

The Heritage Protection Review

The government first made a commitment to review the way we protect our historic environment in *The Historic Environment: A Force for our Future* (2001). The consultation paper *Protecting our Historic Environment: Making the System Work Better* (2003) set out the government's proposals for improving this system and objectives to deliver:

- a positive approach to managing the historic environment, which would be transparent, inclusive, effective and sustainable and central to social, economic agendas at a local and community as well as national level
- a historic environment legislative framework that provided for the management and enabling of change rather than its prevention.

The resulting government report, *Review of Heritage Protection: The Way Forward* (2004), included a series of short- and long-term measures. The first of the short-term objectives was implemented in April 2005, with the handing-over of responsibility for processing listing applications to English Heritage. Other long-term measures will require primary legislation and work on the Heritage White Paper is under way, with a provisional publication date for autumn 2006.

The core proposals of the Heritage Protection Review are:

1 A new unified Register of Historic Sites and Buildings of England (RHSBE) offering a holistic approach to the statutory protection of the historic environment through a single designation regime and new overarching definition of 'historic assets'.

2 A reformed heritage consent regime that will be implemented by local authorities, with assistance from English Heritage. It will build on the best of the present systems and is likely to distinguish between:

- below-ground (and water) archaeology and monumentalised structures
- historic buildings and structures suited to adaptive re-use
- historic landscapes and seascapes.

3 Voluntary 'heritage partnership agreements' that provide an alternative management regime for:

- large assets

- complex entities that comprise many similar or several different assets
- assets of a similar type in single ownership or management, but in dispersed locations
- assets that are better managed alongside other regimes (eg in the natural environment).

4 New statutory requirements relating to Historical Environment Records.

Local authorities will be required to maintain or ensure that they have access to an HER that meets nationally defined standards. These are likely to relate to data protocols, interoperability and the inclusion in HERs of:

- a local section of the RHSBE and local sites and buildings at risk registers
- relevant data from the national RHSBE maintained by English Heritage
- details of the local coastal and marine historic environment (where relevant).

Abbreviations used in this issue

DCLG	Department for Communities and Local Government (formerly ODPM)
DCMS	Department for Culture, Media and Sport
HAR	Historic Asset Record
HER	Historic Environment Record
HPA	Heritage Partnership Agreement
HPR	Heritage Protection Review
LPA	Local Planning Authority
ODPM	Office of the Deputy Prime Minister (now DCLG)
RHSBE	Register of Historic Sites and Buildings in England

Transforming Heritage Protection

English Heritage and the Heritage White Paper

Peter Beacham *Heritage Protection Director, English Heritage*

After three years of consultation and testing, the government is about to recommend how England's heritage protection system should be modernised.

We are at a decisive moment in the process of reforming the way we protect and manage our historic environment. After three years of review, consultation and testing the Heritage White Paper will soon set out the government's thinking on the way ahead, including legislative change. Whether this White Paper will succeed in transforming the system and help change perceptions about the sector, only time will tell. English Heritage believes there is a strong case for decisive and radical change to affirm the vital role of the historic environment in our local and national life.

Why reform? Some fear if we embark on major change we shall risk eroding the statutory protection for the historic environment so hard won over the last century. This cannot be the case. The government gave an assurance at the start of the Heritage Protection Review (HPR) that there would be no diminution of current levels of protection: English Heritage and the sector will hold government to account to ensure that pledge is kept. And the sector itself is now robust enough to argue its case from a position of strength and common purpose. It has come of age in drawing together its disparate threads to become a coherent force concerned as much for our future as our past.

English Heritage believes the case for major reform is proven. The government's consultation paper *Protecting the Historic Environment: Making the System Work Better* of 2003 laid down the main planks of reform: unifying the designation regimes into a new Register of Historic Sites and Buildings in England (RHSBE); stream-lining heritage consents; offering

statutory management agreements; and improving local authority delivery based on statutory Historic Environment Records (HERs). The response to the consultation indicated a broad consensus firmly in favour of these proposals and government accepted the force of the argument in their decision report *Protecting the Historic Environment: The Way Forward* in 2004: it became a Labour Party manifesto commitment for the 2005 general election.

Not the least of the necessary reforms will be the increased openness and accountability of the system: one of the reasons why the present system is criticised is the perception that it does not measure up to the demands of modern governance and human rights legislation in several important aspects, especially the listing and scheduling processes. What is more, the proposed reforms have been thoroughly tested. Over the last two years, and at government's request, English Heritage has been working out how these changes would apply to real-life sites, buildings and landscapes. We did not choose the easy targets, rather we went for some of the most complex and difficult. We were also looking for owners, managers and local authorities with whom we could explore a better way of working in partnership and developing a shared vision for the future management of assets over the long term instead of fire-fighting on individual designations and heritage consents.

So we chose London Underground as well as British Waterways; Cornwall County Council Highways Department as well as the National Trust; Centre Point and the University of East Anglia alongside Arnos Vale cemetery and the

Lake District National Park; Darnall Steelworks in Sheffield and York City Walls; the Godolphin, Weld and Holkham estates; and, of course, to show we intend to lead by example, one of our own sites, Kenilworth Castle. The reformed system would also apply to ecclesiastical sites and buildings and the marine environment. So we are currently extending our pilots to embrace examples of these at Canterbury and Rochester cathedrals and precincts as well as groups of parishes in the dioceses of Bath and Wells and Lincoln. And the marine environment will be the subject of parallel UK-wide legislation under the current Marine Bill.

What is emerging is encouraging and positive. The new designations will significantly clarify the significance of the historic assets: that in turn gives much enhanced certainty to owners and managers about what matters and why, and whether there are degrees of significance that can help guide future management and development. The consent process itself could be much simpler and less confusing with overlapping designations stripped out, regulation more sharply focused and open to more scrutiny. Where they are appropriate, statutory management agreements – currently termed Heritage Partnership Agreements (HPAs) – eliminate unnecessary regulation by the pre-agreement of certain works and develop effective partnerships between owners, managers, local authorities and English Heritage. Amenity groups have generally found the opportunity to engage in the drafting of such HPAs as a constructive way of continuing their vital role of scrutiny.

Most significantly of all, it is local delivery that is potentially strengthened, so achieving

greater consistency of practice, building on our recent local capacity building initiatives such as Historic Environment Local Management and Historic Environment Champions. The clearer designation base builds confidence about what is being protected, and why. Making local authorities the single gateway to the new heritage consent process gives local planning authorities (LPAs) an increased sense of ownership of the system with English Heritage engagement as appropriate. And the requirement that every local authority will have a statutory duty to establish, or have access to an HER will be a crucial base for all this, especially since the links to the e-heritage and e-planning worlds will become ever more important: our research shows that making HERs statutory will be affordable at modest investment levels.

The government is currently researching other aspects of the implementation of the reformed system with a particular focus on resources for local delivery. English Heritage believes an invest-to-save approach will prove essential. There are demonstrable efficiencies to be recovered from the reforms outlined above, but they require up-front investment: for example, HPAs involve significant set-up costs but could run for 10 or 20 years recouping that cost many times over in savings with pre-agreed consents. English Heritage believes the historic environment deserves a statutory system that recognises the increasing competence and maturity of the sector, its partners and stakeholders: the evidence for our case is set out in the following pages. A once-in-a-generation opportunity must not be missed.



© London Underground

The interior of Cockfosters station on the Piccadilly Line.

The Unified Designation Base and Register of Historic Sites and Buildings for England

A single integrated register will be the foundation of the reformed system for protecting England's historic environment.

REFORMING THE SYSTEM

The most significant innovation of the reformed system is the creation of a new kind of unified designation that brings together the former scheduling, listing and registration regimes. For the first time, it will attempt to enshrine in legislation and process the recognition that the historic environment is often a complex entity, composed of several complementary parts. For that reason, its significance and effective management may be obscured or diminished if it is fragmented among disparate designation and control regimes.

This fundamental concept sits at the heart of the reformed system and gives rise to its key features:

- the RHSBE will be the place where complementary historic assets are brought together under one register entry, and their complex interrelationships and relative significances flagged with clarity;
- a new system of heritage consent will arise directly from such unified designations;
- 'joined-up' management of historic assets through HPA is a very practical manifestation of the unifying principle.

The new Heritage Consent and Heritage Partnership Agreements are discussed in the articles that follow, while here we look in more detail at the unified system and the Register itself.

A wide-ranging series of pilot projects and case studies has allowed English Heritage to test, on a variety of complex sites, approaches to unified designation which come as close to the integrated assessment and management of these sites as can be achieved under the current

system, particularly where multiple assets of different types are grouped together. The case studies in this edition of *Conservation Bulletin* demonstrate how these new approaches have been effective in improving the understanding of complex historic entities and facilitating their management.

The unified designation base

The new approach will allow historic assets to be identified more flexibly and comprehensively, and their significance more clearly assessed. Even the apparently most straightforward asset – a single building, say – may have associated land or structures which contribute to its significance, but which have only limited recognition, or contested protection under the current system. Sometimes a group of assets are better identified and understood together – for instance a traditional farmstead, or a group of related industrial buildings, or the remains of processes such as those at the early steelworks at Darnall, Sheffield. The merits of a unified approach are particularly clear for those very complex sites in which multiple designations are currently adjacent or overlapping. These might perhaps involve a group of listed structures in a registered setting, and underlain by scheduled remains – as in the case of the Museum Gardens and St Mary's Abbey Precinct in York. The inconsistencies, complexities and frustrations that may all too easily arise in the assessment and management of such complex areas can be removed in a system that allows for their holistic and integrated identification.

Mapping will have a particularly important part to play in ensuring clarity. Its use to define the extent of the registered site, to set out the

boundaries of individual assets and to identify areas of differing character and significance, has been successfully rolled out in the pilot projects. At the point of designation, mapping will also have the extremely significant role of signalling the appropriate regulatory regime to be applied to the various component parts of the site.

The Register

The Register will comprise two parts:

- a 'main section', compiled by English Heritage, that includes nationally significant heritage assets, incorporating all existing listed, scheduled and registered assets (parks and gardens and battlefields), with the addition of World Heritage Sites;
- a 'local section', compiled by local authorities, that includes conservation areas and other local designations such as local lists.

For the main section, multiple related assets will be grouped together under a Register Entry 'wrapper' that explains the context of the entire site and allows a holistic description of its importance. For the first time important inter-relationships will be made statutorily explicit.

Sitting below the wrapper would be a series of Historic Asset Records (HARs) that would set out the details of the component assets of the larger entity. Non-complex entities – the majority – will be entered on the Register as a simple HAR, with no overarching wrapper. Every HAR will be fronted by a Summary of Importance that sets out explicitly, clearly and briefly what it is that makes the building or site worthy of designation. English Heritage already employs Summaries of Importance for new designations under the current system; their huge benefits in clarifying and simplifying the designation process should brook no delay. Feedback so far has indicated that the increased openness and clarity is appreciated, as is the sharper definition of what is and is not designated.

Most consideration so far has been given to the development of the main section of the Register – the forthcoming heritage White Paper will need to offer more detail on local designation. The local section of the Register, compiled by local authorities against criteria and guidance prepared nationally by English Heritage, will present an opportunity to iron out some of the inconsistencies seen in current designation and management practice through England as a whole, and to raise standards overall. It may also allow local designations to benefit from the greater integration, clarity and flexibility of the reformed system as a whole.

