, HIS 23

<sup>108</sup> Gwynedd Archaeological Trust, HIS 35

<sup>109</sup> Council for British Archaeology and CBA Wales, HIS 65

internal decisions as well as responding to development control and local plan issues.”<sup>110</sup>

### **The role and contribution of the third sector**

162. There was unanimous agreement on the importance of the third sector to heritage. The WCVA emphasised the extent of the third sector’s involvement:

“The third sector is at the core of heritage activity. It includes very small groups working to get people involved in local action, and major organisations creating employment and providing significant services. [...] 617 organisations are involved in heritage; 480 of these are local organisations, whilst others work at a regional or national level.”<sup>111</sup>

163. The Council for British Archaeology and CBA Wales said:

“[...] local community groups are seen as essential to supporting the work of the key historic environment bodies in Wales. Without the contribution of community groups, in terms of participation and funding, much of the archaeological activity in the heritage sector would be restricted to purely developer-led activities where planning considerations dictate that a watching brief or field investigation is necessary.”<sup>112</sup>

164. However, a number of respondents commented on the lack of resources and support for such organisations:

“The Prince’s Regeneration Trust supports several Building Preservation Trusts in developing projects and securing funding and the futures of places such as Cardigan Castle wouldn’t happen without the contribution of third sector organisations such as Cadwgan BPT. BPT’s need greater support and Welsh Government could usefully allocate more resource to enabling some of these third sector bodies to obtain the professional support they need.”<sup>113</sup>

165. The Welsh Historic Gardens Trust wrote:

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<sup>110</sup> Welsh Historic Gardens Trust, HIS 82

<sup>111</sup> WCVA, HIS 03

<sup>112</sup> Council for British Archaeology and CBA Wales, HIS 65

<sup>113</sup> Prince’s Regeneration Trust, HIS 81

“Funding should therefore be allocated to such third sector organisations to ensure continuity of contribution and the ability to respond more quickly and comprehensively if required.”<sup>114</sup>

166. The WCVA felt that one way of addressing this issue was that:

“Both the Welsh Government and its sponsored bodies can help the sector’s contribution to the wider heritage agenda, by giving priority to community-led activity, as well as supporting umbrella bodies that in turn stimulate and support local action.”<sup>115</sup>

167. Meirioneth Historical and Record Society referred to the collaboration between Government and other bodies and the third sector:

“We place particular value upon the extent to which the Trust and the Commission have been able to bring the resources of a professional public service to bear upon the voluntary endeavours of the Merioneth Society. Our experience amply demonstrates the value of the support given by two bodies sponsored by the Welsh Government to an organisation in the voluntary sector. We believe that this is in full accord with the wishes of the Welsh Government itself, and we earnestly hope that this exemplar of collaboration between Government-sponsored bodies and the voluntary sector will never be impaired nor in any way endangered. We would wish to commend this earnest hope to the particular attention of the Committee.”<sup>116</sup>

### **An umbrella body for the third sector**

168. There were a number of calls for an umbrella body to bring together and represent the third sector. This approach was seen as having the potential to address problems with capacity and resources. Glamorgan-Gwent Archaeological Trust wrote:

“The vast majority of heritage-orientated organisations in the voluntary sector are very small specialist local groups and societies [...] The third sector might be given better capacity if the smaller bodies were linked up and supported through a national umbrella organisation – perhaps an equivalent to the Wales Environment Link – or regional or local equivalents,

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<sup>114</sup> Welsh Historic Gardens Trust, HIS 82

<sup>115</sup> WCVA, HIS 03

<sup>116</sup> Meirioneth Historical and Record Society, HIS 73

although in the latter case that would be likely to be incumbent on local authorities.”<sup>117</sup>

169. The Institute of Historic Building Conservation emphasised that such a body could strengthen the third sector:

“The 3<sup>rd</sup> sector for the historic environment is relatively weak in Wales. In England, a representative body the 'Heritage Alliance', established in 2002, and brings together 92 member bodies, ranging from the National Trust, the Institute of Historic Building Conservation to the Chapels Society, which represent over 5 million individual members and another 450,000 volunteers [...] Its role is to be an authoritative, respected and influential advocate for the non-government heritage sector; share knowledge and experience across the sector; be the catalyst for collaborative working in the sector and beyond; and connect heritage with the big issues in 21<sup>st</sup> Century society. It provides a forum for members to formulate and promote policy on core issues, a support and information network and participates in all the major sectoral fora. A similar body exists in Scotland - The Built Environment Forum Scotland (BEFS). A valiant attempt led by the Civic Trust for Wales to establish a similar body in Wales failed as a result of limited support from Cadw.”<sup>118</sup>

