

Conservation Bulletin, Issue 11, June 1990

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URBAN DEVELOPMENT CORPORATIONS

Urban Development Corporations were initiated by the Local Government, Planning, and Land Act 1980. They are intended to secure the regeneration of predominantly commercial and industrial areas which have fallen into severe economic decline, leading to large-scale dereliction and a lack of interest in investment by the private sector. Specifically, their aims are to bring land and buildings into effective use, to encourage the development of new industry and commerce, to create an attractive environment, and to ensure that social facilities are available to encourage people to live and work in their areas. These areas are generally small compared to those of the new town development corporations, now being wound up, and the UDCs have been given a short time to achieve their task: the third generation, set up in 1988–9, are expected to complete their work in five to seven years. The corporations often assemble large sites for redevelopment, which can involve compulsory purchase, and provide a vehicle for major public investment in infrastructure and redevelopment, which is intended ultimately to bring about self-sustaining regeneration. They are also normally the planning authorities for their areas, taking over the planning powers of the local authority concerned save for the right to make statutory local plans. A UDC must, however, have regard to the need for preserving features of special architectural or historic interest and is, of course, subject to the national policy guidelines on conservation set out in DoE Circular 8/87.



Regeneration of the riverside area of Leeds, to the south of the city centre, is a prime objective for the Development Corporation (G M Noble)

Some UDCs are concerned with rundown areas containing little of architectural or historic interest. Most, however, include historic buildings and areas of outstanding national

importance, for example London Docklands, Merseyside (which includes Albert Dock and the Pierhead), Central Manchester (including the Roman fort at Castlefields and a substantial area of the Victorian commercial core of the city), Leeds (including outstanding early fireproof textile mills), and Tyne and Wear (which takes in the quayside area of Newcastle). As with all local planning authorities, English Heritage seeks to influence both their general policies, through commenting on the strategy and other policy documents which they produce in lieu of local plans, and also their decisions in individual cases. The latter is achieved primarily through the standard procedures for notification of major planning and listed building consent applications and in our role as advisers to the Secretary of State on, for example, referral of applications to demolish listed buildings. Some UDCs, for example Central Manchester, have strongly conservationist policies, recognising that a legacy of ancient monuments, historic buildings, and historic townscape is a major asset. This is very much in accord with the view of English Heritage that the historic environment has a vital role to play in successful urban regeneration. It helps to establish a special and unique sense of place, of quality and character, and of continuity and permanence which can be the basis of a positive, distinctive, and thus marketable 'image'. Merseyside Development Corporation saw at the outset that the restoration of the Grade I Albert Dock would be a vital ingredient in the campaign to attract private investment into the area.



Lancaster House, Whitworth Street, Manchester: a Grade II listed commercial building of 1906, cleaned, repaired, and converted to residential use with grant aid from Central Manchester Development Corporation (CMDC)

In general, there should not be a conflict between the aims of commercial regeneration and conservation. Indeed, the proactive, enabling role of the development corporations can provide a welcome means of rescuing many long-neglected historic buildings through the visual and economic transformation of their context. By such means private investment is attracted and rental and capital values in an area increased, to the point where any initial difference between the cost of refurbishing older buildings and their end value can at least be bridged by grants.

We recognise that a conservation-oriented approach may occasionally be difficult to achieve in the short term, but it is important also to consider the medium to long-term returns, both socially and economically, of refurbishment rather than comprehensive redevelopment. The latter approach involves the loss of part of a finite heritage and may operate to the long-term detriment of the area, by eroding that quality and specific identity of the place which has become increasingly important as an economic attractor. Finding the right solution to problem buildings may take time and a particular expertise, which it can be difficult for short-life bodies to acquire. Early consultation with us can help to overcome some of the difficulties. Apart from advice, we may be able to contribute to the cost of feasibility studies to establish a viable future for particularly important buildings or areas. The Grade II* Hunslet Mill in Leeds is a recent case in point. Leeds Development Corporation is also the first UDC which we have invited to put forward a programme of s10

grants, for buildings in the Riverside and Canal Wharf conservation areas. We have set aside £100,000 for this in 1990–91.

David Trippier said on a recent visit to Newcastle: 'It is important that economic development and conservation are carried out alongside each other.' That is certainly the view of English Heritage. We are generally striving to develop closer liaison and establish good working relationships with the urban development corporations. Our aim is to encourage them to make a major contribution to urban conservation, by making our expertise freely available, especially when strategies and design briefs are being devised, and by assisting them to seek mutually acceptable solutions to often difficult and longstanding specific problems.

PAUL DRURY

EDITORIAL

BUILDING PRESERVATION TRUSTS: WHERE NEXT?

A recent and happy visit to Kettlethorpe Hall in West Yorkshire, an important eighteenth-century house which has been rescued by the Yorkshire Building Preservation Trust with the help of a large grant from English Heritage, prompted some thoughts about the future of Building Preservation Trusts in general.

Many such Trusts came into existence in the 1970s, on the realisation that decaying traditional buildings, ignored by the property business and construction industry, merited rescue because of their historic interest and because they were also basically sound, reusable, and attractive to potential occupiers. Since such properties were undervalued, Trusts could purchase them, repair and convert them, and sell them off at a profit to create a revolving fund. It was a magic formula and it worked: it has saved hundreds of historic buildings that would otherwise have been lost, and it has often been a heartening and satisfying task for those involved.

Can it go on? Since the 1970s, private landowners and commercial developers have caught on to the idea. The boom in property prices and the availability of investment capital in the 1980s have turned many derelict historic buildings into marketable commodities. As a result, Building Preservation Trusts are often competing with commercial developers to acquire buildings for rescue at high purchase prices. So the economic equation is changing.

In some areas of the country, there is the danger that Trusts will become little different from commercial developers, purchasing only those buildings which are seen as readily marketable after repair and carefully avoiding the buildings which are crying out for attention, but where there are real financial risks involved. In other areas, problems of another sort are even more severe; plenty of buildings are at risk, but there is increasing difficulty in raising the capital to deal with them.

The BPT movement is well aware of these problems, and an internal debate has already started. There are no ready answers, but it is becoming clear that the trick of the 1970s cannot necessarily be endlessly repeated, and some rethinking of the role of the Trusts could be timely. Of course, economic forces have not solved all our problems with historic buildings at risk of decay: and, of course, voluntary charitable trusts are needed now as much as ever, since there are some areas where they have an advantage over more explicitly commercial interests.

Many historic buildings are sensitive structures with fragile architectural detailing. Their conversion and repair have to be planned and executed in a way that protects this. Commercial developers with an eye to profit margins may not always be prepared to expend the additional time and effort on such finer detail, whereas BPTs, with their

experience and primary concern for the building itself, are well suited to take account of such considerations.

Commercial developers will normally be seeking a rate of return on their capital investment of 20% or more. Some buildings need a developer's specialised input for their rescue and conversion – to an hotel, for example. Where it is a matter of straightforward development and recycling of property, however, a Trust, which can operate (if necessary with grants or loans) on, or little beyond, breakeven point, may have a big advantage, particularly with the riskier buildings.