The driving force behind the new system of

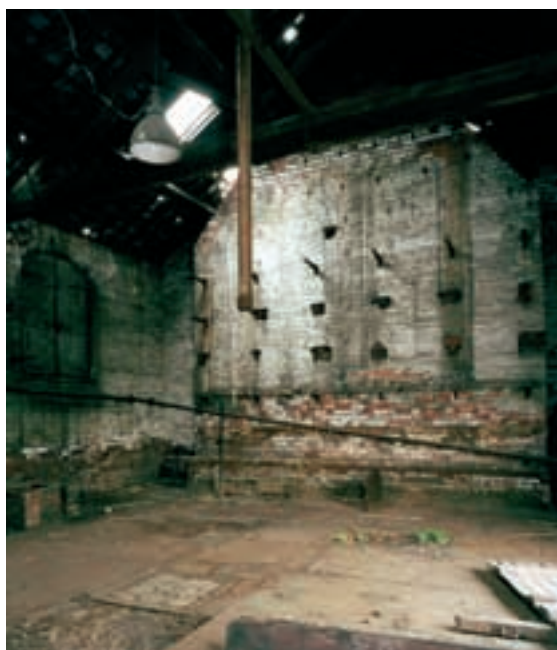
heritage protection is a determination to provide increased openness and clarity. The new Register, in both its local and national sections, will be a prime agent in achieving this. It will be a first point of contact, it will be easily accessible, it will set out comprehensively what is designated and why, and it will explain clearly the regulation and management mechanism attached to the registered asset.

Further work

While we have made significant progress on the format and processes surrounding the new Register, there is substantial work still to be done. The question of how we review and transfer existing designations into the new Register is a key issue. How the new designation base triggers subsequent control mechanisms also needs careful development. At English Heritage we are now working with our partners to determine how best to present information for owners and also how our own data can be effectively shared with others such as the National Monuments Record and local HER systems.

This work has involved staff from across English Heritage, local authorities, owners and managers and amenity groups; partnership is a vital element both in developing the new process, and in its subsequent operation. All who have worked and commented on the development of the unified system have contributed strongly to our progress to date on this linchpin of reform.

Sarah Buckingham and Paul Jeffrey
Heritage Protection Department, English Heritage



Darnall Works, Sheffield. An internal view of the Grade II* crucible workshop – just one of the numerous designated but sadly neglected structures that make up this complex and historically important 19th-century industrial site.

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Arnos Vale cemetery

The HPR is premised upon an integrated approach to the historic environment. We have a singularly rich inheritance to champion: from prehistoric sites to Cold War aerodromes; from architectural masterpieces to much-loved communities. Just how we divide up the myriad places that deserve statutory designation is one of the questions asked by the review. At Arnos Vale cemetery, we set out to find out whether our approach to historic landscapes was the right one.

Arnos Vale is one of the best known of early Victorian cemeteries. Opened in 1840, it consists of a steeply sided dell set on the eastern edge of Bristol. An existing garden was taken over by the commercial promoters of the cemetery, and elegant Greek Revival chapels and lodges were built (to the designs of Charles Underwood). Elaborate private monuments soon followed. The result was an elegiac landscape, in which planting, landscaping, architecture, sculpture and inscriptions all combine to create an atmosphere of emotional tenderness and religious devotion. As the tombs grew in number so this atmosphere grew in intensity. The mercantile might of Bristol found its funereal expression in Arnos Vale, and the memorials testify to family pride and to social ambition. It easily stands comparison with the great London cemeteries such as Highgate and Abney Park.

In recent years, however, the cemetery has fallen on hard times. Dwindling reserves and rising maintenance obligations make private

cemeteries like Arnos Vale difficult places to run. The crematorium installed here in the 1920s provided some profit, but when this facility lost its licence the owner, responsible for the safety of visitors, closed the cemetery altogether. Locals felt excluded from a vital green space; mourners and relatives felt shut out; Bristolians and visitors from beyond likewise felt deprived of an asset of national importance.

Statutory designation is intended to safeguard the survival of places of special interest: at places like Arnos Vale, one senses all too clearly the reasons for our widely admired systems of heritage protection. They formed the justification for the compulsory purchase order that was subsequently served by Bristol City Council. A trust was established to take over the running of the place, backed up by a highly motivated friends organisation.

Our mission was to check whether the designations we already had were fit for purpose. The relevant designation regimes here were listing and the Register of Parks and Gardens. Were they integrated sufficiently? Did they do the job of celebrating special interest well enough?

Listing had been done in two phases: as part of the Bristol re-survey, and subsequently as a spot-listing trawl that picked up a number of omissions (inevitable, given the overgrown nature of the place and the sheer density of the memorials, estimated at some 40,000 in number). The HPR pilot study undertook a whirlwind review of the tombs, and concluded

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Arnos Vale cemetery, Bristol. An elegiac landscape where the overall significance transcends the sum of its individual landscaping, architectural and sculptural components.

that the right ones had been selected for designation. The Register of Parks and Gardens entry was fairly recent, and certainly stood up to scrutiny. A management plan by Nicholas Pearson Associates helped greatly, too.

And yet something was missing: the separate approaches failed to give an overall sense of the totality of the place. The landscape entry studiously avoided mentioning monuments, while the list entries scrupulously avoided all mention of setting and context. Not that this is to be wondered at: designations have hitherto been kept very separate, each with their own distinct mission. And yet one cannot but feel that a major opportunity exists to do things better.

Designation should identify special features, and shed light on their claims to special attention. This could be architectural, or sculptural, or historical: list descriptions are replaced with HARs, which serve as the prompts to shared understanding and have conservation and educational uses. Some might think it invidious to single out memorials for special attention, rather than the totality, but some tombs will always warrant a more bespoke approach to their care, and designation can help identify priorities for repair work and interpretation. The landscape is treated as an element in its own right, but more care is taken to connect the tombs with their setting, and vice versa. And all the individual elements are now placed within a Register Entry, which owes much to the Register of Parks and Gardens

entry for its contextual approach.

One of the more important conclusions to be drawn from this pilot project is that the designatory basis that listing and the Register provide is essentially sound, but that approaches need to be brought together if true significance is to be flagged and specialness celebrated. The prospect of a unified Register of Historic Sites and Buildings of England enables these aspirations to be met.

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Rochester Cathedral and Precinct: an ecclesiastical pilot project in north Kent

The Rochester pilot project examines how the HPR might impact on the Church of England's management of its estate in a cathedral-close environment. It aims to test new methods of assigning significance to some of our nation's most precious assets. Collaboration with project partners, including the Dean and Chapter, the Cathedral Fabric Commission and Medway Council, has been a key factor in the design of a useful and usable new system that could bring real benefits to future management of the cathedral and precinct.

Rochester, on the banks of the River Medway in north Kent, has a long and significant history as both a cathedral city and port. It is the second oldest episcopal see in the country



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The Grade II mid-18th to 19th-century former Diocesan Registry on the Bishop's Palace site, Rochester which incorporates part of the medieval precinct wall. The current list description makes no mention that the ground beneath it is of national importance.

The Bishops' Palace area, Rochester. The central building range incorporates material from the south range of the 15th-century palace. Note the fabric and blocked windows of the gabled end elevation.



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(after Canterbury), founded in AD 604, with the present cathedral dating from the 11th century. Although Rochester's precinct is partially protected by current legislation, with 26 listed buildings and 3 scheduled monuments, there are also notable gaps, which include areas of nationally important archaeological remains that have no protection under the current system. In addition the existing documentation is poor. Scheduling descriptions are brief and do not provide an adequate understanding of the archaeological significance of the precinct. Some listed buildings had been assessed without the benefit of internal inspections and their descriptions are therefore incomplete and, in some cases, inaccurate. However, the existence of a Cathedral Conservation Plan (Keevill 2005) provided an invaluable springboard for fieldwork in late 2005.

The first stage of the project was to research and compile new-style designation documentation for the precinct area, the form of which had been devised by earlier pilot studies and was further developed at Rochester. In essence this removed divisions between current listed and scheduled assets, rightly blurring the boundaries between what was traditionally described as architectural or archaeological. An added advantage was the opportunity to study groups of buildings and monuments, an approach lacking in the current listing system, which greatly enhanced understanding of their interrelationships. Finally, the pilot provided the opportunity to raise the profile of the

archaeological significance of the cathedral and precinct.

The reassessment of the site of the palace of the bishops of Rochester, to the south-west of the cathedral, proved a valuable test-bed for the new-style documentation. The area has a long time depth from the early 3rd to the late 19th centuries and contains a range of nationally important historic assets. These include: the buried archaeological remains of the early 3rd-century Roman town defences and the 13th to 14th-century city wall; a mid-12th-century building, possibly an early bishops' house; buried and upstanding remains of the Bishops' Palace from about 1450; 16th to 19th-century domestic properties partly re-using earlier fabric; and the medieval precinct wall, which defines the western edge of the site. This area is partially designated in the form of three Grade II-listed structures, one Grade II* building and a scheduled monument. The latter extends only to one-third of the land parcel and the monument description does not even mention the presence of the palace! The current documentation does not provide an accurate understanding of the significance of the elements of the site, nor does it provide any concept of the development of the whole.

Our three main principles for the new-style document were that it should be accessible, and that it should explain the entire Bishops' Palace complex both spatially (horizontally and vertically) and temporally. This would enable the occupier of an individual property to

understand what was significant about their part of the site in architectural, archaeological and historical terms, as well as appreciating how their element was a part of a larger story about the history and development of the western precinct. It is also worth stressing that in place of five different listing and scheduling descriptions and maps, the pilot project proposed one HAR and one associated map for the whole Bishops' Palace area, significantly simplifying the paperwork for the Dean and Chapter and tenants.

Work is ongoing, and the partnerships, both at Rochester and with the Cathedral Fabric Commission, are developing. However, the pilot has already offered the chance to amalgamate archaeological, historical and architectural designation approaches, to review existing arrangements and to work collectively towards a system that makes integrated management more attainable.

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REFERENCE

Keevill, 2005. *Rochester Conservation Plan, 2005. Parts 1 & 2.* Keevill Heritage Consultancy

What makes Centre Point special?

Centre Point stands at the intersection of Oxford Street, Charing Cross Road and Tottenham Court Road and is one of central London's most prominent landmarks. It was built in 1961–6 to the design of Richard Seifert and Partners, and was listed Grade II in 1995, when a proposal threatened to alter its appearance. The slender, slightly convex 33-storey tower is supported on distinctive 'wasp-waisted' pilotis clad in grey ceramic mosaic. Technically advanced, and sculpturally striking, the building marked a high point in the English high-rise. Centre Point is not just an office block, but was designed as a multi-use complex. An elegant, curtain-glazed first-floor link connects the tower to a lower block to the east, with ground-floor shops, a bank at the north end and a pub at the south, two tiers of offices and six storeys of maisonettes above. To the front of the tower is a pool with concrete fountains. All form part of the listed building and are therefore subject to listed building control.

Centre Point was selected as a pilot project because it exemplifies some of the key issues which heritage protection reform seeks to address. Modern commercial buildings in multiple occupancy, as well as private flats, are almost constantly undergoing refurbishment and



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Centre Point tower at the heart of London's West End was built in 1961–6 to the design of Richard Seifert and Partners and is now a Grade II-listed building.

upgrading of services. If they are listed, this can mean significant numbers of applications for listed building consent for often routine works.

While the jury is still out on the quality of much 1960s commercial architecture, the accelerating pace of redevelopment, where proposals to demolish buildings less than 30 years old are now commonplace, dictates that we must be ahead of public taste if we are to preserve the very best products of this generation. The thorough reappraisal of the entire Centre Point complex has confirmed it not only as an exceptional and innovative piece of 1960s design, but also as a building with a distinct hierarchy where relative levels of significance can be readily identified and demarcated. The new HAR not only expands the existing list description, which concentrated on the external architecture, but seeks to communicate more clearly what is special about Centre Point and thus better informs the process of managing future change.

