

**Mike Brown CBS MRICS Dip Bldg Cons IHBC**  
**IHBC Policy Secretary**

**LEGISLATION AND POLICY**  
**21 June 2013**



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**What's the theme of the photos?**  
**Which ones have been in the news recently**  
**and why?**  
**Which is the odd one out?**

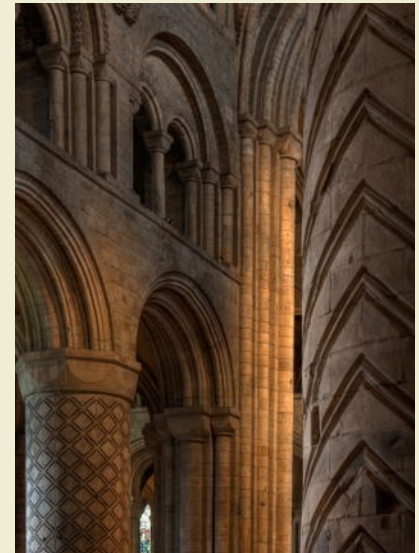
## **MAIN UK THEMES 2008 - 2013**

- Recession, austerity and the divide
- HE reflects that divide
- Job losses and deregulation
- 4 separate but similar regimes
- VAT - wrong-headedness
- Sustainability and growth
- HLF
- IHBC
- BS 7913



## **ENGLISH THEMES 2008 - 2013**

- **Heritage Protection Reform Bill 2008**
- **PPS 5 and Guidance**
- **National Planning Policy Framework**
- **Enterprise and Regulatory Reform Act 2013**
- **English Heritage and CABE –  
squeeze and change**
- **Ever closer links to Planning**
- **Sustainability and growth**
- **Regional divide**



## **ENGLISH REFORMS - NPPF**

- **Delivering sustainable development  
(economic, social and environmental)**
- **Need to read it as a piece**
- **Chapter 7 - 'Requiring good design'**  
para 56 -68
- **7 Urban Design principles**
- **8 Form & Architecture principles**
- **'Context and innovation'**



## **ENGLISH REFORMS - NPPF**

- **Chapter 12 Conserving and enhancing the historic environment**  
**para 126 - 141**
- **Introduces ‘significance’ (126 – 131)**
- **‘Setting’ (128, 129 & 132)**
- **‘Substantial public benefits’ (133)**
- **Non-designated assets (135)**
- **‘Expertise’ (128 & 129)**
- **Need for new Guidance**
- **P(LB&CA)Act 1990**  
**still primary source**



## ENGLISH REFORMS – ERRA 2013

- New primary source
- S.60 'Heritage planning etc' + Schedule 17
- Removes CACs (Sch.17 - s.12 &13)
- Amends 1990 Act re designations (1 July '13)
  - allows exclusion of curtilage blds, parts and features deemed without 'significance'. (Sch.17 - s.8)
- Extends Cert. of Immunity (S.6 A1 + Sch 17. 9)
- HPAs (26 A&B)
- National and local consent orders (26 C–G & 28)
- Cert. of Lawfulness (26 H-K)
- NB all amendments exclude Wales



## **NORTHERN IRELAND REFORMS**

- 11 New Local Authorities
- Delegating HE management from April 2015
- ‘Normalisation’ process
- Given HAR and CO job cuts in England  
should this be normal?



## **SCOTTISH REFORMS**

- **Historic Environment (Amendment) (Scotland) Act 2011**
- **Amended :**
  - **The Historic Buildings and Ancient Monuments Act 1953;**
  - **The Ancient Monuments and Archaeological Areas Act 1979;**
  - **The Planning (Listed Buildings and Conversation Areas) (Scotland) Act 1997**
- **Technical and general ‘tightening up’ of protection**
- **consolidation**
- **Registers for Historic Gardens and Battlefields**



## **SCOTTISH REFORMS**

- Consolidation theme
- Proposed merger of Royal Commission on the Ancient & Historic Monuments of Scotland with Historic Scotland
- Proposal to review Scottish Historic Environment Policy (SHEPS)



## WELSH REFORMS – LEGISLATION

- **Heritage (Wales) Bill**
  - Cadw workshops in 2012
  - consultation June-Oct 2013
- **Consolidation rather than radical change**
- **AM Portfolio amendments –**
  - lost 'Housing, Regeneration and Heritage (Huw Lewis)
  - now Minister for Culture & Sport (John Griffiths)



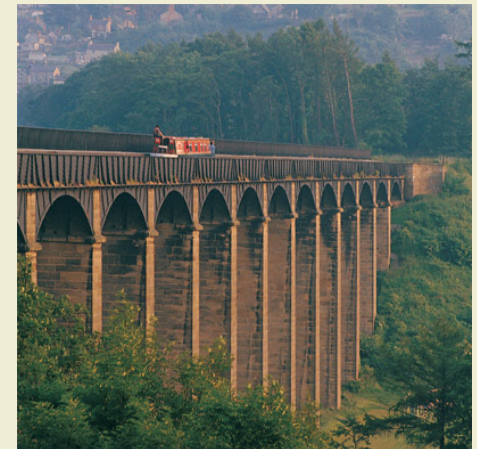
## WELSH REFORMS – POLICY

- **Conservation Principles for Wales adopted**
  - simplified version of EH's
- **Historic Environment Strategy (May 2013)**
  - 'Heritage protection and sustainable development'
  - 'Economy'
  - 'Partnership and delivery'
- **Old Circulars still in place**
  - 60/96 (Archaeology)
  - 61/96 (Historic Buildings)



## WELSH REFORMS – GENERAL

- **Proposed merger of Royal Commission on the Ancient & Historic Monuments of Wales with other agencies inc. Cadw**
  - weak business case
  - opposed by National Assembly Committee
  - no longer a priority
  - indicative



## **IHBC POLICY COMMITTEE**

- **Met quarterly and reviewed or contributed to :-**
  - Select Committees - Bob Kindred
  - JCNAS + IHBC/NAS liaison - Bob Kindred
  - EH/HEF HE Guidance for NPPF
  - Support for Heritage (Wales) Bill – Nathan Blanchard/Trefor Thorpe
  - Sector updates to Council
- **Consultations group** - James Caird
  - 80 consultations 2012 - 13
- **Technical panel** - Julian Bagg/Janice Gooch
  - Stitch In Time
  - Conservation techniques
  - Consultations
- **Legal group** - Fiona Newton
- **Rural heritage** - Carole Ryan
- **Green Deal** - John Preston
  - APPPG
  - Sustainable Traditional Building Alliance



## **FUTURE ISSUES**

- 1<sup>st</sup> world legislative system but 3<sup>rd</sup> world resources
- Treasury cuts to EH, HS and Cadw (40%)
- Over 1/3<sup>rd</sup> of CO posts gone + more to follow
- S.128 of NPPF (Govt. market theory)
- Slow take up by owners and private sector
- HLF role
- Skills and training
- Boost IHBC campaigning capacity
- Forge partnerships and alliances
- Get our message out there



**‘ALWAYS END ON A LIGHT NOTE’**

**?**