170. The Civic Trust for Wales felt that it was an appropriate time to look again at the roles of third sector organisations concerned with the historic environment in Wales “and to consider how joint working and collaboration could prove effective in achieving greater value for money and synergies.”<sup>119</sup>

171. On the issue of such an umbrella body, the National Trust said:

“It is something that would undoubtedly improve the historic environment in Wales, so that, if funding was available, and the Minister was minded to support it, the National Trust would support it 100%.”<sup>120</sup>

172. However, they warned that:

“There have been several attempts to bring people together in the past, and they have all floundered due to a lack of capacity and people’s ability to deliver. Some organisations have only one or two people covering wide

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<sup>117</sup> Glamorgan-Gwent Archaeological Trust, HIS 23

<sup>118</sup> Institute of Historic Building Conservation, HIS 64

<sup>119</sup> Civic Trust for Wales, HIS 62

<sup>120</sup> National Trust, Oral Evidence

geographical areas, so they do not have the time, let alone the resources, to contribute effectively. An organisation like Heritage Link is only as good as the input it gets. It does not work unless people commit to it. So support is required to get it off the ground and there is a need for a range of organisations to step up and support it for it to get through.”<sup>121</sup>

## **The private sector**

173. The role of the private sector was also emphasised:

“The Welsh Government rarely seems to acknowledge the fact that the private sector plays an important role in the investigation, management and promotion of Welsh archaeology and heritage. Considerable expertise lies within this sector today. A Heritage Bill for Wales should explicitly recognise the diversity of the heritage community in Wales. This community includes private sector, third-sector and public sector organisations, as well as the academic and community sectors. A commitment to promote the well-being of each sector should be included in the bill and an objective set to maintain this diversity and encourage co-operation across the heritage community. It is particularly important that a spirit of entrepreneurship and innovation is fostered if the true value of Welsh heritage resource is to be realised for the cultural and economic benefit of the nation.”<sup>122</sup>

## **Minister’s views**

174. The Minister emphasised to the Committee how important local authorities are in protecting, managing and promoting the historic environment in Wales, particularly through the planning process. He referred to the importance of the Built Heritage Forum (through which Cadw and local authorities share advice and expertise) and the Historic Environment Group (which advises the Welsh Government on policy in this area). He said that he would be looking at this framework alongside his ongoing review of the Welsh historic environment policy.

175. As to the burdens on local authorities to deal with buildings at risk, the Minister said:

“We have to figure out, alongside our local government partners, how to share the burden of risk. Local authorities have sweeping powers to do things with listed buildings, for instance, but the risk involved can be

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<sup>121</sup> National Trust, Oral Evidence

<sup>122</sup> Trysor, HIS 54

extreme. It can also be extraordinarily time consuming for officers within local authorities, in particular, but for others, too. We need some kind of system that spreads the risk a little, so that we are not expecting local authorities necessarily to take on the whole burden of a multi-million-pound refurbishment job because a listed building has become dilapidated because an owner is recalcitrant or incapable of doing anything about it. That would involve an all-Wales lead. We have to think about putting an all-Wales arm around the shoulder of conservation officers and the local authorities in which they work, and finding some vehicle for ensuring that the local authorities are not left holding the baby, financially speaking. We know what happens when they are: very few of them will make forward progress, because they will avoid the risk. Quite how that shapes up, I am not too sure. Ideas on a postcard, please.”

176. With regard to the historic environment third sector, the Minister stated that it was ‘vibrant’ but acknowledged that it was ‘vulnerable and disparate’. As such, he had ‘concerns over the resilience of the sector with its heavy reliance on public funding’, particularly as budgets will continue to reduce. In his oral evidence, he said:

“We all want to see a vibrant third sector. I do not want to curtail the very heterogeneous nature of the groups that are part of looking after and interpreting the historic environment in Wales. That is certainly something to avoid. It is very important that, as we talk this all through, everybody pulls together for the sake of the first principles that we agreed on. Why are we doing this? Who are we doing it for? Are we being careful about not duplicating effort? Is there a more streamlined, co-operative way in which we could proceed?”