Centre Point is listed for its architectural interest and innovation. The tower, widely acclaimed as one of the finest high-rise compositions of the 1960s, was a deliberate departure from the smooth regularity of International Modernism towards a more inventive, sculptural approach, admired at the time and since for its confidence and originality. Not only is the tower itself of interest, but also its relationship with the link and rear block, each element being individually expressed to identify its discrete function. That said, we are also more explicit that the architectural quality of the ensemble



Centre Point,
The mezzanine
entrance lobby
with mosaic-clad
pilotis and
distinctive
paving.

diminishes at the rear block, which is patently standard '1960s commercial' (it was in fact conceived as part of a superseded scheme the tower of which had a very different elevational treatment). Its importance as a component of a planned ensemble, in terms of its scale, massing and relationship to the link and principal tower, is none the less fully recognised and should help inform future planning proposals.

Internally, the special interest lies principally within the public areas of the tower and link block. The original mezzanine entrance lobby, reached by an external stair, is the most impressive space. Here, the deeply tapering upper sections of the massive pilotis rise dramatically from white marble and black terrazzo paving. The interior of the link block is also impressive – on either side curtain-wall glazing is constructed of large sheets of 'armour' glass with central steel bosses, from which tapering glass fins project upwards to the ceiling. The overwhelming majority of the interiors, however, patently lack special interest, and this is made explicit in the HAR. The offices, always plain and functional, have been altered. The maisonettes, shops and pub have been refurbished many times and do not have features of note. The bank has been converted to a café and similarly has no original features of interest, apart from a mosaic decoration by Jupp Dernbach-Mayern.

The Centre Point pilot has been invaluable in evolving a more rigorous approach to how we assess significance in large modern, mixed-use sites, and how we communicate their claims to special interest. An HPA has been drafted, but changes of ownership and the issue of local authority resources have made us aware of the challenges that delivery of HPAs will sometimes bring. The designation lessons, however, are clear.

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The Godolphin estate: a new framework for understanding and designating the historic environment

Godolphin House is one of Cornwall's most important houses, sited within a historic landscape that has developed over centuries. Here we have been able to explore new ways of approaching the interpretation and designation of historic assets.

The substantial mining wealth and the political power of the Godolphin family from the 14th century onwards led to the development of an estate to match the family's status. The house, with fabric dating back to the 15th century, stands within early formal gardens. The wider landscape includes a late 16th-century deer park, within which are the remains of prehistoric and medieval field systems, prehistoric enclosures, early tin mining and 16th-century rabbit warrening. There are also important tin- and copper-mining remains at Godolphin and Great Work Mines, which provided much of the family's early wealth.

The Godolphin estate was chosen as one of the pilot projects to test the application of the proposed heritage protection reforms because of its diverse range of assets. Under the present legislative system there are 20 listed buildings on the estate – four listed at Grade I – and much of the area is designated as a Grade II* Registered Park and Garden. It also lies within the Tregonning and Gwinear districts, which are part of the Cornish mining area proposed for World Heritage status. Land to the west and south of Godolphin House is in an Environmental Stewardship scheme. Although there are presently no scheduled ancient monuments at Godolphin, an assessment report produced by Cornwall County Council in 1997 identified a number of nationally important archaeological remains. Additionally, research in the 1990s by English Heritage on the non-ferrous metals industries has resulted in recommendations for the statutory protection of most of the estate's mining remains.

The pilot project was set up in partnership with the National Trust, the Schofield family and Kerrier District Council. Fundamental to the project was an assessment of all aspects of the estate's historical development and importance – whether traditionally considered to be archaeology, historic buildings or designed landscape. The aim was to demonstrate the significance, and protect the integrity, of the whole historic landscape at Godolphin, if appropriate, rather than having the current artificial demarcation between individual listed, registered or nationally important archaeological remains. The pilot



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Godolphin House, one of Cornwall's most important houses. The magnificent early 17th-century colonnaded north front was a remarkably advanced architectural treatment for a relatively small country house.

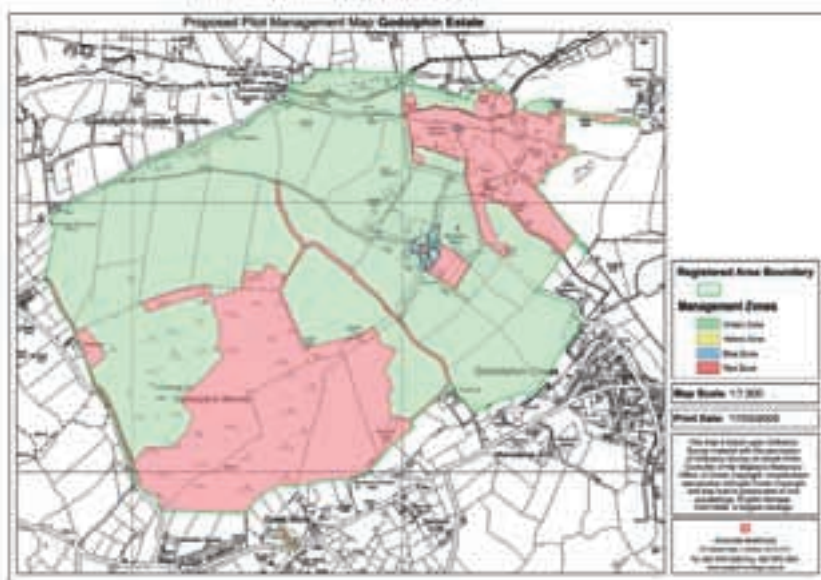
work has effectively demonstrated that for complex sites where there are multiple designations that closely relate to each other, a two-tier approach to designation proves invaluable. This involves identifying and designating individual assets, or grouping those that are inter-related whether physically or historically, in HARs. These are accompanied by a single Register Entry, which provides an overarching description of the site and its significance, as a whole. In terms of the proposed new-style Register, Godolphin House, its associated forecourt structures, 16th-century stables and late 15th-century formal gardens can be gathered under a single HAR as a coherent group of spatially and historically related assets. Elsewhere on the estate, the standing and archaeological remains at Godolphin Mine (including three listed buildings) can also be grouped together, reflecting the significance of the whole mine complex not only for its contribution to our understanding of the development of mining techniques but also for its strong historic interest through association with the Godolphin family. In all, 19 HARs were produced for the significant components at

Godolphin, and together these form a single Register Entry for the whole estate.

Grouping archaeology, historic buildings and designed elements of the landscape where appropriate within a single Register Entry allows for a more contextual description of the way assets relate to each other and the way a complex site has developed as a historic entity. This ensures that the significance of the key assets are understood and valued not only in their own right but also within a wider historical context. Here at Godolphin the key to the site's importance is its historical landscape: the coherence of a complex but understandable pattern of important remains. The move towards unified designation and a holistic description enables recognition of the significance and integrity of the site in its entirety, which in turn increases understanding and explains why assets are designated, leading to the provision of better information and greater engagement by owners, managers and professionals.

Jill Guthrie

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The Godolphin estate in Cornwall. The key to managing a complex site of this kind is to understand its historical landscape.

Streamlined Consents

A unified system of heritage designation will only work if it is supported by a streamlined consent regime.

SIMPLIFYING THE PROCESSES

When the DCMS published its response to the consultation on reforming the heritage protection system, it set clear objectives. Aside from the unified Register, there is to be a unified consent regime to manage assets, administered whenever possible locally and at the 'heart of the community'. The current system, despite its untidy growth and complexities, has many strengths, but it is also apparent, especially to those of us with a day-to-day engagement with it, that there is room for improvement.

As designatory mechanisms for protecting the buried, built and landscape heritage evolved, so did mechanisms for their management. Indeed, as awareness of the value of different elements of the historic environment has grown, so too have unique management systems evolved to address the perceived needs of each group. The result is a series of parallel systems, each with its own conceptual framework of values. This problem is compounded by some asset groups being located in the *wrong system* – for example, considerable numbers of standing buildings and structures are scheduled as ancient monuments. Without a grading system to suggest their relative significance, these assets are subject to a regime which has little engagement with the local community and which may moreover be inappropriate to their particular needs.

The current system of scheduling ancient monuments is underpinned by a very strict regulatory regime. This assumes little change will occur to a structure or site, or that any change that is allowed will receive the closest scrutiny. A regime of this kind finds it philosophically difficult to accommodate radical change, and cannot readily respond to frequent and diverse operations relating to fabric. While it is eminently suited to the management of buried or static remains, it is cumbersome and unduly restrictive for buildings and structures with an active use, or the capacity for adaptive reuse. By contrast, the listed-building-consent regime, geared as it is to management of change, is sometimes felt to be insufficiently rigorous in terms of the preservation of our most important and fragile historic assets. This has led in the past to assets being scheduled rather than listed, or given dual designation.

The scheduling regime is at its most inflexible when applied to complex sites containing numerous assets, mostly standing structures of differing age, relative significance, function, maintenance and development programmes. Though the *schedule* will state at some length the significance of the asset, it will not define it by grade. Ironically, a hierarchy of significance of assets within the site will only become apparent if elements are listed at different grades as well as being scheduled. Furthermore, the different components of the asset, often varying

Higher New Bridge, Cornwall. Now famous for being both scheduled and listed – twice – and at different grades, this structure is currently subject to the close management of scheduled monument consent. All works, including vegetation clearance and the smallest areas of re-pointing, need separate applications for consent, submitted directly to the Secretary of State. It is proposed that in future these works can be formally pre-agreed, and undertaken at the discretion of the County Council.

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widely in date and function, are all subject to the same management regime. An example is provided in the case study of Kenilworth Castle (see page 17).

While listed-building and conservation-area consents are firmly lodged within a planning system based upon democratic decision-making balanced by expert opinion and oversight, the scheduling process remains a closed operation, managed by government departments and agencies. While the origins of this are well-understood, it sits increasingly at odds with a world that puts decision-making in the public domain, and as close to a local level as is practically achievable.

Despite the strengths of the current management regimes, some elements of the historic environment do not receive the degree of protection they merit because they fall outside all of the available criteria. For example, areas of archaeologically sensitive land adjacent to designated areas are vulnerable to unregulated excavation. By contrast, designed landscapes, long recognised as a highly significant group within the heritage canon, receive protection through being deemed a 'material consideration' in the planning process, yet receive no protection for specific trees or other assets, nor for the replanting of significant structural elements of a designed scheme.

Parallel local-authority designations, like

conservation areas, have led to a further proliferation of regulatory regimes. Applicants seeking planning permission involving demolition in conservation areas have to secure separate approval of conservation-area consent, often little more than a duplication of the material submitted in their planning application.