In one respect, BPTs and commercial developers can be equally ill-equipped to deal with repair projects which are often politically, financially, and technically complex. Local BPTs do not necessarily have the concentration of experience and skills to untangle all the problems. However, the BPT movement can help itself by pooling experience of a variety of such issues, a co-operative activity which few commercial developers are likely to attempt. For this reason, the recent creation of a national Association of BPTs is very welcome. To succeed, Trusts will need to lift their eyes from the local scene and to find the time to work for more distant objectives than they have traditionally handled. This will in the short term add a little to the daily burden, but if it increases the flow of information, its value will soon become obvious. In the longer term, the BPT movement may well want to consider providing a pool of professional project managers or other such resources to be available nationally for projects which would otherwise stretch the capability of local Trusts. On another tack, conservation may now need a greater variety of BPTs. At the moment, the majority are geographically based: this works well as a focus for local knowledge and enthusiasm, which are key factors. Wider-ranging organisations, however, such as the British Historic Buildings Trust or the Vivat Trust, might be better placed to undertake certain outsized or unusual projects. Equally, as other specialised building types are increasingly in the front line for conservation, perhaps we now need more individual Trusts to deal with them – either by acting on their own, or by joining forces with local initiatives. Some building types are by their nature unsuitable for alternative marketable uses and need to be rescued, repaired, and maintained for their intrinsic worth alone. There may also therefore be the need for some smaller, streamlined bodies to tackle such tasks, which may involve a more inventive approach to reuse, such as that employed by the Landmark Trust in its rescue of smaller, sensitive buildings as holiday lets. English Heritage is currently looking at the possibility of backing an independent trust to rescue and look after the best of the redundant nonconformist chapels. Such specialist trusts might need to develop new sources of finance, since the revolving fund concept will be inapplicable.

What is suggested above could represent new opportunities in addition to the traditional revolving-fund approach. Whatever develops within the BPT movement, a voluntary, charitable body of individuals united by their enthusiasm, commitment, experience, and enterprise is a potent and vital force in conservation with proven achievements to its credit. A healthy debate on how to build on that resource to meet current and future conservation issues will help us all to focus on new problems and solutions.

JENNIFER A PAGE

Chief Executive

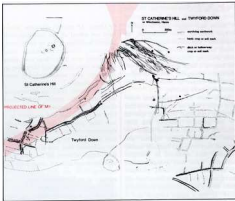
THE M3 PAST WINCHESTER

There is no doubt that the 2½ mile section of the M3 planned to run past Winchester needs to be completed. The arguments about how this can or should be done have been long and often fierce. English Heritage became involved almost from the time of its creation and our evidence given at the Public Inquiry raised some issues of principle,

which the recent decision on the route of this controversial section has only partially answered.

On 27 February 1990 Cecil Parkinson, Secretary of State for Transport, announced that the Department's published proposals for completing the M3 motorway around Winchester were to go ahead. Both he and Chris Patten, Secretary of State for the Environment, accepted the recommendations of the Inspectors who conducted Public Inquiries in 1985 and 1987–8 that a dual three-lane motorway in a cutting across Twyford Down was the solution to the problem of replacing the A33 Winchester bypass.

This decision has a number of serious implications for the historic environment. At the enquiry in 1987, English Heritage envisaged three main areas of concern about this route: first, that the archaeological value of Twyford Down and the archaeological landscape of which it forms part is of such importance that the main alternative proposals, including a tunnel, were to be preferred; second, that if the Department of Transport route were to be accepted, large-scale archaeological investigations costing more than £0.5m would be necessary and would require the provision of resources on a scale which English Heritage could not guarantee to meet; and finally, the concept of making St Catherine's Hill, with its important complex of ancient monuments, more accessible to the public has significant conservation management implications.



Twyford Down: the plan submitted to the inquiry by RCHME

THE IMPORTANCE OF TWYFORD DOWN

The Inspector's recommendations have addressed these three points. Dealing firstly with the archaeological importance of Twyford Down, the report confirms that 'the area is unquestionably one of significant concentration, complexity and interrelation of nationally important archaeological systems, settlements and features, parts of which would be damaged or destroyed. Of the routes under review the Department's proposals would undoubtedly have the greatest adverse impact on the archaeology.' This conclusion can be welcomed in that it clearly shows the acceptance in a public tribunal of the concept of archaeological landscapes as areas of importance rather than as a series of specific sites. It also clearly states the consequences of the acceptance of the Department of Transport route.

So why was this route preferred? The decision letter of the Secretary of State makes this clear: 'environmental issues cannot...be considered in isolation from the objective of achieving value for money to which the Government remains committed.' The estimated extra costs for putting a tunnel under Twyford Down are £92m, and the running costs are also higher. There is as yet no framework for a notional 'value for money' costing for preserving the historic environment that is sustainable at a Public Inquiry. Traffic numbers, noise, and construction costs can all be quantified and be estimated after a fashion. However, if we take the Twyford Down landscape with its nationally important archaeology, its designations as an Area of Outstanding National Beauty and Site of Special Scientific Interest, what price do we put on its preservation in terms of cash? The £92m cost of a tunnel under the Down is clearly felt to be too high a price to pay; but the damage to Twyford Down is a loss to a national resource, even though we may not yet be able to put a figure on it.

THE NEED FOR ARCHAEOLOGICAL WORK

The second issue at the Public Inquiry brought forward by English Heritage was that of the charge on public resources if archaeological investigations had to be carried out. As the area was so important, we argued that if the road went ahead through Twyford Down, archaeological investigations had to take place. The high costs of this work, if funded from English Heritage's resources alone, could tie up an abnormally large proportion of our budgets for archaeological recording and starve other sites and projects of support and funding. The Inspector in his report said that, 'I believe that it is incumbent upon the Department as the developer to arrange for sufficient financial support to ensure proper investigation and recording of the affected sites.'

In reply, the Secretary of State has first commissioned a detailed exploratory survey of the archaeology of the affected areas. This is to be carried out in consultation with English Heritage in order to determine more exactly what the costs of the necessary archaeological work prior to the start of road building will be. This work is currently being carried out by the Trust for Wessex Archaeology in consultation with the local planning authorities. Ideally, this phase of investigation would have best been carried out before the Inquiry took place. In future, such evaluations should be carried out either before the preferred route is announced or well before the Public Inquiry. Where irreplaceable elements of the historic environment are at stake, it would clearly be in the public interest if the expert witnesses fielded by English Heritage had all the facts about the archaeological implications at their disposal and could therefore give a balanced view of the loss to the nation and an accurate one of the costs of the necessary work.

The decision letter of the Secretary of State for Transport also said that our arguments for extra funding related to Government policy and were therefore outside the Public Inquiry process. In this context, English Heritage was pleased to hear recently that the amount of money paid by the Department of Transport in respect of archaeological work in advance of road-building schemes had been increased this year from £100,000 to £500,000. Once the exploratory investigations have taken place on the line of the M3, we will be considering whether the Department of Transport needs to be made aware of any additional resource implications.

An associated matter was the question whether excavation can be an adequate substitute for preservation. The Inspector accepted the view that 'excavation is a second best option to conservation until it is decided upon for scientific reasons and the appropriate resources are assembled.' He was nonetheless swayed by the view that 'valuable evidence has been derived from archaeological investigations conducted on sites affected by road schemes which by disclosing their potential have contributed to the sum of archaeological knowledge.' While this view has certain attractions, English Heritage is worried about its wider applications: we must reaffirm our commitment to a presumption in favour of the preservation *in situ* of important archaeological remains.

