



## INSTITUTE OF HISTORIC BUILDING CONSERVATION

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Dear Sir/Madam

### **Draft Local Government Bill (Clauses 8-13)**

We are pleased for this opportunity to submit comments on the draft Local Government Bill. We confirm that we are pleased for these comments to be made public.

The Institute of Historic Building Conservation is the professional institute, representing conservation professionals in the public and private sectors in the United Kingdom and the Republic of Ireland. It has around fourteen hundred members divided between fourteen branches. The Institute exists to establish the highest standards of conservation practice and to support the effective protection and enhancement of the historic environment.

Local authorities are currently required to obtain the highest financial income when disposing of land. This has led to a narrow accountancy ethos developing, rather than a concern for wider social and economic issues. It is suggested that the emphasis be changed from obtaining the best price for land. This is especially important where historic environment assets are concerned. Local authorities should have a duty to secure the *most economically and socially advantageous* scheme for land. This should take full account of the proposed use and development of the land in terms of its benefits for the wider economy, local community, environment and sustainable growth. Land sales should be conditioned to ensure the benefits are achieved.

The IHBC has been concerned for some years specifically about the effects of Section 123 of the Local Government Act 1972 in so far as it concerns the disposal of buildings defined under Section 1 of the Planning (Listed Buildings & Conservation Areas) Act 1990 i.e. buildings Listed for their special architectural and historic interest. Local authorities' historic building properties can provide capital receipts, but should be seen as a wider opportunity to secure social, economic and community benefit. Heritage-led regeneration is a key feature in securing urban renaissance.

English Heritage is currently consulting on the management of such assets under a document entitled "*Making the Most of Our Civic Heritage*" but the date for representations on their proposals does not end until 4th October. The proposals under the Bill and the English Heritage consultation paper also have direct potential consequences for statutory asset management, and for the recommendations in

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the DCMS approved Heritage Strategy document 'A Force for Our Future' particularly Recommendation 4: '*The Government looks to local authorities to adopt a positive approach to the management of the historic environment within their area and monitoring its condition*'. It urges them to appoint champions for the historic environment within their management structures and to ensure that elected members have access to training in respect of the historic environment wherever it is needed.

In June 1999, the DCMS published '*Disposal of Historic Buildings - Guidance Note for government departments and non-governmental public bodies*' which recommended in Sections 3 and 8 that where surplus historic buildings (particularly those which were vacant or only partly used, disposal by methods other than open market value should be considered so as to deal appropriately with the intrinsic merit of building which the Secretary of State had determined warranted every effort being made to preserve them.

The 1972 Act defines 'best consideration' to allow local authorities to dispose of property assets for returns below their market value. This definition should be expanded to incorporate the definition of best consideration in the Local Government Act 2000 ('social, economic and environmental well-being of the local community'). This should specifically identify listed buildings as an irreplaceable public asset. Such an amendment would significantly improve the ability of local authorities to dispose of their historic property assets in the interests of the historic and urban environment and the long-term benefit of their communities and economies.

Yours faithfully

Dave Chetwyn  
Consultations Secretary