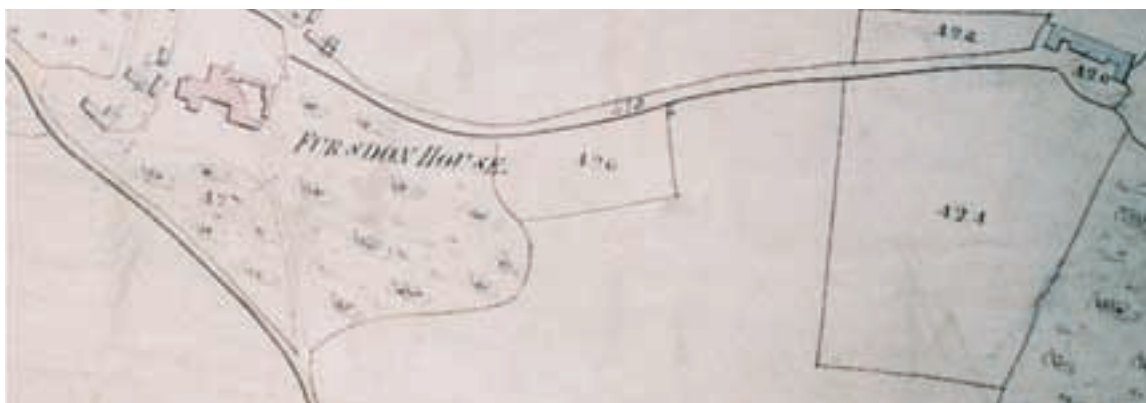
A streamlined approach

The main benefits of a streamlined consent regime will be the abolition of the artificial distinction between archaeology and standing buildings and the ability to differentiate assets on the principle of their appropriate management. Assets could in future be defined by categories: below-ground and marine archaeology and monumentalised structures forming one group, and historic buildings and structures capable of adaptive reuse forming the second. A union and classification of this kind would effectively end the confusion on dual designation, and reduce the stress on a regulatory regime manifestly not suited to the effective management of *active* assets. It would also significantly simplify the process for all those involved.

Where appropriate, the streamlined consent regime could facilitate statutory management agreements for a range of heritage assets. With the capacity to pre-agree a range of operations,



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The Fursdon Estate, mid-Devon. Control of felling of specimen or veteran trees (above) and the replanting of orchards, seen on the top left of the 1842 tithe map (below), could be one option for the new consent regime.

including both repairs and alterations, these would move the management of heritage assets firmly into the 21st century. This is a management environment based on true partnership. With a thorough understanding of the significance of a site and mutual agreement on a range of operations to be undertaken, an owner or manager will be able to progress a programme of works, initiated at their discretion, with the full confidence that it has the support of all stakeholders engaged in the process.

This unification would bring management of all nationally designated heritage assets firmly within the ambit of local government, with the appropriate input from English Heritage in the case of higher-graded listed buildings. The grading of previously scheduled assets would also bring monuments firmly within the national designation framework, act as a measure of relative national importance, and help to prioritise English Heritage's engagement in their management.

Because the new designation system will be supported by maps that identify all significant elements of the site and establish 'zones of control', it will in future be possible to provide control for elements of a site that are at present unprotected. Although careful consideration needs to be given to the balance of regulation and the rights of the owner, licensing and recording of finds in specified areas may, for example, be a reasonable means of regulating metal-detecting. Co-opting the Tree Preservation Order regime used in conservation areas may likewise be considered an appropriate approach in registered landscapes, as could tree-planting schemes leading to the reinstatement of avenues or orchards.

These proposals, in conjunction with parallel moves to combine planning permission and conservation-area consent, will bring us closer to a regulatory system truly fit for purpose in the 21st century.

David Morgan
Heritage Protection Department, English Heritage

Foxton Locks Heritage Partnership Agreement

British Waterways is a statutory public corporation created by the Transport Act 1962. It was established to operate as a nationalised industry on a commercial basis. British Waterways owns 3,200km of inland waterways and is responsible for the third-largest estate of listed buildings in the United Kingdom. In addition to 2,739

listed buildings the estate includes or bisects 5 World Heritage Sites, 8 Historic Battlefields, 12 Registered Historic Parks, 42 scheduled monuments, more than 500 sq km of conservation area and thousands of below-ground archaeological deposits.

Much of the British Waterways estate is 200 years old and its continued existence requires careful management, conservation and repair. British Waterways is helping to pilot an HPA for the historic site of Foxton Locks and Inclined Plane on the Leicester Line of the Grand Union Canal.

HPAs are one way to ensure that significant heritage assets are appropriately managed. Following restructuring in 2003 British Waterways now has designated Heritage Adviser posts at each of its 10 waterway business units that manage its estate. Front-line expertise is central to British Waterways' heritage management strategy and is essential to preparing for changes to the heritage protection regime in England, including the development of HPAs. British Waterways is particularly interested in developing HPAs as a way of increasing self-regulation and of reducing the bureaucracy involved in making repeat consent applications to proceed with certain works to historic assets.

With support from the Heritage Protection Team at English Heritage, British Waterways is piloting an HPA for the site of Foxton Locks and Inclined Plane in Leicestershire. Foxton is a multi-designated historic canal site. It is a conservation area and contains listed buildings that are still operational, the disused site of a unique inclined plane classified as a scheduled monument, and associated archaeology, some of it from pre-canal eras. The site is popular with visitors and includes a working boatyard, a teashop and a public house, which British Waterways has developed as part of its joint-venture programmes.

The first step in preparing the Foxton HPA was for English Heritage to draft a unified Register Entry and designation site map of the kind that would be needed under the proposed heritage protection legislation.

Other building blocks of the HPA are the Foxton Locks and Inclined Plane Conservation Plan, which deals with the significance of the site, and British Waterways' own framework of heritage policy and principles, operating instructions and heritage standards for physical works. The proposed Foxton HPA takes its cue from existing management agreements and its essential component is a 'traffic light' system relating to activities that will be undertaken or may be planned for the site. These include



Foxton Locks, Leicestershire. British Waterways and English Heritage have developed a pilot scheme for the streamlined management of this multi-designated historic canal site. As well as being a conservation area, the site contains listed buildings that are still operational, a unique inclined plane classified as a scheduled monument, and associated archaeology, some of it from pre-canal eras.

© British Waterways Board

operational works, maintenance works, or development. A red light signals activities that will require consent from either English Heritage or the local planning authority (Harborough District Council). These could include investigative works, rebuilding of lock walls or installation of facilities such as water points or electricity bollards. An amber light indicates activities given consent via the HPA that will require notification to the LPA before being undertaken, perhaps by exchange of email, for monitoring purposes so that a record exists. Examples include tree lopping, re-gating locks or towpath resurfacing. Green light activities will be those that it has been agreed do not need consent applications.

The success of the HPA depends on its agreement by accountable and appropriately qualified officers from British Waterways, English Heritage and the local authorities, and its support by stakeholders and other interested parties, including, for example, the Foxton Inclined Plane Trust and the Old Union Canals Society. A protocol setting out the terms of the HPA forms part of the proposed package and a timescale is suggested for reviewing and auditing its effectiveness. It is recommended

that auditing should be carried out by the British Waterways' Head of Heritage and by an English Heritage Inspector, and should concern itself with ensuring accountability and compliance within the terms of the HPA.

The British Waterways estate – linear, scattered with repeated structural forms and building types that are often close in date and little altered – is a classic example of a historic environment in single ownership. British Waterways feels that it lends itself to a series of HPAs. Hopefully, the template HPA for Foxton will be adopted and fine-tuned, because British Waterways' aim is to roll out further HPAs, perhaps ultimately covering entire canals with significant numbers of heritage assets. Success relies on people and British Waterways is confident that it has the right people. Working with its partners, including English Heritage, British Waterways is keen to engage further with what is perceived as a central plank of the new heritage protection regime for England.

Nigel Crowe
Head of Heritage, British Waterways

Kenilworth Castle, Warwickshire: a complexity of designations

Kenilworth Castle is one of England's premier castles. Its history stretches from its foundation by Geoffrey de Clinton under royal patronage in the 1120s, through the major and innovative works by John of Gaunt in the 14th century, to the 16th century when it was fit for Queen Elizabeth, or rather for her favourite Robert Dudley, Earl of Leicester, to woo her in palatial surroundings. It had only a small role in the Civil War and was subsequently slighted. The tourists began to arrive in the 18th century, with the first guide-book published in 1777. Prominence in the national consciousness came once again when it featured in one of the great works of popular 19th-century fiction, Sir Walter Scott's *Kenilworth*. This book, published in 1821, considerably raised the castle's profile as a much-visited ruin.

At the heart of the site lie the red sandstone ruins of the castle and residential apartments defended by extensive earthworks, and the now-drained lake with its associated complex water-management systems, which doubled as a moat and a dramatic setting for the castle. Adjoining the castle there is another large protected site, Kenilworth Abbey, also founded in the early 12th century by Geoffrey de Clinton. The significance lies not just in the obvious aesthetic and historic qualities of the upstanding remains and landscape, but also in the buried archaeological deposits.

This complex site is subject to a wide variety of designations covering the many aspects of its significance. The national designations include several scheduled monuments, a small number

of listed buildings, a registered park and garden and the locally designated conservation area.

In addition to the complexity of designation, ownership of the sites and their settings is also divided: the castle is in the guardianship of English Heritage, some of the adjoining land is in the ownership of Kenilworth Town Council and some in private hands, and the adjoining abbey site is in the ownership and management of Warwick District Council.

At the moment if anybody wishes to undertake new works they might need to apply for a bewildering variety of consents. To begin to understand just what is covered by each regime they will first have to discover and obtain copies of the designations, which could involve several phone calls to different people.

The planning system then generates five separate control regimes. These are: scheduled monument consent, handled by the DCMS with the advice of English Heritage; class 6 consent for English Heritage's own works within the guardianship area determined by English Heritage; the LPA deals with planning permission, which would be required for many building works, and with listed-building consent for the occupied buildings; and finally there is possibly conservation-area consent, also handled by the LPA. Because of the high level of the designations, each of these regimes will involve a wide range of consultees.

The difficulty for any owner of any part of the site is to identify just what consents might be involved in any particular operation, and where to begin the process of making an application for works. The process could involve the DCMS in London, English Heritage in

Kenilworth Castle.
A classic view of the castle from the south, across the former mere.

© Nick Molyneux, English Heritage





Kenilworth Castle. The 16th-century stables which are part of the scheduled monument.

© Nick Molyneux, English Heritage

Birmingham and the LPA at Leamington Spa (Warwick District Council), with the DCLG (through the Government Regional Office) also having an input at some stages.

A new system would have the benefit of bringing together all these differing designations into one comprehensible package with a degree of clarity currently unavailable to the wide variety of owners, and guidance as to the significance to be attached to the various parts of the site. A unified regime would mean that there was a one-stop shop to start the process, namely the LPA, with a single application form to cover all the different forms of consent. The decision-making process would be in one place, with all the necessary expertise being fed in from both local and national advisers to ensure a well-informed decision based on the knowledge now available to the owner and the 'controllers'.

The clarity that could be delivered by such a new system would enable us all to achieve a much clearer and more transparent process for the management of sites of this kind of exceptional significance.

Nicholas A D Molyneux
*Team Leader and Inspector of Historic Buildings,
English Heritage, West Midlands Region*

York City Walls

Management agreements are already familiar tools in England, particularly with regard to scheduled monuments. The conservation potential of management agreements has also

been recognised in many parts of the world (such as the use of the 106 Agreement in the USA). But has their impact been assessed?

The York City Walls were chosen for an HPR pilot project because of their complexity, both in terms of overlapping designations and the number and variety of their stakeholders – from local authority and charitable trusts to private and commercial owners and tenants. The city walls are designated as scheduled monuments and listed buildings, but where both designations apply, scheduling takes precedence. Any works to, or alteration of a scheduled monument requires scheduled monument consent from the Secretary of State at the DCMS, as advised by English Heritage.

For a number of years English Heritage has provided grant aid to the City of York Council for major works to the city walls. Because these are carried out under the terms of Section 24 of the 1979 Ancient Monuments and Archaeological Areas Act, and because they are grant aided by English Heritage, the applicant does not need to apply for scheduled monument consent.