THE MANAGEMENT OF ST CATHERINE'S HILL

The third issue aired at the Inquiry was that of the indirect effects of the road on the management of the area. The Department made much of the concept of 'returning the Hill to the city' because of the closure and grassing over of the existing A33 bypass. The Inspector accepted our arguments that the ensuing rise in visitor numbers was likely to increase the damage from erosion which already occurs and cause harm to archaeological and historical features. He accepted that proper management could overcome these problems and he recommended that the Department of Transport should undertake a study to consider the measures necessary to protect the area and to include its natural history and recreational aspects. The Department of Transport, whilst considering this carefully, decided that it is inappropriate for the Department to interfere in the proper functions of the local authorities and other bodies who have statutory and financial

responsibilities for securing countryside management agreements. It has, however, offered co-operation over the reinstatement of the existing bypass within any agreed management regime. English Heritage agrees that the better understanding and enjoyment of the complex of monuments and historical features in the area is a very desirable objective. To achieve this without causing damage to this resource means that the implementation of a management plan catering for all conservation, environmental, and recreational factors is vital. This will absorb additional costs in planning, execution, and monitoring – a further call upon the resources of the various bodies involved. The need for this management study and plan was clearly accepted as a consequence of the overall road proposals by the Inspector: a more generous response to the opportunities for positive conservation measures within the scheme by the Department of Transport would have been welcome and would have formed a good example for other, private developers to follow. For the first time, English Heritage approached the Public Inquiry at Winchester in an attempt to assess the effects of a road scheme in a broad way. When the Secretaries of State announced their decision, we said that we were ‘disappointed’. This rather restrained reaction has to be put in context: we recognise that the decision is based on a number of complex factors of which the effect on the historic environment is only one. Such complexities – and the effects of such a scheme on the historic environment – are not unique to the Winchester M3, and it is clear that we must seek to develop approaches which will allow us to assess more accurately the ‘value’ of the historic environment in a form that developers, Public Inquiries, and Government can readily appreciate. In this way, we can ensure that developers, public and private, cost in, and where necessary bear the full reasonable resource implications of proposed works.

DAI MORGAN EVANS

FUTURE WHITE PAPER ON THE ENVIRONMENT

The Government has announced its intention of publishing in the early autumn a White Paper on the Environment. The Department of the Environment is currently collecting views from interested bodies, including those in the conservation and heritage world, on policy initiatives for inclusion. English Heritage has made an extensive submission, which it is now discussing with officials in DoE. Our suggestions range over landscape, gardens, new grants for special structures, greater enforcement of existing controls, and fiscal measures. The local authority associations will all also, presumably, be putting views to Government. In addition, the Secretary of State for the Environment, speaking at a joint English Heritage/English Historic Towns Forum seminar on 8 May, urged local authorities with particular conservation-related problems, which might be solved by new policies or amendments to old ones, to make their case either directly to DoE, or through the EHT Forum.

The next issue of *Conservation Bulletin* will include a wide-ranging review of the issues which might be addressed in the White Paper.

JENNIFER PAGE

BUILDINGS AT RISK GRANTS

We have widened the grant schemes for buildings at risk. From now on, not only buildings in risk category 1 but all buildings at risk (those in risk categories 1–3) will be eligible. For an explanation of the risk categories, see our risk scale.

The grants are subject to the same criteria as before: the building must be listed, and either ‘outstanding’ or situated in a conservation area. The standard grant rate is 25% (or 40% for outstanding buildings).

Local authorities are reminded that buildings-at-risk grants are available for action under section 101 of the Town and Country Planning Act 1971. A council is eligible for up to 50% of any costs that it is unable to recover from the owner.

GAYNOR ROBERTS

For further details, contact Vanessa Brand or Gaynor Roberts on 071-973 3816/7.

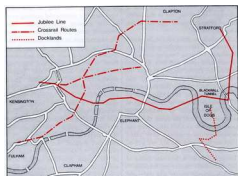


LONDON RAIL SCHEMES

London Regional Transport has published proposals to improve the quality of service for passengers and to tackle congestion over the next ten years. A number of radical new solutions have been put forward. These include new safety measures, station improvements, and the provision of possibly several new lines aimed to meet anticipated increases in peak traffic demand of 20–30% by the year 2001. The provision of this new infrastructure will have a significant impact on many listed buildings and conservation areas across London for some years ahead.

Three major new underground lines are planned – the recently approved Chelsea to Hackney line, the Cross-London Rail Link from Paddington to Liverpool Street which is designed to relieve pressure on the overcrowded Central Line, and an extension of the Jubilee Line to link Docklands with Central London. All three will rely heavily on contributions from private developers.

Of the three, plans for the Jubilee Line are the most advanced under the provisions of the London Underground Bill deposited in November 1989. Perhaps the most alarming aspect is that Clause 14 of this private bill represents another attempt to remove statutory conservation controls in a similar manner to the notorious Clause 19 of the King's Cross Railway Bill, although in this case English Heritage has argued successfully for *locus* in the House of Commons' Court of Referees (see the article by Margaret Scott in this issue).



Map showing the extensions to railways in London

The Jubilee Line extension will run from Green Park to Stratford through Westminster, Waterloo, Southwark, London Bridge, and Bermondsey, and on into Docklands via a recently-announced amendment to include Greenwich. The Environmental Assessment Report admits that the visual amenity and setting of several historic areas will be at risk from noise, dust, and vibration both during and after construction.

Hardest hit will be the southeast corner of St James's Park, the centre of Parliament Square (where the listed statues will be removed and stored), and Jubilee Gardens, all of which will become major construction sites for a period of three or four years.

The evaluation of settlement risk along the route is not yet complete, but it cannot be discounted, particularly near the proposed stations. Five sites of potential archaeological importance have been identified along the route including the site of the Roman and medieval settlement in North Southwark and the Saxon and medieval settlement at Rotherhithe, but it is intended that a thorough archaeological assessment of each will be made before construction begins.

The environmental implications of the Chelsea to Hackney line are less clear. The published route from Fulham Broadway to Homerton affects several key areas including Cheyne Walk, Sloane Square, Piccadilly Circus, Tottenham Court Road, and King's Cross.

A more detailed environmental assessment will follow. LRT's determination to proceed with the Cross-London Rail Link, which would do more to alleviate congestion in Central London, has yet to receive the go-ahead from the Department of Transport, partly because of the difficulties of assessing which developers would benefit most from the line, and should therefore contribute towards its total cost of £1.4 billion.

Elsewhere, doubts remain over the financial feasibility of the proposed £130m Docklands Light Railway extension from the Isle of Dogs to Lewisham, but in Southwark, British Rail's Thameslink improvements for Network South-East may involve the partial demolition of the recently-restored Hop Exchange in order to allow the widening of the existing viaduct behind it. In historic buildings terms, this could prove to be one of the most damaging of all the current rail schemes, with disastrous consequences for the listed Hop Exchange and a detrimental impact on the intimate character of the surrounding Borough High Street Conservation Area.

PHILIP DAVIES

BATTERSEA'S FORMER 'CATHEDRAL OF POWER'

London's 35,000 or so listed buildings vary greatly in size. Some items are quite small, such as the humble coal tax post. Others are huge landmarks, St Paul's Cathedral being an obvious example in this latter category. Battersea Power Station clearly comes into the huge landmark class. Indeed, its bold brick bulk is vast enough to engulf St Paul's. So, when the Central Electricity Generating Board closed the station in 1983, it could hardly be expected that the finding of a suitable and viable use would be an easy matter. The CEGB arranged a competition. Various ideas came forward, some of which would have led to differing planning and other problems. A giant rubbish incinerator was one idea and a conference/exhibition centre another. There were ideas, too, for a sports complex, for example, and for a mixed retail/residential scheme. However, the idea that won the competition was for a huge family entertainment and leisure centre.