### ***Historic Environment Strategy and action plan***

177. The Historic Environment Strategy states that a significant challenge for the sector ‘is that of resilience and future capacity to sustain, let alone develop activities and service deliver’. It also concedes that ‘there are 25 local planning authorities in Wales and their capacity to deliver specialist conservation and archaeology services is variable’ and that ‘the historic environment third sector comprises many small, often under-resourced organisations, some of which may be competing for declining resources’ (p25).

178. Specific steps in the action plan relating to local authorities and third sector organisations include:

- commissioning options for appraising the delivery of local authority historic environment conservation services, including options for closer regional working;
- analysing the current structure, resilience and capacity of the third sector in Wales in providing support for the historic environment, and particularly assets at risk;
- commissioning a review of options for the establishment of a membership-based national heritage organisation (such as a Welsh Heritage Alliance or Welsh Historic Environment Forum), that will act as a focus for co-ordinated action across the third sector in Wales;
- commissioning an options appraisal for establishing a Welsh Heritage Trust (either to coordinate Building Preservation Trusts or as a new national Building Preservation Trust) to take on the ownership and management of buildings and act as an advisory body.

### ***Our View***

179. We feel that the evidence we heard in support of an umbrella body was persuasive. We feel that such a body would bring together and represent the various organisations, and play a significant role in the strengthening the third sector. We found the concept of a representative body, similar to English Heritage and its Scottish equivalent, to be exciting.

180. Further to this, we feel that the Welsh Government should explore the possibility of such a body representing “non-government” organisations, i.e. third sector and private organisations.

181. In terms of the role and responsibilities of local authorities, and mitigating a lack of expertise, we feel that this representative body would be well placed to assist and provide expertise to the local authorities on their responsibilities.

### **Recommendation**

**Recommendation 14: The Welsh Government should explore the possibility of establishing a representative umbrella body, such as English heritage, to represent non-Government organisations in the third and private sectors.**

## Witnesses

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The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at <http://www.senedd.assemblywales.org/ieIssueDetails.aspx?IId=3978&Opt=3>

### 5 July 2012

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| Peter Gomer, Interim Policy Adviser -Leisure, Culture, Tourism & Heritage | Welsh Local Government Association |
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### 11 July 2012

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| Dr Eurwyn Wiliam, Chairman of the Commission | Royal Commission on the Ancient and Historical Monuments of Wales |
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| Catherine Hardman, Commissioner and Chair of the Archive Committee | Royal Commission on the Ancient and Historical Monuments of Wales |
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| Dr Peter Wakelin, Secretary of the Commission | Royal Commission on the Ancient and Historical Monuments of Wales |
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| Huw Lewis AM, Minister for Housing, Regeneration and Heritage | Welsh Government |
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| John Howells, Director Housing, Regeneration and Heritage | Welsh Government |
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| Marilyn Lewis, Director | Cadw |
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| Steve Webb, Director Development | Visit Wales |
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### 19 July 2012

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| Dr Emma Plunkett-Dillon, Wales Head of Conservation | National Trust |
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| Peter Jones-Hughes, Principal Conservation Officer | Conwy County Borough Council |
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| Edwina Hart AM, Minister for Business, Enterprise, Technology and Science | Welsh Government |
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| Steve Webb, Director Development | Welsh Government |
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| Lucy O'Donnell, Assistant Director for Public Engagement & Governance | Cadw |
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## List of written evidence

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The following people and organisations provided written evidence to the Committee. All written evidence can be viewed in full at <http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?IId=3978&Opt=0>