However, there are numerous occasions when the City of York Council needs to carry out maintenance work or repair damage caused by accident or vandalism, and in these circumstances the works would normally require scheduled monument consent. Because this kind of work would be supported by English Heritage and can be identified in advance, it makes sense for it to be pre-agreed and classified as if it were undertaken by management agreement. All the experience gained from previous Section 24 works (repair techniques,

Located out of the public eye, the Anglian Tower in York had become a focus for serious anti-social behaviour. English Heritage and the City Council tried to solve the misuse by making the building inaccessible. The blocking works were all carried out under the Management Agreement.



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mortar mixes and finishes, access, archaeological recording, etc) can be culled from the existing documentation and assembled into an agreed specification. This can then be used as the base for the pre-agreed works; additional categories can be added, or discussion held as to the suitability of one-off pieces of work being included as part of the agreement.

What does this mean in terms of time saved and the general efficiency of the process? At

The York city wall adjacent to Bootham Bar, a popular visitor destination that needs regular maintenance to keep it safe.



© English Heritage

the end of the pilot project assessments, an internal audit considered different aspects of the effectiveness of the agreement system and its potential to deliver sustainable management solutions. Of particular interest was the amount of time that it saved. Four enquiries had been received about works to be carried out under the York Walls management agreement, all of which would normally have required separate scheduled-monument-consent applications. The time for each of these can be broken down as follows:

- Drafting of agreement and specification (2 days), including specialist advice from the English Heritage Inspector of Ancient Monuments and Historic Buildings Architect, and 1 day's involvement from the City of York works team.
- Time for pre-application discussion (2 hours); writing advice note to DCMS (1 hour); English Heritage casework involvement (1 hour); City of York staff filling in the form (1 hour).
- Processing an application by the DCMS and its transit to English Heritage (2 weeks or more).

On receipt of the consent application the Inspector of Ancient Monuments now has 42 days in which to give advice to the DCMS (previously it was 3 months). If we use the total time available (42 days) and then multiply all the above times by 4 (the number of potential applications), this comes to a total of 59 working days, or 14 days per application. Confirmation of the commencement of works can be done by card, giving English Heritage two weeks in which to make a response if necessary (should the works be deemed outside the agreement); confirmation can be by email, and thus the time saving is considerable.

But are the benefits of management agreements all to do with saving time? What about local delivery? In the case of the York Walls, the management agreement process speaks volumes not only about the growing trust between agencies and individuals, but also the maturity, at all levels, of the heritage sector itself. The new heritage agenda stresses participation and empowerment, and the management agreement process fits perfectly into this agenda because it marks the decline of paternalistic policing and the growth of integrated management.

Dr Keith Emerick

Inspector of Ancient Monuments, English Heritage, Yorkshire Region

Heritage Partnership Agreements

New-style management agreements could offer owners the chance to manage their heritage sites more efficiently.

PILOTING A NEW APPROACH

There has been an increasing appreciation in the heritage sector of the potential of management agreements that set out guidelines for the management of a historic site or monument over a given period. The forerunner of these is the agreement brokered in 1992 by Ipswich Borough Council, in conjunction with English Heritage, for the Willis Corroon building in Ipswich. There have been others since, notably a recent agreement for the Barbican in London. For the archaeological environment, management agreements are well established. Under Section 17 of the Ancient Monuments and Archaeological Areas Act, 1979, financial and non-financial management agreements can be agreed. In Yorkshire, for example, English Heritage has more than 200 non-financial agreements with the Forestry Commission. Generic scheduled monument consents can also be agreed with owners to cover things like maintenance or damage caused by vandalism. In 2003 English Heritage and the ODPM published *Streamlining Listed Building Consent*, which in part assessed the use of management agreements for the historic built environment (Paul Drury Partnership 2003).

The government was not breaking entirely new ground, therefore, when it set out in *The Way Forward* the view that in future 'statutory management agreements could be employed wherever that approach would work better than the system of individual specific consents' (DCMS 2004). These would go one step further than the current regime by being legally enforceable under the proposed new heritage protection legislation. Specifically, it is suggested that the law might allow LPAs to grant consent or to waive the need for consent via the agreement.

To test the proposals set out in *The Way Forward* the government asked English Heritage

to undertake a number of pilot studies. These began in 2003 and where appropriate have explored the potential of statutory management agreements – currently named Heritage Partnership Agreements. As the pilots progressed, ideas and questions developed about how HPAs might work in practice, their form and when they might be used.

Part of the assessment of HPAs involves understanding what benefits they might bring. This is the crucial question for potential signatories to agreements: can HPAs help them more efficiently to manage the heritage environment? The pilot projects show that the communication involved in setting up a partnership helps to develop a beneficial relationship that will stand all in good stead. HPAs should bring clarity, so that all parties understand how the site will be managed over the period of the agreement. For sites that have a number of owners, or which come under more than one planning authority, an agreement can also bring greater consistency to management decisions.

Furthermore, the pilot projects show that these benefits of management agreements can be significantly enhanced if, in addition, the HPA is used as the vehicle for granting consent or waiving the need for repeated applications. The corollary is that there may also be financial advantages if the time and cost of setting up the agreement is less than that needed for the consent applications that the HPA replaces.

It will be for the LPA (and English Heritage where appropriate) to determine the extent of the works given consent via the HPA. It is unlikely that HPAs would be used for consenting to significant works, but would instead be reserved for those of a straightforward or repetitive nature to be undertaken within the lifetime of the agreement (three or five years perhaps). LPAs have obligations to undertake consultation on applications for consent, and the same is likely to be true for HPAs.

There has never been an expectation that

Higher New Bridge, St Stephen's by Launceston Rural, Cornwall. This late medieval bridge, depicted in full on page 13, is listed Grade I as well as being protected as a scheduled monument. Meanwhile, the early 19th-century milestone in one its refuges is separately listed as a Grade II structure.



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HPAs could be widely applied, rather it was thought that they could benefit particular sites. The pilot project at RAF Scampton, for example, showed that an urgent need to expand and refurbish the base made an HPA an inappropriate option. By their nature HPAs are not suited to situations of immediate, rapid change. At Scampton it also transpired that the low number of designations made management guidelines a more sensible option than an HPA.

In theory HPAs can be applied to sites of any size but the biggest benefits will be found on large and complex sites and estates, or sites in dispersed locations with monuments of the same type, perhaps under a single ownership. The pilot project on Cornish bridges is an example of the latter, where the form of works to scheduled and listed bridges, often needed as a consequence of damage by vehicles, has been agreed via a pilot HPA.

If the sites to which an HPA might be applied can vary, then the complexity of the HPA might be able to vary too. The ambition is that an HPA should not be an onerous document to put together. The precise form that HPAs will take cannot be confirmed until the new legislation is finalised, but they are likely to have two essential parts. The first part, signed by the partners, will specify the works permitted by the HPA, while an appendix and accompanying maps will explain the historic importance of the site, its present condition, the principles for its conservation and the programme of proposed works.

The pilot project at Holkham Hall in Norfolk demonstrated how HPAs might be based on existing management documentation rather than needing to be developed entirely from scratch. This material needs to be relevant, complementary to any other material drawn upon for the HPA, and sufficiently detailed. A conservation plan is one example, but others might be documents drawn up for Countryside Stewardship Schemes or the

Inland Revenue's Heritage Relief (Conditional Exemption) Scheme. It may also be relevant to refer to natural-environment designations where they need to be taken into account.

The form of the appendix that has emerged from the pilots is not unlike a conservation plan. Unlike a conservation plan, however, it will probably contain a works programme or development strategy, as a means of moving from an understanding of the historic interest of the site to agreed consents for specific works. Negotiations regarding a new HPA would ideally coincide with a review of the statutory protection of the site, undertaken by English Heritage. This would ensure that the understanding of the registered area and its historic assets, as translated into designation, is up to date for purposes of the HPA. The designation documentation and mapping should be included in the agreement. In cases where this did not happen, the HPA would need to address any discrepancies between the existing designation statements of importance and the current understanding of the site's significance.

The pilot projects have demonstrated that there could be a role for HPAs in managing the historic environment but more discussion is needed before the government can decide how they might be included in the new legislation. If they are introduced, the sector will determine whether or not they are a useful addition to the palette of options that is available to those who own and manage the historic environment.

Tony Calladine

Heritage Protection Department, English Heritage

REFERENCES

- Paul Drury Partnership 2003. *Streamlining Listed Building Consent: Lessons from the Use of Management Agreements. A Research Report*. London: English Heritage and ODPM
- DCMS 2004. *Review of Heritage Protection: The Way Forward*. London: DCMS

Creating and using a conservation development strategy: the UEA experience

Since its foundation 45 years ago, the University of East Anglia (UEA) has enjoyed a unique campus – one that has contributed to its international reputation and well-being. Sir Denys Lasdun's outstanding architecture is set in an exceptional, albeit incomplete Master Plan, so it was inevitable that parts of UEA would be listed when they came of age in October 2003. It may come as a surprise, therefore, to learn that the university resisted listing and the protection it offers. It argued that no such protection was necessary – it had always valued and maintained its buildings and could point to ongoing consultations with English Heritage as a demonstration of the quality of its care. It felt listing was an encumbrance rather than an aid to a successful and growing institution. The university is still of this view and is keen to see the proposed changes to the legislation planned for 2008. As Professor Andrew Saint observed, one cannot apply the same rules as for traditional listed buildings to the management of modern buildings, due to the implications of modern materials, and the need to renew or replace any that fail.

Just one month after listing, English Heritage persuaded the university to participate in its listing reform study, by undertaking one of the pilot studies for the proposed conservation

management plans. The university saw this as an opportunity to influence prevailing opinion. Suitable though a straightforward conservation plan may be for many historic sites, it does not match the needs of a dynamic institution that is ever changing. Accordingly, after discussion with English Heritage, the university developed the concept of the Conservation Development Strategy (CDS).

The university's CDS describes itself as 'a novel approach to conservation planning ... more ambitious than a typical conservation plan [because] by adding opportunities for change, it mitigates the planning uncertainty faced by UEA due to the significance of its existing building stock'. It 'sets out principles and policies for the care of the university estate, and identifies opportunities for development'. It 'deals with conservation issues' but as 'only one factor that must be taken into account' when it 'identifies opportunities for change'. It 'gathers together principles of good practice' and aims to 'be a practical guide for action' reflecting 'a range of present-day informed opinion on conservation-related issues at UEA'.

By January 2004, the university had appointed Cambridge Architectural Research (CAR) to generate its strategy. CAR has considerable experience in creating such guidance and the university has its own Estate and Buildings Division, where in-house architectural and management skills are available to take forward a project of this kind. As a



The University of East Anglia's internationally admired campus is now supported by a Conservation Development Strategy drawn up with the help of English Heritage and other interested organisations.

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consequence, UEA was fortunate to be able to take ownership of the process of creating the guidance from the outset.

Following thorough archival research, including records held by Lady Lasdun, interviews were conducted with many who were involved with the creation of the campus – including Ted Cullinan, the project architect for the ziggurats. Current expert opinion was sought and the university's own community was surveyed through a questionnaire. As a consequence, CAR built an authoritative picture of the campus and how it should be maintained in the context of change and development. Through a number of drafting stages, the university and CAR sought comment from the Norwich City Council (NCC), the Norwich City Design Quality Panel, the Twentieth-Century Society, the Norwich Society, the Yare Valley Society and, of course English Heritage itself. Having consulted widely and made adjustments to the CDS, the university expects to put it before the Local Planning Committee for its formal approval in June 2006.

Even before its formal adoption, the university and NCC are using the CDS. It is providing guidance for those engaged in day-to-day maintenance. It is constantly proving its worth in relation to defining the legitimacy of refurbishment projects in relation to listing. Its usefulness has been demonstrated in supporting an application for listed building consent for a major multi-million-pound refurbishment of the famous ziggurats, where both consultation time and administrative activities were reduced. Future development opportunities are defined in the context of conservation. And it provides the strategic context for approaching the ultimate goal of eventually completing the maestro's Master Plan.