Rides, shows, an ice rink, food, and retailing were planned on an ambitious scale. 'We're putting the fun back into London,' said Mr John Broome, the man behind the development of the leisure park at Alton Towers, North Staffordshire. Work on the Battersea Project started in a flurry of activity and a grand opening date was set for May 1990. Then, things started to go wrong. Changes to the building were found to exceed those for which listed building consent had been given and English Heritage had to remonstrate about this. Worse was to follow. The flurry of activity suddenly ground to a standstill. Some parts of the structure were left roofless, while other areas contained cut off rainwater pipes which were left to discharge in places that had never originally been intended to receive water.



Battersea Power Station, the Control Room in use (CEGB)

Once again, English Heritage has been on the scheme, together with representatives from the London Borough of Wandsworth and from Lehrer McGovern International to discuss protection measures, particularly of the more delicate parts of the building, while the hiatus continues. Of special concern has been the splendid Art Deco Control Room pictured here. The famous banks of switches and dials have been carefully cocooned in protective plastic sheeting, the polished hardwood floor has been covered over, and various leaks in the Control Room roof have now received attention. Regular inspections are made and further holding action may yet become necessary.

What of the longer-term prospects for this former ‘Cathedral of Power’ and well-known London landmark, with its four distinctive chimneys and details by Sir Giles Gilbert Scott? A new outline scheme has been put forward by the Alton Group and ICA Holdings, retaining the leisure concept, but introducing substantial hotel and other commercial elements on an extended site, with consequent implications for the setting of the listed building. At least one rival scheme is on the table too, put forward by the Business Design Centre of Islington, for an exhibition centre for the construction industry. As the former grand opening date of May 1990 has come and gone, it remains a case of ‘watch this space’. And a very large space it is.

PHILIP WHITBOURN

HISTORIC FOOTBALL GROUNDS

Association Football occupies a large and long-standing place in Britain’s national life; most major towns have a football ground. However, like many other building types of the late nineteenth and early twentieth centuries, they were not usually intended to be major works of architecture, and there are only three football buildings in the whole of the United Kingdom which are listed. Two of these are at Craven Cottage, Fulham FC’s ground in West London (of 1905), and the third is the South Stand at Ibrox Park in Glasgow, home of Rangers FC (of 1929). The Empire Stadium at Wembley, of 1922–3, is listed, but is not strictly a football building.

Organised football did not produce any permanent buildings until the late nineteenth century: the key date is the formation of the Football League in 1888. Most of the first generation of buildings were temporary wooden structures, replaced in a wave of rebuilding, 1900–1914. However, 58 of the present 92 League Clubs in Britain moved into the grounds which they now occupy between 1880 and 1910.

Perhaps half a dozen wooden stands survive from before 1905, all as plain and unambitious as one would expect. However, in the 1890s, a Scots engineer, Archibald Leitch, emerged as the leading designer of football grounds. From then until his death in 1939, he laid out at least 25 of the 92 League Club grounds. Leitch evolved a set formula: a rectangular pitch (when the site was relatively cramped) or an amphitheatre shape with curved ends (in order to accommodate a running track, so that other events could be held there) was laid out; on three sides there would be open banked terracing, usually on solid infill, sometimes terraced up on girders; on the fourth side, there would be a covered stand, sometimes housing offices, changing rooms, and so on.

The earliest surviving Leitch building, and the finest pre-1914 football building to survive, is the Stevenage Road stand at Craven Cottage, listed Grade II in 1987 and currently under threat of partial demolition. It has a long, three-storey red brick facade which, unusually, is given a cheerful proto-Jacobean architectural treatment – few football clubs had the money to make such a gesture. However, the site is currently being considered by a public inquiry, following an application to redevelop it for housing. English Heritage resisted the applicants’ scheme vigorously – it would involve gutting this unique building, completely destroying its character and historic interest.



Stand at Highbury Stadium by Ferrier and Binnie

Leitch’s later works were often larger, but apart from an early use of the Hennebique ferro-concrete system (in 1907, for Liverpool FC, now demolished), he was not a great innovator. Good examples of his ‘double decker’ stands survive at Goodison Park (Everton FC), Roker Park (Sunderland FC), and Fratton Park (Portsmouth FC). Two of Leitch’s

stands have higher architectural ambitions – his immense 10,000 seater South Stand at Ibrox Park, Glasgow, which is listed, and the Trinity Road stand at Villa Park, Birmingham (Aston Villa FC), where the facade is treated with big round windows and pilasters, rather as if it were a grand factory or warehouse, with a great flight of steps to the central entrance.

The masterpieces of inter-war football building are the East and West Stands at Highbury Stadium, home to Arsenal FC, in the London Borough of Islington, of 1932–6. The club, on a high tide of professional and financial success, commissioned the architects Ferrier and Binnie to give them something a cut above their rivals. The resulting stands retain their fine Art Deco detailing inside and out, in particular on the long facade to Avenell Road, and in the suite of reception rooms for directors and guests on the first floor.

Booming attendances after the Second World War provoked a great wave of rebuilding: this and increased safety requirements have led to the removal of much of the historic fabric from most British football grounds. The recent innovations – floodlighting, cantilevered stands, executive boxes – have occasionally produced daring and impressive structures (at Celtic Park in Glasgow, or Stamford Bridge, where Chelsea FC play, for instance, or Highbury, where new executive boxes have been added at the Clock End in a manner that in no way detracts from, and in some ways enhances, the historic East and West Stands).

However, even as many clubs competed to rebuild, attendances were in steady decline from the late 1940s until 1985. They have recovered slightly from this nadir, but many clubs are left financially weakened, with crowds that only fill a fraction of their stadia, sitting on sites with great redevelopment value. The clubs' problems have been compounded by public outrage about hooliganism and by concern over ground safety – complying with recent requirements is not cheap or easy.

Is historic buildings conservation a legitimate concern in this vexed situation? This is an area of peculiar sensitivity: safety considerations must be paramount after the Hillsborough disaster. Fortunately, however, the most historically and architecturally interesting parts of football grounds are the seated areas (the confusingly named 'stands'), so that the recommendation of the Taylor Report that grounds should become all-seater and the implementation of other safety measures should not conflict with the interests of conservation.



Highbury Stadium, Avenell Road, home of Arsenal FC

Britain is the birthplace of Association Football, the world's most widely-practised sport; football is one of our major national pastimes and a large part of our sporting and social history, and football grounds are a much-loved part of the British scene. Other highly-specialised building-types have survived to find new leases to life; it is at least worth considering how the few finest football buildings might be preserved to embody the history of their clubs and, indeed, of the game.

STEVEN BRINDLE

A BRIDGE TOO NEAR

On 19 June 1990 a public inquiry will begin to examine the proposals by Shropshire County Council to construct a new road bridge over the River Severn at Ironbridge. For several years now the Free Bridge, which carries the B4373 over the Severn at Ironbridge, has been spanned by a temporary bailey bridge. A 10-tonne weight limit is in force and there is single-lane traffic controlled by traffic lights. The Free Bridge itself is an

early example of ferro-concrete using the Hennebique-Mouchel technique and is protected by a Grade II listing.

Shropshire County Council now wish to construct a replacement bridge with a 38-tonne capacity to replace the limited capacity of the Free Bridge. Originally, the intention was to site the replacement either immediately upstream or downstream of the Free Bridge.