| <b>Organisation</b>                                  | <b>Reference</b> |
|------------------------------------------------------|------------------|
| Gareth Davies                                        | HIS 01           |
| Christopher Currie                                   | HIS 02           |
| Welsh Council for Voluntary Action                   | HIS 03           |
| Lynne Rees                                           | HIS 04           |
| John and Cecilia Evans                               | HIS 05           |
| Nigel Clubb                                          | HIS 06           |
| Rory Wilson                                          | HIS 07           |
| The Twentieth Century Society                        | HIS 08           |
| Dr Law                                               | HIS 09           |
| Ian Thompson                                         | HIS 10           |
| Professor Ralph Griffiths                            | HIS 11           |
| Rob Scourfield                                       | HIS 12           |
| Brecknock Art Trust                                  | HIS 13           |
| Battlefields Trust                                   | HIS 14           |
| National Association of Mining History Organisations | HIS 15           |
| John M Lewis                                         | HIS 16           |
| Aberystwyth District Civic Society                   | HIS 17           |
| The Federation of Museums and Art Galleries of Wales | HIS 18           |
| Cambrian Archaeological Association                  | HIS 19           |
| Patrick Sims-William                                 | HIS 20           |
| Peter Howell                                         | HIS 21           |
| Vera Jenkins                                         | HIS 22           |
| Glamorgan-Gwent Archaeological Trust Ltd.            | HIS 23           |
| Adfer Ban a Chwmn                                    | HIS 24           |
| Clwyd-Powys Archaeological Trust                     | HIS 25           |
| Brecknock Society and Museum Friends                 | HIS 26           |
| Gavin Johns                                          | HIS 27           |

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| Wales Planning Consultant Forum                 | HIS 28 |
| Ancient Monuments Society                       | HIS 29 |
| Wrexham Area Civic Society                      | HIS 30 |
| Cliff Croft                                     | HIS 31 |
| Professor J Smith & Dr LI Smith                 | HIS 32 |
| Dr E Williams                                   | HIS 33 |
| The Monmouthshire Antiquarian Association       | HIS 34 |
| Gwynedd Archaeological Trust                    | HIS 35 |
| Dyfed Archaeological Trust                      | HIS 36 |
| The Pembrokeshire Historical Trust              | HIS 37 |
| Minister for Housing, Regeneration and Heritage | HIS 38 |
| International Council on Monuments and Sites    | HIS 39 |
| The Society for Nautical Research               | HIS 40 |
| Matthew Rimmer                                  | HIS 41 |
| Institute for Archaeologists                    | HIS 42 |
| Joint Nautical Archaeology Policy Committee     | HIS 43 |
| Richard Keen                                    | HIS 44 |
| The Anglesey Antiquarian Society and Field Club | HIS 45 |
| Country Land and Business Association           | HIS 46 |
| Countryside Council for Wales                   | HIS 47 |
| F Alan Aberg                                    | HIS 48 |
| Ruperra Castle Preservation                     | HIS 49 |
| The Royal Town Planning Institute               | HIS 50 |
| Heritage Lottery Fund                           | HIS 51 |
| Christopher Taylor                              | HIS 52 |
| Friends of the Newport Ship                     | HIS 53 |
| Trysor                                          | HIS 54 |
| Jill Morgan                                     | HIS 55 |
| Adam Gwilt                                      | HIS 56 |
| Richard Edwards                                 | HIS 57 |
| National Parks Wales                            | HIS 58 |
| Richard Shakeshaft                              | HIS 59 |
| Headland Archaeology Ltd                        | HIS 60 |
| Prospect Heritage Branch                        | HIS 61 |

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| Civic Trust for Wales                                                     | HIS 62 |
| NHS Wales Shared Service Partnership – Facilities Services                | HIS 63 |
| Institute of Historic Building Conservation                               | HIS 64 |
| Council for British Archaeology and Council for British Archaeology Wales | HIS 65 |
| Welsh Mills Society                                                       | HIS 66 |
| RenewableUK Cymru                                                         | HIS 67 |
| The Victorian Society                                                     | HIS 68 |
| Mango Planning and Development Limited                                    | HIS 69 |
| Dr D Leigh                                                                | HIS 70 |
| National Trust                                                            | HIS 71 |
| Welsh Religious Buildings Trust                                           | HIS 72 |
| Merioneth Historical and Record Society                                   | HIS 73 |
| Non Jenkins                                                               | HIS 74 |
| The Society of Antiquaries of London                                      | HIS 75 |
| Minister for Business, Enterprise, Technology and Science                 | HIS 76 |
| Royal Commission on the Ancient and Historical Monuments of Wales         | HIS 77 |
| Richard Haslam                                                            | HIS 78 |
| National Museum Wales                                                     | HIS 79 |
| Peter Jones-Hughes                                                        | HIS 80 |
| Edward Holland                                                            | HIS 81 |
| Welsh Historic Gardens Trust                                              | HIS 82 |

**Additional written information was received from the following organisation:**

Royal Commission on the Ancient and Historical Monuments of Wales