Although initially reluctant about listing, the university believes that the CDS is working well and would recommend the approach to other similar institutions. The document is more informative and accessible than the old-style listing statement and of much more practical use to those responsible for the care of the campus. The university intends to publish it as a guide for those working on the campus and as a book for wider enjoyment. The university expects the CDS to be sewn into an HPA and now looks to the DCMS to provide the legal framework.

Joseph N Saunders

Estate Development Director, University of East Anglia

Holkham Hall: managing change on a country estate

Holkham Hall was selected by English Heritage as the subject of an HPR pilot project at the start of the review process. The Holkham Hall estate was happy to be involved. The pilot offered the opportunity to examine whether an HPA could address the circumstances of a country estate, and to explore the idea of interoperability: that existing analytical or management material might form the basis of an HPA that would in turn grant consents given on the basis of its statutory force under the proposed legislation.

Holkham, home of the Coke family and the Earls of Leicester, was built between 1734 and 1764 by Thomas Coke, 1st Earl of Leicester. The estate is situated on the north Norfolk coast near Wells-next-the-Sea, and covers an area of approximately 1210 hectares. It is, as the entry in the Register of Parks and Gardens puts it, 'one of the principal landscape parks in England', the design of the Grade I house emerging from a collaboration between Thomas Coke, Lord Burlington and William Kent.

Holkham estate includes a number of listed buildings, a registered landscape, several scheduled ancient monuments, and a conservation area (the Model Village of Holkham). They co-exist with other, non-heritage, national and local designations. There are some 56 entries in the present statutory list in the Holkham area. Thirty-two of these have been gathered into the 18 HARs for the purposes of the new Register Entry, which includes a separate HAR for the registered landscape.

Holkham is a modern country estate, and has a staff that runs its affairs. As well as being a major visitor attraction, Holkham is a 10,000-hectare agricultural business and a major local landlord, and in recent years has diversified into other activities. The estate's heritage assets, at any point in time, will be undergoing some kind of physical change.

Holkham Hall benefits from the Inland Revenue's Heritage Relief scheme, which gave rise to a Heritage Landscape Management Plan that was prepared in 1995, and is due to be revised and updated. This plan, it was thought, might form the basis for an HPA but would need to be modified to provide a more detailed analysis of the historic structures of the estate, and more concise objectives.

At first sight, Holkham Hall would seem to be an ideal candidate for an HPA. Its estate contains a variety of heritage assets in the same ownership that experience ongoing adaptation



Holkham Hall, Norfolk,
in its landscape setting.

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in response to the changing needs of an estate run as a business. This change involves regular interaction with the statutory authorities, and could be assessed and codified in an agreement regarding permitted works. It would seem equally possible to add to this a list of objectives for future work, along with an agreed approach to the conservation of the estate's listed buildings. Such an HPA would sit alongside and be linked to an enhanced Heritage Landscape Management Plan, giving force to its objectives and strategies.

However, the estate is content with the Heritage Landscape Management Plan as it stands and feels that it provides an adequate framework for the management of its heritage assets. The estate's experience of the statutory planning and listed building processes is a positive one and it has good relations with English Heritage and its local authorities. The estate is familiar with the policy and legislation relating to planning and listed buildings, and is used to developing projects that require statutory consent. Pre-application discussions have usually resulted in schemes being successfully negotiated prior to submission.

It is not clear, therefore, that the estate would at present benefit from an HPA. While there are clear financial benefits from a Heritage Landscape Management Plan – in that it brings with it the tax relief provided by the Conditional Exemption – Holkham does not believe that there is any significant problem in the present system of statutory control that might be addressed by an HPA. For the estate, the system works.

Holkham demonstrates that HPAs are only appropriate in certain situations, and, perhaps, 'if it ain't broke, don't fix it'. Much depends on the specific circumstances of the heritage asset and the context of control. In many instances, owners will need to be persuaded to invest time and effort in preparing an HPA.

But the virtuous circumstances described here do not exist everywhere. Even where

consensus exists, there may be a value in recording the basis of it by means of an agreement about, say, conservation method and what is acceptable by way of typical or repetitive change to assets. Circumstances and people change, and an HPA can help underpin clarity and continuity regarding conservation objectives. Nothing remains constant, even in a place as well run as Holkham.

Kevin Murphy
Director, KMHeritage

London Underground

London Underground (LU) is responsible for more than 50 listed buildings among the 253 stations that form part of the world's oldest Underground system. The network ranges from mid-Victorian train sheds, such as at Farringdon, through the familiar ox-blood-red terracotta façades of the Edwardian stations by Leslie Green to the buildings of the 1930s that were overseen by the Adams, Holden & Pearson partnership. These latter stations, designed under the aegis of Frank Pick, proved to be seminal examples of both station architecture and corporate identity and many are buildings of international importance.

They are, however, functioning, working Underground stations that continue to transport, and are thus 'visited', by tens of thousands of customers every day. As Pick and Holden intended, they are still our 'shop window' and form, for many, the entrance to London as a city. Listed or not, all our buildings are important to us as they not only form part of our unique built heritage but are also part of our 'brand' – a valuable asset worthy of care, attention and development. They are also buildings that are undergoing a vast amount of modernisation and refurbishment following decades of neglect. The Underground – the arteries of the world city that is London – also has to manage with, and plan for, the highest passenger figures in decades. All these varied demands highlight

The exterior of Oak Wood station on the Piccadilly Line.

© London Underground



the need for a close relationship between LU, its InfraCo partners (who manage the system for us), English Heritage and local authorities.

One of the things I have most often heard said about a 'Listed Building' was that we, as owners, no longer had any 'real say' in it as a building – as if we had abdicated or lost such responsibility. This never was the case, but HPAs are, in many ways, about owners feeling empowered to reassert their responsibility for buildings and to do so in an open and agreed way that benefits all stakeholders.

LU is privileged to have formed part of the HPA trial and we have been happy, as owners, to feed back our comments on the plans. It has also helped us to focus our thoughts on the needs of the buildings and thus in turn to articulate how we can best balance our requirements and responsibilities.

For LU the opportunity to be involved in the trial was another example of the increasingly harmonious working relationship we have with English Heritage. For us the agreements are a logical step forward from our regular liaison meetings with English Heritage. On many levels, these have helped both organisations. We can bring our knowledge of our buildings and operational requirements to a forum that gives us access to English Heritage's unique skills and assistance. Through this process we have been able jointly to articulate our vision for Underground stations to other stakeholders, such as local authorities. Knowledge also brings other benefits, such as a greater awareness of the context of a station. An agreed series of processes for similar groups of buildings thus mitigates against piecemeal or inconsistent

work or alteration – for example, a procedure negotiated with English Heritage for dealing with ceramic tiles will help to manage similar situations that arise on many stations. This highlights other possible advantages of HPAs that we are keen to foster, including a more consistent approach to the conservation and development of stations that form part of thematic groups but that fall within the boundaries of more than 33 different local authorities.

These agreements come at an interesting time for LU. We now have a better focus on our buildings and their long-term futures than for many years. At present works of this kind require numerous applications to different local authorities and to English Heritage. For us there are distinct advantages in being able to agree, in advance, methodologies for dealing with 'day-to-day' maintenance of our stations in a way that actually benefits the buildings as historic structures.

HPAs could also form part of a raft of processes that bring together existing knowledge, company standards and requirements and legal obligations. They may, for example, encourage us to draw up Station and Heritage Maintenance Plans to help us care for and develop our buildings, both as working stations and as historic structures in their own right. In the longer term I am hopeful that we, as a company and as an important owner of such structures, will be able to help move forward the debate about the use and maintenance of historic buildings.

Mike Ashworth

Design & Heritage Manager, London Underground

RAF Scampton

RAF Scampton, located just a few miles north of Lincoln, opened in 1936 as a bomber station, and remains in military use to this day. Its association with the Dambuster Raids of 1943 makes it Bomber Command's most famous base of the Second World War. It also played an important role in the Strategic Bomber Offensive and the daylight raids in support of the Allied offensive in Europe. During the 1950s it was developed as a V-bomber base, and was one of only two bomber airfields that were adapted early in the 1960s to handle the Blue Steel missile (the other being RAF Wittering). RAF Scampton is thus one of the most historically significant airfield landscapes in England.

RAF Scampton was selected by English Heritage in April 2004 as one of 15 pilot sites where the new system of heritage protection would be tested. Although none of the buildings were then listed, four of the hangars were recommended for listing at Grade II. This was subsequently confirmed by the DCMS in December 2005. Scampton was chosen as a pilot because its significance was proving difficult to identify and protect through the existing tools, ie listing or scheduling of individual structures. The original RAF buildings were

built to standardised designs and are thus unexceptional in architectural terms. However, the site as a whole is one of the best-preserved 'expansion period' sites in England and its historical associations make it unique. Under the proposed new system, the whole site could be entered as a single entry in the RHSBE and different management regimes applied to the component areas.

In parallel to the pilot project, English Heritage commissioned two independent studies from external consultants: an operational history and gazetteer of surviving structures (Francis 2004) followed by a characterisation report (Atkins 2004). Drawing on these reports, English Heritage identified 14 component areas of the site and compiled documentation for these in the form of HARs. Ranging from a buried Roman villa to Cold War structures, these include all of the 1930s' airfield buildings.

The decision to adopt RAF Scampton as a pilot project coincided with an announcement by the MoD in 2004 that the base would be reactivated and that various operational units would be relocated there during the period to 2012. Several projects began in 2005 to adapt existing buildings for the use of some of the incoming units. However, a subsequent ministerial announcement in March 2006 confirmed that the development plans for the base had



Aerial view of RAF Scampton showing the dramatic imposition of the 20th-century airfield on the earlier agricultural landscape.

© English Heritage

The Officers' Mess at RAF Scampton, built to a standard Air Ministry design. Although not listed, this is subject to conservation management policies.



© English Heritage

been reviewed and were to be scaled back. As a result, previous plans for intensifying the use of the site and for various new buildings have been dropped. The RAF Aerobatic Team, the Red Arrows, will continue to occupy one of the listed hangars.

Conservation management guidelines, setting out policies for managing change in each of the 14 historic asset areas, have been drafted by the Government Historic Estates Unit (GHEU). This guidance has been developed in consultation with the RAF, Defence Estates and West Lindsey District Council. The agreed approach allows the operational development of the base to continue, through selective demolition of those buildings that do not have a sustainable future, while adopting conservation-based policies for new development, alterations and landscaping. The next step is for the guidelines to be formally adopted by the RAF and Defence Estates. In due course, they could form the basis for a formal management agreement, subject to the necessary legislative changes and the agreement of all the organisations involved, including the LPA.

Agreeing how much of the site can be demolished or altered, in the absence of statutory

listing controls and in the context of the complex operational needs of the RAF, has been a great challenge. A series of site meetings, attended by all the stakeholders and chaired by GHEU, has been successful in resolving all contentious issues where development or financial pressures have been in conflict with conservation objectives. The agreement of a development framework is thus a considerable achievement, and sets a useful example for other complex sites. The lessons of the pilot project will be formally assessed by DCMS and fed back into the HPR during 2006. For Defence Estates, this pilot has demonstrated the potential of a conservation management approach, linked to the Integrated Land Management Plans that are being prepared for MoD sites.