However, the Council have now put forward a scheme to construct a new bridge midway between the Free Bridge and the Iron Bridge itself. The new site, at Ladywood, would span the river some 500m downstream of the Iron Bridge and would be clearly visible to those standing on the Iron Bridge or looking through its arch at river level, which is perhaps its most celebrated viewpoint.

Shropshire County Council argue that the Ladywood bridge avoids a sharp bend in the approach road to the south of the river and is the best traffic solution.

The world-famous Iron Bridge, which is both a scheduled monument and a Grade I listed building, was built by Abraham Darby between 1777 and 1781 and was the first major structural use of cast iron in the world. It stands as one of the most potent symbols of the Industrial Revolution. English Heritage, who have the care of the Iron Bridge, object to the intrusion of the proposed road bridge into Ironbridge Gorge on two principal grounds. First, it will bring a modern concrete, 38-tonne bridge within sight of the Iron Bridge. At the moment, the Iron Bridge is seen as the only bridge crossing the river at that point. To build a modern road crossing within sight of it would inevitably detract from the achievement of its building. Second, the new road bridge would attract additional through-traffic, including lorries, into the Gorge which is a designated conservation area and is one of only eleven World Heritage Sites in the United Kingdom. In English Heritage's view, the building of the Ironbridge bypass, together with a rebuilt Build-was bridge and the proposed Much Wenlock bypass, will provide satisfactory routes for through-traffic wishing to traverse the Gorge. These routes should take through-traffic away from the Gorge, rather than funnel it into the already congested historic core of Ironbridge.

English Heritage consider it premature to build a major new river crossing at Ironbridge, before the effect of the bypass has been gauged and a comprehensive traffic management scheme devised. The Free Bridge itself could be repaired, as an historic structure in its own right, to take local traffic up to 3 tonnes. And if a higher capacity bridge is needed over the Gorge, then it should be built adjacent to the Free Bridge and not within sight of the Iron Bridge.

The inquiry, which is open to the public, begins on 19 June 1990 and will take place at the Long Warehouse, the Museum of Iron, Ironbridge. It is expected to take around two weeks for the Inspector to hear the evidence of the interested parties. The Secretary of State for the Environment will then, after considering his Inspector's report, take the decision as to whether the proposed new bridge at Ladywood should be given permission to go ahead. The result will be of considerable interest to all who are concerned with what are seen as the often conflicting objectives of traffic and conservation.

CHARLES BIRD

GRANTS OFFERED IN 1988-9 AND 1989-90

The table below reports on the offers made in our major grant schemes for the last two financial years. Figures for 1989-90 are provisional.

HISTORIC BUILDINGS

| | | 1988-9 | | 1989-90 |
|----------------------|--------|--------|--------|---------|
| | | Cost | | Cost |
| <i>Section 3A</i> | Number | (£000) | Number | (£000) |
| New offers (secular) | 201 | 6337 | 160 | 6078 |

| | | | | |
|---------------------------------|-----|-------|-----|-------|
| Increased offers (secular) | 89 | 889 | 81 | 1054 |
| New offers (churches) | 319 | 4722 | 294 | 5225 |
| Increased offers (churches) | 199 | 1699 | 217 | 1657 |
| Gardens | 40 | 170 | 47 | 240 |
| TOTAL | 848 | 13817 | 799 | 14254 |
| <i>Acquisition (section 5B)</i> | | | | |
| TOTAL | 6 | 72 | 2 | 91 |

HISTORIC AREAS

Section 10

| | | | | |
|------------------|-----|------|-----|------|
| New offers | 399 | 3730 | 336 | 2978 |
| Increased offers | 117 | 552 | 122 | 798 |
| TOTAL | 516 | 4282 | 458 | 3776 |

LONDON

Section 3A

| | | | | |
|-----------------------------|----|------|----|------|
| New offers (secular) | 14 | 853 | 14 | 417 |
| Increased offers (secular) | 9 | 168 | 5 | 55 |
| New offers (churches) | 17 | 559 | 19 | 1056 |
| Increased offers (churches) | 25 | 164 | 16 | 269 |
| TOTAL | 65 | 1744 | 54 | 1797 |

London grants

| | | | | |
|------------------|-----|-----|-----|-----|
| New offers | 125 | 451 | 101 | 545 |
| Increased offers | 21 | 46 | 18 | 55 |
| TOTAL | 146 | 497 | 119 | 600 |

Section 10

| | | | | |
|------------------|----|-----|-----|-----|
| New offers | 68 | 774 | 85 | 764 |
| Increased offers | 13 | 66 | 15 | 66 |
| TOTAL | 81 | 840 | 100 | 830 |

ANCIENT MONUMENTS

Rescue archaeology

| | | | | |
|------------------|-----|------|-----|------|
| New offers | 260 | 3590 | 238 | 2518 |
| Increased offers | 40 | 977 | 96 | 2225 |
| TOTAL | 300 | 4567 | 334 | 4743 |

Section 24 (repair)

| | | | | |
|------------------|-----|------|----|-----|
| New offers | 126 | 1175 | 82 | 879 |
| Increased offers | 20 | 126 | 3 | 15 |
| TOTAL | 146 | 1301 | 85 | 894 |

Section 17 (management)

| | | | | |
|--------------------|-----|-----|-----|-----|
| New agreements | 42 | 36 | 50 | 48 |
| Renewed agreements | 74 | 64 | 84 | 54 |
| TOTAL | 116 | 100 | 134 | 102 |

N P de LANGE

REVISED DIRECTORY OF GRANTS

The *Directory of public sources of grants for the repair and conversion of historic buildings*, published by English Heritage, has been revised. It gives details of various grants which could be used in the repair of historic buildings. The publication is in a loose-leaf format, so that updates can be added.

If you already have a copy of the previous *Directory*, you can order the new pages only. Over half of the entries are new or revised pages, so the updates are good value at £1.50. Each local authority will receive one free copy of the updated pages. Anyone who asked to be notified of any updates when they purchased their original directory will automatically be sent details.

The revised directory is available from English Heritage Academic & Specialist Publications Branch, Room 241, Fortress House, 23 Savile Row, London W1X 1AB, price £8.00 including postage and packing. The new pages are available from the same address, price £1.50 including postage and packing.

WATERLOGGED WOOD

The proceedings of the conference held in January 1990 on the recording, sampling, conservation, and curation of structural waterlogged wood have now been published by the Wetland Archaeology Research Project. The 49 page book is available for £4.50 (including post and packing; cheques payable to English Heritage) from the Ancient Monuments Laboratory, Fortress House, 23 Savile Row, London, W1X 1AB.

FUNDING FOR HISTORIC STORM-DAMAGED GARDENS

The storm of October 1987 caused extensive losses to the landscape of southeast England and, in response to this damage, English Heritage established a scheme of grant-aid for parks and gardens which it has declared outstanding. Since then, £1¼m has been made available for restoration schemes. Further grant-aid for parks and gardens damaged in gales earlier this year is available. Grants for sites of outstanding historic interest cover tree clearance (25% rate), tree surgery, ground preparation, and replanting and protective fencing (50%), and professional advice for preparing restoration schemes (75%).

Two guidance leaflets on preparing restoration schemes are available free to owners and professional advisers from English Heritage, Room 314, Fortress House, 23 Savile Row, London W1X 1AB. Parks and gardens not declared outstanding by English Heritage, but on its Register of Historic Parks and Gardens, may still qualify for grants from the Countryside Commission. Owners should approach English Heritage in the first instance.

ST MARY-AT-HILL, LONDON

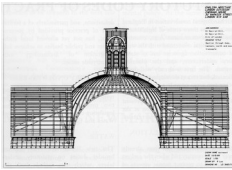
On the night of Monday, 10 May 1988, the roof of the church of St Mary-at-Hill in the City of London was badly burnt in a fire. The central dome and lantern, together with the tunnel vaults above the nave choir and transepts, fell into the body of the church leaving sections of roof in the north-east, south-east, and south-west bays relatively intact but structurally unsound. Although the fire was confined to the lead-covered roof, its collapse caused much damage to the interior of the church. The fire also spread to the second floor of the tower which housed the clock mechanism and the bells.

The church of St Mary-at-Hill had been rebuilt by Wren in the form of a Greek Cross, following the virtual destruction of the medieval church in the Great Fire of London. Wren incorporated the medieval tower and fragments of the outer walls into his new church and probably reused the medieval wall foundations. The medieval tower was later rebuilt by George Gwilt in 1787–9, and Wren's roof was replaced in 1826–7 by James Savage, when it was shown to be in very poor condition. It was the Savage roof, altered again by the insertion of a lantern into the dome, which was destroyed in the fire of 1988.



The interior of the church of St Mary-at-Hill, photographed shortly after the fire in May 1988

Immediately after the fire, English Heritage urged the church authorities to attempt a total restoration and offered assistance in the form of technical skills and advice. Since there were no existing detailed drawings of the roof, English Heritage commissioned a photogrammetric survey of the surviving fabric by the Institute for Advanced Architectural Studies at York and set in hand an archaeological study of the fire-damaged timbers by our London Division Drawing Office, assisted by the Museum of London's Department of Urban Archaeology. This study resulted in a relatively complete theoretical reconstruction of the roof, which has been used by the Church's engineers to analyse its structure and to obtain tenders for its eventual restoration.



A computer-aided drawing of the roof, reconstructed from fire-damaged timbers and the surviving fabric

Under archaeological supervision, the timbers and plaster fragments were removed from the church to a temporary store, where the timbers were spread out on the floor in rows and grouped according to type: curved hardwood sections, curved laminated members, single tenons, double tenons, etc. The best surviving examples of each type were drawn. Some timbers, especially those from the lantern, had survived the fire almost intact, while others were heavily charred and incomplete. With the aid of photographs of the interior of the church taken before the fire, the plaster fragments were also sorted according to type and location.

The Savage roof is interesting not only for its fine plaster detail, but also because it displayed some advanced engineering design. The main beams supporting the roof trusses incorporated compression struts and tensioning bolts. Tightening of the bolts caused the beams to deflect upwards and inwards towards the apex of the vaults counteracting their downward and outward thrust.

The lantern, however, was an afterthought, inserted by Savage in 1848–9. The Vestry Minutes tell us that it replaced a ventilator in the dome. No traces of the original ventilator were recorded in the survey, but it seems reasonable to assume that, like the lantern, it too was set within the upper ring beam of the dome.

The lantern itself was octagonal in plan and comprised a lower stage of eight round-headed windows and an upper stage of louvres and opening panels, clearly intended to provide ventilation. The two stages were physically separated internally, however, by a small plaster dome which would have prevented air from passing from the church through to the upper stage of the lantern. This small dome therefore represents yet another modification to the roof.

As well as providing a detailed record of the construction and the design history of the roof St Mary-at-Hill, the archaeological survey of the roof has played a significant role in the assessment of the feasibility of its eventual restoration.

RICHARD LEA

COUNTRYSIDE LEGISLATION AND STATUTORY CODES OF PRACTICE

Archaeological conservation in England has roots in three areas of legislation – the ancient monument Acts, countryside legislation concerned with the work of conservation agencies and of statutory undertakers, and the planning system. The first is already well-documented, but recent developments in the other two areas provide a useful opportunity for a new overview. This note, the first of two, describes the present range of countryside legislation at the disposal of archaeological conservation.

COUNTRYSIDE LEGISLATION

Ancient monument law was already over half a century old when the earliest legislation to protect scenic aspects of the countryside was enacted in the postwar years. The archaeological dimension of the modern landscape was therefore already recognised in the new provisions. The Countryside Act 1968 is part of the legislation which empowers the work of the Countryside Commission. It enables National Parks to provide educational and tourist facilities for 'objects of architectural, archaeological or historical interest' in their areas and gives responsibilities to government and public bodies (such as English Heritage and the privatised water companies) to take account of countryside matters in all aspects of their work. The Wildlife and Countryside Act 1981 also gives protection to historic components of the landscape through use of s39 management agreements to conserve and enhance landscape 'amenity'. Management conditions can also be attached to Inheritance Tax exemption for land of outstanding historic importance under legislation deriving from the Finance Act 1975. A more recent attempt to combine conservation interests in the countryside informed the drafting of the Environmentally Sensitive Areas (ESA) legislation in the Agriculture Act 1986, whose objectives include the protection of historic features in traditional landscapes. The scheme is due for review in 1991, but it has already made a valuable contribution to archaeological conservation.

This body of legislation has encouraged National Parks and some local authorities to pioneer good practice in this field. However, lack of clear definitions, and particularly of a formal code of practice provided by government, has not yet allowed local authorities and public bodies to achieve full integration of archaeology with countryside issues.

STATUTORY UNDERTAKERS

Statutory undertakers have long had responsibilities for conservation. The two most recent additions to this legislation concern the newly privatised Water and Electricity companies.

WATER

The new Water Act 1989 imposes broader duties on statutory undertakers, which now include both the privatised companies and the National Rivers Authority (NRA), than those laid down in previous legislation. Their duties are 'to have regard for the desirability of protecting and conserving buildings (including structures), sites and objects of archaeological, architectural and historic interest,' for the protection of their setting and amenity value, and the maintenance of public access. This gives a measure of statutory protection to archaeological landscapes owned by water companies. In some circumstances, the Act also allows this favoured status to be passed on to future owners by management agreements or covenants governing future landuse and public access or encouraging good conservation practice. This is a new statutory procedure, managed by the Countryside Commission in partnership with English Heritage and other major conservation agencies and local authorities. It is restricted to land disposals in designated areas – National Parks, Areas of Outstanding Natural Beauty, and Sites of Special Scientific Interest – which are often also areas of the highest archaeological significance.

Perhaps the most significant aspect of the Water Act is that s10 empowers the Secretary of State to issue practical guidance to water companies on how they should meet their conservation duties, principally by setting out best practice. This is not an entirely new approach, as similar guidance for drainage undertakers has existed since 1982, and the publication in 1988 of a revised document (*Conservation guidelines for drainage authorities*) was a major step towards archaeological conservation.

The new Water Act Code of Practice (1989) marked a further advance. It is a statutory document, and modification or revision are subject to consultation with English Heritage and other conservation bodies; it will also be subject to periodic monitoring and review by a DoE standing committee representing all conservation interests. Together with the drainage guidelines, it provides comprehensive advice on all functions and operations of the Water Act. There is greater emphasis (through consultation and liaison, staff training, data collection, strategic management plans, and forward planning) on the continuous integration of conservation issues into the operational and planning work of water companies and the NRA. This should encourage increased trends towards positive conservation rather than mere reaction to development threats.

ELECTRICITY

Electricity privatisation has taken a slightly different course in defining conservation duties. Under the Electricity Act 1989, new power stations and overhead lines above specified sizes require the specific consent of the Secretary of State, and the general duty to 'take into account...the effect on the physical environment' of electricity operations also rests with the Secretary of State rather than statutory undertakers. Responsibility for conservation may, however, be passed on to individual companies as conditions of their operating licences.