Will Holborow

Head of the Government Historic Estates Unit, English Heritage

REFERENCES

- Atkins, W S 2004. *RAF Scampton Characterisation Report*. Report for English Heritage
- Francis, Paul 2004. *RAF Scampton: An Operational History and Gazetteer of Surviving Structures*. Report for English Heritage. Airfield Research Publishing

Local Delivery

Delivering a streamlined heritage protection system will be all about people working together in closer local partnerships.

IMPLEMENTING THE REFORMS

The system of protecting and managing England's historic environment is about to change. For the historic environment sector this provides a significant opportunity to improve delivery, efficiency and effectiveness of services, as well as better ways of working together, engaging with local communities and locally valued assets. Whether our system of heritage protection is truly reformed, and a success, depends not only on national policy, but also on individuals and partnerships engaging at local level, to deliver an improved service that enables our heritage to be better understood, valued, cared for and enjoyed.

It is the local level, the 'coalface' of conservation, where the reforms will be put to their toughest tests; if the system does not function properly, historic sites, buildings and landscapes, and the archaeological resource will disappear, or undergo inappropriate change. The challenge is to find a way of working that builds on the strengths of the existing system and makes best use of the outstanding knowledge and dedication of local historic environment services, while introducing more flexibility to the structures within which they deliver that service.

The responses to the Heritage Protection Review consultations were highly informative. Along with the very positive support for the reforms, many noted that the general trend in the sector was already moving in this direction. Broad implications include closer working between archaeology and conservation specialists, greater control within local authorities on decision-making, clarification of the historic environment services role and structure, partnerships with parallel disciplines to ensure the contribution of heritage to local development and social economic objectives, increased consultation and community involvement in decision-making, as well as a clear conservation

philosophy to achieve 'appropriate management'. These changes in delivery contribute to a more holistic approach to management of the historic environment, a more transparent, efficient and robust system that serves its local community.

While historic environment service delivery will need to adapt to maximise new opportunities, it will also need to overcome different challenges. At a practical level, one of the biggest challenges to implementing these reforms will be in terms of local authority capacity. Any new models for historic environment service delivery will not only need to be clearly defined and enable local objectives to be met but will need to be appropriately resourced. Along with the evaluation of the English Heritage pilot projects, DCMS has commissioned research on local delivery, which is nearing completion. The results of this research are to be fed into the Heritage White Paper. Final evaluation is not yet complete, but preliminary results have been positive in demonstrating the benefits of the proposed reforms, such as new designations, an improved consent process and heritage partnership agreements.

The Heritage Protection Review should also be considered in the wider context of current government reforms to public services and the local government modernisation programme. At the heart of this agenda is the improvement of services through national standards, devolution and delegation to the front-line, community engagement, flexibility and more choice for service users. One of the government's key priorities is to create sustainable communities – places where people want to live and that promote opportunity and a better quality of life for all. The historic environment positively influences many relevant local activities including regeneration, housing, education, economic development and community engagement. There is also an expanding body of research that shows a growing appreciation of the role of heritage in social and economic develop-



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English Heritage welcomes the DCMS's commitment to review current ineffective legislative frameworks for conserving the historic environment. At Breedon-on-the-Hill, Leicestershire, quarrying has removed part of the scheduled Iron Age hill-fort, known as The Bulwarks, as well as damaging the setting of the Grade I church on the hilltop.

ment amongst non-heritage professionals.

The sector can build on this strength by working in partnership to encourage alignment and contribution of heritage issues into local development and socio-economic objectives. This can be delivered at a local level through Community Strategies, Local Development Frameworks, Local Strategic Partnerships (LSPs) and Local Area Agreements. For example the work of South Kesteven LSP demonstrates how partner bodies working together can achieve benefits for the historic environment. The problem of street clutter was brought to the attention of the LSP, who then agreed it was an area of some level of interest to all parties (highways, district council, town partnership, police and parish councils). The County Divisional Surveyor, who was represented on the LSP, was then able to advise on

Granger Town in Newcastle is an acclaimed example of how the historic environment contributes to a wide range of local activities, including regeneration, economic development and community engagement.



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the technical details of which items of street clutter could be removed. This exercise will be continued across the district and is very much in the spirit of English Heritage's Streets for All campaign, which aims to create a sense of place through retaining and refurbishing historic features. There has already been some success with local authority performance measures with the introduction of Best Value Performance Indicator 219 on conservation areas in 2005. However, English Heritage is already gearing up for post-2008/9, when the current Comprehensive Performance Assessment system will change, to ensure the historic environment is fully covered in the new regime. This includes jointly developing and piloting regional commentaries, self-assessment and peer-review systems with other Non Departmental Public Bodies within the DCMS family.

The Heritage Protection Review throws up many challenges to the sector in terms of local delivery; however, this opportunity to invest in the future cannot be missed. It is essential that local authorities, English Heritage, DCMS and other interested partners work together on the forthcoming Heritage White Paper to ensure that the organisational structures allow efficient delivery and that the resources are in the right places to enable this to happen. English Heritage is already investing in local authorities, through provision of grants, guidance and training. In one year English Heritage has recruited more than 181 Historic Environment Champions, mostly elected members, who provide leadership for heritage issues within their authority. Equally impressive, in the past year the Historic Environment Local Management (HELM) project has published 14 policy documents on a wide range of heritage issues, trained more than 1,000 local authority members and officers and attracted more than 120,000 visitors to the HELM website. Both these initiatives have strong support at the DCMS, DCLG and Defra and this greater degree of focus on the historic environment delivers real benefits for everybody. English Heritage will continue to develop this capacity-building programme to ensure that local authorities are equipped with the resources, knowledge and skills to make the most of their historic environment and in the context of a changing heritage protection system.

Deborah Lamb

Director of Policy and Communication, English Heritage

Darnall Works: adventures in Sheffield's East End

Darnall Works was the only industrial site chosen to take part in the Heritage Protection Review pilot study. From the start, different challenges and issues were likely to arise from those experienced by other participating sites.

Darnall Works is a complex site and has been in continuous industrial use from its establishment in the 1830s. It contains five listed buildings, from a modest gate-keeper's cottage, to the Grade II* large Crucible Melting Shop; the large Crucible Shop and adjoining furnaces are scheduled as an ancient monument.

The initial mapping of, and research into, the site quickly demonstrated that there was much to learn about Darnall Works. The presence of a glass furnace, which appeared to survive well into the period when the wider site was devoted to steel production, threw up the intriguing possibility that it was adapted for the production of blister steel, the raw material of Crucible Steel. Glass furnaces, with their signature bottle shapes, are similar in form, although much larger than the cementation furnaces that were used to create blister steel.

Elsewhere on the site, the research uncovered evidence for the abandonment of coke for fuel in favour of gas. Similarly, the proximity of Darnall Works to the Sheffield to Rotherham Canal may have been important for Benjamin Huntsman, the inventor of Crucible Steel in 1740, who lived and worked close to the future site of Darnall Works.

Darnall Works sits in the East End of Sheffield in the Lower Don Valley, which came to be the hub of the Sheffield steel industry and in turn, at its height in the 1870s, the heart of the 'Workshop of the World'. A century later, the decline of the Sheffield steel industry as an employer had a devastating effect on Darnall. Although Sheffield still produces nearly as much steel today as it ever did, the number of men it employs is only a tiny fraction of the former workforce.

Darnall has a significant population of South Asian origin, who migrated to Sheffield to take on the plentiful jobs that were to be had in the steel industry during the 1950s to 1970s. The contraction of the steel industry was a body blow to an already deprived community. A local syndicate took on part of the site, around the time the pilot study started, as Darnall Works Ltd. The company set about work on their part of the site with gusto: in the case of one listed building a little too much gusto. Refurbishment work started before a valid listed-building-consent application had even been lodged!



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Simultaneously, Sheffield City Council began master-planning for the regeneration of the Lower Don Valley: the 'Darnall, Attercliffe & Tinsley Neighbourhood Development Framework'. Mayflower Technology Ltd launched a bid for European Objective 1 funding, with the support of Sheffield City Council and others, to allow the expansion of an already successful, hi-tech laser-cutting business. The result was £1.7 million of grant from Objective 1 and English Heritage, as part of a £7 million regeneration package.

The key lesson of the study was the answer to the question 'Why is something listed, or scheduled?' The HAR impressed upon all concerned the significance of the site and its component elements. The pilot study became a catalyst for the rebirth of Darnall Works. It allowed the site owners to gain a greater understanding of the complex, as well as highlighting to the master-planners the importance of the works as a linchpin for the regeneration of the Lower Don Valley. South Yorkshire Objective 1 also recognised the value of bringing an important but redundant set of industrial buildings back into use.

In signing up to the pilot study, the joint owners committed themselves to working with Sheffield City Council and English Heritage to ensure that the historically and archaeologically important parts of the site were protected. Where other potentially invasive projects are planned, these will be developed in a sensitive manner, with the necessary permissions in place!

Finally, the pilot study gave the Urban Design and Conservation Team an insight into the nature of heritage protection for the foreseeable future, and an understanding of how

The Darnall Works, Sheffield. The listed buildings of this historically important early 19th-century steelworks will play a vital role in the regeneration of the Lower Don Valley.

the new system could assist in simplifying the management of complex sites and estates.

Craig Broadwith

Principal Conservation and Design Officer, Urban Design and Conservation Team, Sheffield City Council

The Darnall Works, Sheffield: Daniel Doncaster's cementation furnace.



© English Heritage

Crucible Steel

Crucible steel was of very high and uniform quality, much sought after for use in edge tools, cutlery, dies, and high-precision instruments such as clocks and watches. It was produced by melting down poorer quality steels in clay or graphite crucible pots, which were heated in holes above coke-fired furnaces. The unique design of these furnaces allowed the higher temperatures needed to drive impurities and greater amounts of carbon out of the steel. Despite the introduction of Henry Bessemer's improved converter process in 1856, crucible steel was still being poured as late as the 1970s because of the wide range of special-quality steels that it could provide.

Cornish bridges, milestones and wayside crosses: managing designated highway furniture through a Heritage Partnership Agreement

Our highways have evolved over centuries, if not millennia, through their use by pedestrians, pack animals and relatively small vehicles. The infrastructure that carries them forms an integral part of the history of travel through the landscape. Current management of the road system faces challenges in caring for the historic and biodiverse heritage that lies within road corridors. Not only must it take account of quantum changes in the size and volume of traffic, but it has also to provide for the safety of current users. It is therefore crucial for highway managers and their contractors to make provision for the proper care of these heritage assets.

Many bridges, milestones, wayside crosses and other structures are listed or scheduled, and in some cases both. The consent regimes associated with statutory designations can be cumbersome, a situation that helps neither the managers of the structures, nor the heritage professionals involved in the consent procedure. While statutory protection must be respected, the Heritage Protection Review recognises the need to rationalise the procedure.

Cornwall County Council (CCC), North Cornwall District Council (NCDC) and English Heritage agreed to participate in a pilot project to test the potential increased efficiency of an HPA between highways managers and those operating statutory consent procedures. The project covered a sample of designated bridges, milestones and wayside crosses across North Cornwall District, managed by CCC Highways and subject to consents from NCDC (listed building consent) or English Heritage (scheduled monument consent and some listed building consent).

In brief, the HPR project team compiled individual HARs, in co-operation with the CCC HER and others including the Milestone Society. They also prepared specifications for works of maintenance and repair for each class of asset, with input from English Heritage, CCC bridge engineers and the Milestone Society. It was proposed that by incorporating accurate records of the structures and their special archaeological, architectural and historic interest and approved work specifications in an HPA, all parties could be liberated from excessive consultation and consent procedures. In particular, they would be assured through the HPA that, for an agreed range of works, the structures would be appropriately managed.