Licence holders are subject to Schedule 9 of the Act, which requires them to 'have regard to the desirability of...protecting sites, buildings (including structures) and objects of architectural, historic or archaeological interest'. They are also required, after consultation with English Heritage and other national agencies, to prepare a statement setting out the manner in which these duties will be performed. Unlike the Code of Practice for the Water Act, Schedule 9 statements are non-statutory documents which do not require the Secretary of State's approval.

National Power, National Grid, and PowerGen, the three main successor companies to the CEB, prepared a brief statement of their intended environmental policy while the Bill was in parliament. This statement was welcomed by conservation agencies as a declaration of intent and it formed a starting point for discussions with the new companies. Schedule 9 statements, currently in preparation, will be more wide-ranging and detailed, closer in content to the Water Acts Code, and setting out, for example, broad principles for their work. The statements prepared by the major national companies will be important models for the many smaller companies which are expected to be licensed in the next few years.

THE FUTURE

Opportunities to widen archaeological legislation will continue, while the Countryside Commission's current 'National Parks Review' may provide an opportunity to build on existing legislation in these areas. In the meantime, we will gain experience of operating the new Water Code and we will work with the electricity companies to produce their statements of environmental policy. At the same time, there is a need for us and our partners in the Countryside Commission and Nature Conservancy Council to make the most of existing countryside legislation for the safeguarding of the archaeological and historic components of the landscape, before planning any future extensions of statutory protection.

GRAHAM FAIRCLOUGH

PALACE HOUSE MANSION, NEWMARKET, SUFFOLK

In a recent High Court decision, the owner of a listed building was fined £25,000 for contempt of court and ordered to pay the costs of the proceedings, after failing to comply with an injunction to halt unauthorised works to the Grade II listed Palace House Mansion in Newmarket, Suffolk.

The injunction was obtained by Forest Heath District Council after Mr McClean of Kingsland Investments had refused to cease work, contending that listed building consent was not required for 'repairs', which included the cement rendering of the fine redbrick, tuck-pointed facade. He subsequently ordered work to continue for a week after the injunction had been served.

At the hearing, held on 6 April at the Royal Courts of Justice in the Strand, Mr Justice Brown took an extremely serious view of the offence, which he considered demonstrated a flagrant and cynical disregard for the court order and had resulted in the 'desecration' of the listed building. He took into consideration the undertakings given immediately before the hearing by Mr McClean, which included provision for the District Council to carry out (at Mr McClean's expense) remedial and restorative works to the external walls of the building. Nevertheless, he imposed the fine of £25,000 in recognition of the severity of the offence.

Palace House Mansion dates in its present form from c 1820 but incorporates the sole remaining wing of the palace which Charles II built in Newmarket in 1668–71 to the designs of the gentleman architect William Samwell, and which was remodelled in 1705 for Queen Anne. The Rothschilds were responsible for further embellishments after they acquired the house and the adjoining stables in about 1870 as the headquarters of their highly successful racing establishment, thus maintaining the sporting tradition initiated by Charles II, and Edward VII was frequently entertained as a guest at the house.

In a recent English Heritage Press Release, Oliver Pearcey, Head of Historic Buildings Division, said: 'Owners and developers must be made aware of the serious nature of offences of this kind. The legislation has teeth which can and will bite hard, as the courts have now shown.' English Heritage's Research, Technical and Advisory Services are currently providing technical assistance to the District Council in an attempt to restore the building to its former appearance, and tests carried out to assess the viability of removing the cement render have so far proved encouraging.

JUDITH CLIGMAN

HISTORIC FARM BUILDINGS

Further to the concern of English Heritage over the reuse of redundant farm buildings, a one-day conference, entitled 'Old farm buildings in a new countryside', is to be held on 29 November 1990 at the Royal Institution of Chartered Surveyors' Westminster Centre in London. This has been organised by the Historic Farm Buildings Group and will aim to draw attention to the historical importance of these buildings, while discussing the best way forward acceptable to all those concerned with the management, farming, and planning for the future of the countryside. Further details are available from Dr Susanna Wade Martins, The Centre of East Anglian Studies, The University of East Anglia, Norwich, NR4 7TJ.

GEORGIAN GROUP

The Georgian Group has published two new guides for house owners on render and plaster and on historic wallpaper. Guide No 5, *Render, stucco and plaster*, provides a useful historical and practical guide to these materials with important tips on their maintenance and repair; this can be purchased for £1. Guide No 6, *Wallpaper*, gives an

insight into a neglected area of decoration and examines the problems of removal and matching; this costs £2. Both can be obtained by sending a cheque for the appropriate amount along with an A4-sized SAE to The Georgian Group, 37 Spital Square, London, E1 6DY.

The Group are also arranging a three-day conference on the subject of art and architectural theft and its prevention, in association with *Trace* magazine and hosted in Plymouth by the Devon and Cornwall Police. The conference will be held on 15–17 November 1990 and further details will be available from the Georgian Group in due course. English Heritage will be taking part.

SATELLITE DISHES

The drawings illustrating the three hypothetical cases of satellite dishes in the last issue of the *Bulletin* were inadvertently printed in the wrong order. As illustrated, the first example would only require planning permission; the second example would require listed building consent only; and the third example would require both planning permission and listed building consent. We apologise for the confusion!

DEEP WATER AT LEGBOURNE PRIORY



Legbourne Priory from the air: on the left, the earthworks of fishponds and water-management systems can be seen in the foreground; on the right, the site is viewed from the opposite direction and the large water filled excavation can be seen, destroying the earthworks (Royal Commission on the Historical Monuments of England)

On 4 April Lincoln Crown Court heard a case concerning the carrying out of unauthorised works on the site of Legbourne Priory. The Priory, a scheduled monument, was founded in the mid twelfth century by Robert Fitzgilbert of Tathwell as a Cistercian nunnery. It was suppressed in 1536, and closure caused a local protest – a march on Lincoln by the people of Louth – which grew into the Pilgrimage of Grace as its leaders carried the movement north into Yorkshire. Substantial remains of its fishponds and water-management systems survive as visible earthworks.

In September 1988 it came to the attention of English Heritage and the local authorities (East Lindsey District Council and Lincolnshire County Council) that extensive excavations were being carried out by the landowner without scheduled monument consent. A large area of about 60 by 100m had been excavated to a depth, in some places, of 8m in order to create a lake in the grounds of a private house. The excavation was halted after a telephone call requiring the stopping of works, but nonetheless the owner proceeded to spread spoil over the surrounding earthworks.

At the hearing, the owner pleaded guilty to a charge of causing damage to the monument contrary to section 2 of the Ancient Monuments and Archaeological Areas Act 1979. The damage to archaeological levels and remains of the medieval fishponds was considered by English Heritage as irreparable: the damage done by spoil-spreading was more superficial and was capable of partial remedy, if corrective works were carefully carried out. On behalf of the owner, a farming company, an apology was tendered ‘to the court and to the nation’ for the unauthorised works. It was said that no commercial profit had been secured by the carrying out of the excavations.

In pronouncing sentence, His Honour Judge Hutchinson said that he felt bound to regard the offence as a bad offence of its kind. There had clearly been a fairly deliberate breach of the law protecting scheduled monuments. It was a matter of public policy that fines must

have some element of deterrence, otherwise it would be easy for a person to carry out unauthorised works and then say that the site was not archaeologically or historically valuable. He therefore imposed a substantial fine of £15,000 and awarded agreed costs of £1400.

The prosecution was conducted by the Crown Prosecution Service with the assistance of English Heritage, the local authorities, and the Lincolnshire police. It was found particularly helpful to have photographic evidence showing the site before and after the offending works were carried out and also to have careful contemporaneous notes of official visits to the site by English Heritage's Inspector and of his conversations with the owner. The decision shows that the Crown Court is prepared to impose substantial fines in support of the legislation protecting scheduled monuments when clear evidence of an offence is produced.

POSTSCRIPT

Several useful responses have been received from local authorities giving details of the results and fines imposed by courts in respect of listed building prosecutions. Further reports would be helpful in building up a record of court decisions. They should be sent to the Legal Division, English Heritage, Keysign House, 429 Oxford Street, London W1R 2HD. Please note that the prosecution brought in respect of Dean Street, Soho, concerned a Grade II* building and not a Grade II building as stated in the article in the last *Conservation Bulletin*.

CHARLES BIRD

CONSERVATION AREAS

THE NEW ENGLISH HERITAGE REGISTER

English Heritage is publishing a new register of conservation areas. It is the first national list since that published by the Civic Trust in 1976, which included 3400 areas in England. The new list has been prepared by Graham Pearce and Leslie Hems of Aston University Business School. With 6300 areas now included, it reveals how far local planning authorities have progressed since 1976 and the direction which they are now taking. Up to 30 million people live in towns and villages which contain conservation areas: the new register names each area under the relevant district and county, but does not give the detailed map information held by the local authority. Any attempt to include 6300 maps in the English Heritage register would have placed the volume out of reach on the grounds of cost. Instead, each designated area is described in a minimum of words as it relates to the settlement in which it occurs.

A fuller, descriptive register has also been prepared in a four-volume format covering the South East, the Eastern counties, the North, and the West Midlands and South West. Even within these volumes, the descriptions are brief, but they classify conservation areas by type, distinguishing, for example, those which cover the bulk of the town centre and nearby older housing, those which cover only part of the town centre, and others which are focused on Victorian residential areas or major urban parks in the larger towns. For other types of conservation areas – in villages, country areas, or those round a significant historic feature – a similar broad classification is also adopted.

With 400 local authorities free to designate and with little day-to-day guidance at national level, the scope for imbalance and inconsistency would seem to be enormous. How far do those 6300 resolutions in council collectively echo the advice from DoE which expects conservation areas to be found in almost every town and in many villages and exhorts local authorities to give priority to places threatened by redevelopment or neglect and deterioration?

By computer logging, the Aston team has been able to shed light on the designation priorities adopted by different authorities over 20 years. The national picture which they have furnished suggests a need for consolidation with respect to village designation and indicates a lack of consistency in the designation of industrial towns. Some initiatives which could set a new pattern are revealed: for instance, the inclusion of tiny isolated rural communities and farmsteads within new and extensive conservation areas.

The single national volume which lists each conservation area by name will provide a source of reference pinpointing the nation's finest towns and villages. As such, it can be read in conjunction with gazetteers which offer pen portraits of these settlements. The Pevsner *Buildings of England* volumes will draw attention to the best buildings to look out for.

On the other hand, anybody concerned with designation in terms of policy and priorities will want to consult the regional volumes especially as these include reviews of national trends. Amenity societies, estate agents, and those concerned with property development should find the regional volumes ideal in providing an initial breakdown of those areas of towns and villages which have been designated. Along with the national volume, they will be valuable additions to the stock of source material on the historic environment.

As Circular 8/87 says: 'designation of a conservation area will be only a preliminary to action to preserve or enhance its character and appearance.' With the publication of these registers, more people will, we hope, want to help their 'local planning authority adopt a positive scheme for each area at an early stage.'

BRIAN HENNESSY

AN UPDATE ON 'CLAUSE 19'

In the last issue of the *Bulletin*, the question was raised as to how the voice of English Heritage would be heard while Parliament considered a private bill in respect of a proposed development in the King's Cross area of London. By the insertion of their 'clause 19', the bill's promoters were attempting to remove our statutory powers within much of the development area; moreover, English Heritage's right to be heard via its petition was disallowed by the House of Commons' Court of Referees. Concern was expressed that this Court, reflecting the Sovereignty of Parliament, gave no reasons for its decision; nor was there any right of appeal.

Since that time, at the Select Committee stage, the 'in principle' views of English Heritage have been expressed through the submissions of Counsel for the Victorian Society and, by the courtesy of the Committee, it was invited to answer some questions by members on the principle of clause 19 and an undertaking offered by the promoters. The Department of the Environment expressed the view that an undertaking could make the clause acceptable. A decision on clause 19 is awaited at the time of writing.

LONDON UNDERGROUND BILL

Similar clauses to clause 19 speedily followed in three works bills submitted in November 1989. In an attempt to control the current unsatisfactory situation, English Heritage again petitioned in the same way in respect of the London Underground Bill which seeks authority for the extension of the Jubilee Line.

On this occasion, following another challenge by the promoters, our right to be heard on 'clause 14' was upheld by the Court of Referees. Again, no reasons were given; this time, no appeal was available to the promoters.

English Heritage therefore now has the right to defend the removal of its statutory powers before the Select Committee. This may be too late to prevent a precedent being formed, and we may not succeed in obtaining leave to be heard on such cases before the Court of

Referees in the future; but we now have the right in respect of this Bill to express our views fully and clearly.

MARGARET G SCOTT

The switchboard can be reached on
071-973 3000 Named individuals can be contacted directly by prefacing the numbers
given here with 071-973

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Miss E J Sharman 30007

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Assistant Chief Inspector Historic Buildings

B J Anthony 3011

PROPERTIES IN CARE GROUP

Functions of this group closely related to conservation work include architectural,
engineering and surveying services, the research and technical advisory service, the
conservation studios and education.

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M S Pearce 3810

Room 10,14 Clifford Street

Buildings at Risk

Mrs V Brand 3816

Planning Issues

M J Coupe 3814

Research and Development

B A Hennessy 3813

Case work on Grants and Planning

Issues in Conservation Areas

South and West Region

Mrs A M McPherson 3818

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Listed Building Consent Casework Issues
Miss J Kerr 3021
Eastern Region Casework
Redundant Churches and Ecclesiastical Exemption Issues
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North Eastern/Yorkshire Region Casework
Repair Grants for Outstanding Historic Buildings (Section 3A) Issues
Historic Buildings and Churches
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I K Jardin 3019
North Western/East Midlands Region Casework
Historic Landscapes Issues
Local Authority Purchase Grants (Section 5B) Issues
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Ancient Monument Grants
Rescue Archaeology Grants
Countryside liaison issues
Ancient Monuments Advisory Committee
South and West Region
Dr G J Wainwright 3013
Midlands and East Region
G J Fairclough 3213
North Region
N P de Lange 3377
LONDON DIVISION
Miss S Andreae 3710
Room 217, Chesham House, 30 Warwick Street
Divisional Architect
Dr P Whitbourn 3712
London Advisory Committee Secretariat
P B A Hoppen 3714
Listed Building Consent Casework
Area Conservation
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Planning Issues

City, Camden, North East & North West

H Duckett 3782

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J Lee 3767

Kensington and South

P Davies 3740

Repair Grants for all Listed Buildings in London

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P B A Hoppen 3714

Research, recording, blue plaques

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Mrs J West 3800