Bridges Historic bridges range from simple lintel or clapper constructions to complex multi-arched structures. Some are both listed and scheduled, a situation that can lead to confusion with regard to consent requirements, and inefficiency in obtaining consents. A single designation for all heritage assets would rationalise this. Bridges are the regular victims of traffic damage and repairs required for health and safety reasons may be carried out on designated structures without formal consent. However, it is important that these works, as much as planned strengthening or general maintenance that requires consent, use correct methods and materials. Inappropriate repair in the past is not uncommon; the proposed HPA would ensure that it does not happen in future.

Milestones Milestones and way markers are important elements of the history of travel, and demonstrate considerable local distinctiveness in their materials and styles, as well as more standardised forms along national routes. They are at risk of deterioration, damage, theft and inappropriate relocation and it is important that the consent requirements are clear. In Cornwall the Milestone Society has carried out invaluable work enumerating the milestones that survive along our many roads. Work is also under way to review maintenance of their distinctive appearance and to reclaim 'lost' milestones that have found their way to other parts of the country. As well as clarifying the requirements for consent, the pilot has identified maintenance and repair regimes that would be part of the proposed HPA. It has also highlighted inconsistency in the current designation of historic roadside structures.

Wayside crosses These evocative symbols of the hazardous nature of travel before the formalisation of routes are at similar risk to milestones. Their variety of form represents not only local development of styles, but also the use of locally distinctive materials. Work has



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Milestones are among the most distinctive features of our roadside heritage, but are fragile and need careful management in the face of 21st-century road pressures.

been carried out to repair and reset some through a programme of Monument Management jointly funded by English Heritage, Cornwall Heritage Trust and CCC, but, sited where there is permanent risk of damage by traffic and verge and hedge maintenance, it is necessary to establish an effective management regime for the class as a whole. The specifications for maintenance and repair in the pilot HPA thus clarify appropriate materials and methods, and the specialist nature of the work that may be required.

In conclusion, the pilot has enabled County Council highways engineers to work with historic environment professionals in the district and county councils and colleagues from English Heritage to examine concerns on both sides, to review consent procedures and provide specifications for appropriate works.

Preliminary figures from the pilot suggest that time spent by all parties preparing and



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Trekelland Bridge, near Launceston in Cornwall. This early 16th-century road bridge over the River Inney was described by Charles Henderson as 'one of the best preserved and most beautiful of Cornish bridges'. It is currently both listed and scheduled, but has frequently been a victim of traffic damage.

processing listed-building-consent and scheduled-monument-consent applications could be reduced to approximately one-sixth. This would represent a saving of some three months' work for one person over a four-year period; in addition there would be considerable savings in the logistical costs of handling each application. All parties recognise the efficiencies that could accrue from the more integrated and streamlined approach of HPAs.

Veryan Heal

Manager, Historic Environment Policy, Advice and Information, Cornwall County Council

Ecclesiastical controls and Heritage Partnership Agreements

How does a cathedral with an extensive historic precinct or a parish church deal with the multifarious layers of consents needed from different regulators? Church of England churches and cathedrals (and those of some other denominations) have comprehensive control systems over their buildings – but can we simplify the overlap of controls? And how can they be adapted to dovetail with the proposed changes to the secular system? This is what our pilots with two cathedrals and two dioceses seek to test.

Ecclesiastical buildings come in all shapes and sizes: small parish churches; large churches with extensive churchyards, lychgates, churchyard walls and ornate table tombs; cathedrals in precincts containing listed buildings, clergy housing, monastic remains, and commercial or school buildings. Many are in conservation areas. The range is huge.

Take Canterbury Cathedral: at the heart of the worldwide Anglican Communion, associated with St Augustine, Thomas à Becket, and many other giants of Christianity, with more than a million visitors each year, a thriving school, and archaeological potential on virtually every inch of the site. Or Rochester Cathedral near by, a site embodying 1,400 years of continuous worship since 604, only 7 years after Augustine came to Canterbury. With the castle opposite, it became the focus of the town: yet the castle has lost its original function, while the cathedral remains in vibrant daily use for its original purpose. Less visited than Canterbury, it is nevertheless a fascinating and complex site with historic buildings and archaeological remains.

The churches of the Taunton Deanery in the Diocese of Bath and Wells span work from the Middle Ages to the present day: major town churches like St Mary Magdalene with its

dramatic tower and roof; the Victorian St John the Evangelist with its screen depicting the story of Noah's Ark; and smaller churches such as St John's Staplegrove, where the spacious churchyard conveys a sense of rural continuity. A group of churches in the Lincolnshire Wolds in the Diocese of Lincoln will offer the opportunity to look at the challenges presented by rural churches.

These churches and cathedrals, with their local advisory committees, LPAs, the Church of England's Cathedral and Church Buildings Division and English Heritage are working together to seek a more integrated approach to control and management. The Church's control systems balance care and conservation of the buildings with worship and mission. We fully recognise the responsibility to care for our rich inheritance of buildings that encapsulate the history, art and architectural achievement of centuries; but their prime role is and has been as places of prayer, which must also grow and develop if that purpose is to remain fresh and vibrant. The extended community use of our sites and buildings is also an important part of our mission and will require building effective partnerships.

We are glad that last year's decision document from the DCMS on the 'Ecclesiastical Exemption' recognised the strengths of these systems: yet we all wish to make them as streamlined and effective as possible. But local authorities and DCMS and DCLG, with English Heritage, also exercise controls on listed buildings and scheduled monuments within the churchyard or precinct, and are consultees (though not decision-makers, unless planning permission is required) on proposals for changes to the church or cathedral itself. The overlap of these systems has long been a source of confusion and even frustration: which consent comes first? Suppose different decisions conflict? And is it really necessary to make separate applications to carry out very similar works again?

The pilots aim to address these questions. First, they seek deeper understanding of the site involved, through revised Register Entries and HARs explaining why the site *matters* as well as its architectural or historic features (see Veronica Fiorato's article on pages 8–10). Secondly, they seek to identify in partnership the types of work likely to come forward repeatedly for approval, and to agree the parameters under which they might be allowed. Some works will never suit this approach: new buildings and major alterations will always need consideration in great detail by all parties in the traditional way. But a pre-agreed framework may well ease



The precincts of Canterbury Cathedral are an ideal site for piloting new partnership arrangements.

© Paula Griffiths

consideration of matters like opening up previously disturbed service trenches; consolidating walls to a pre-agreed specification; or minor repairs. We are confident that the Church's legal systems will enable appropriate flexibility, where the ground rules can be agreed, to cope with the more comprehensive designation of the whole site that the new system will bring.

Setting up the pilots takes time and effort. English Heritage is helpfully bearing the cost of the designation work, but the meetings involve resources including the time of clergy, administrators, volunteer churchwardens, and professional advisers. We hope that this initial input will quickly repay itself in time saved later through streamlined processes. If so, these pilots may well provide a template which other churches and cathedrals will wish to follow.

Paula Griffiths

Head of the Cathedral and Church Buildings Division, Archbishops' Council

The Lake District Central Fells: protecting Neolithic stone-axe-factory sites

The Neolithic stone-axe factories in the Central Fells of the Lake District are probably the best-known sites of their type in Britain. Rough-out axes were produced here over a 2000-year period and distributed through the British Isles and Ireland. The Council for British Archaeology's Implement Petrology programme has designated the volcanic tuff that

was used for axe manufacture as Group VI, and this group accounts for more than 20 per cent of all Neolithic stone axes sampled. The exposure of tuff has been traced in a narrow band over a distance of 19km of very high and rugged terrain and the axe-factory sites have been the subject of two intensive programmes of archaeological investigation. The first comprised a detailed survey by the National Trust and Lancaster University Archaeological Unit in the 1980s, which was followed by a programme of sample excavation and radiocarbon dating by a team from Reading University.

The archaeological significance of these sites is without question and it is therefore surprising that in the past they were not designated as Scheduled Ancient Monuments. In fact scheduling documents were drawn up in the late 1980s but were not finalised due to uncertainties over the status of the sites under the Ancient Monuments legislation. Also without question is the threat to the survival of the stone-axe-factory sites posed by intensive public access, particularly in the Langdale fells, which has resulted in severe localised footpath erosion and damage to axe-chipping floors. Scree running, removal of stone-axe rough-outs as souvenirs and grazing pressure have also contributed to damage to the sites in the past.

The Lake District stone-axe factories are located within the Lake District National Park, on land that is owned or managed by the National Trust. Over the years, archaeological staff from both organisations have collaborated on conservation measures for these sites,

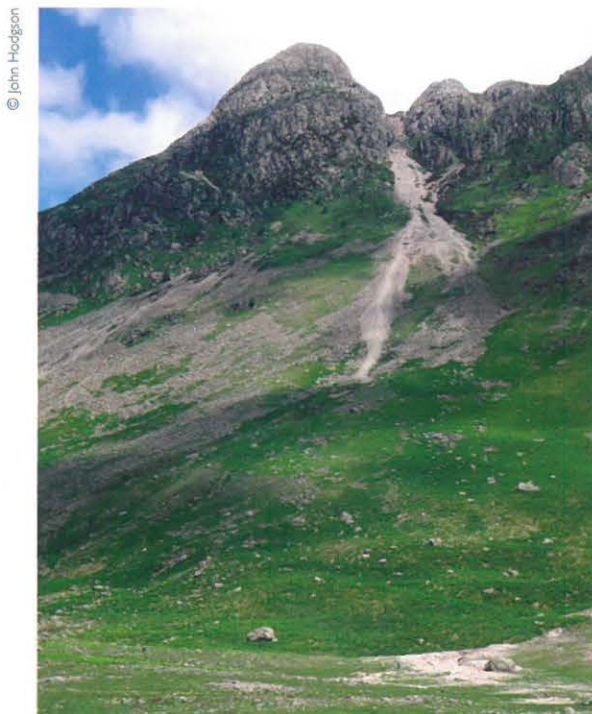
Examples of Group VI roughout and polished stone axes from the Lake District.



© John Hodgson

including archaeological mitigation of footpath repair work. In addition, inclusion of many of the axe-factory sites in the Lake District Environmentally Sensitive Area (ESA) scheme has enabled a reduction in grazing and a regeneration of turf cover in sensitive areas.

An opportunity arose in 2004 with the inception of the HPR, for the Lake District Central Fells stone-axe-factory sites to be the focus of one of the pilot projects arranged by English Heritage to test arrangements for possible new legislation. A project brief was developed by English Heritage and a project team assembled of relevant English Heritage staff and local stakeholders, including the Lake District National Park Authority and the National Trust.



© John Hodgson

Pike of Stickle showing the erosion of the south scree.

Work over the last two years has included gathering together relevant data, defining heritage assets and boundaries, assessing significance and producing a comprehensive HPA. More than 300 individual features were identified, including quarries, shelters and working hollows, together with a number of prehistoric ring cairns and medieval shielings. For ease and clarity of description these have been divided in 11 separate HARs covering the entire area.

A large part of the mountainous terrain in which the stone-axe-factory sites are located is already covered by a number of statutory designations including Site of Special Scientific Interest status, but these focus on natural environment issues and access rather than the historic environment. Production of the HPA offered for the first time an opportunity to characterise threats to these important archaeological remains and to define management prescriptions specifically targeted at their preservation.

The range of skills and knowledge available through the project group has facilitated the production of a comprehensive HPA document that will underpin management of the Neolithic stone-axe-factory sites by the National Trust and Lake District National Park Authority. The management prescriptions and consent regime cover works which are frequently undertaken in this sensitive upland region, including footpath repairs, stone collecting and boundary maintenance. The HPA will assist in raising the profile and importance of the stone-axe-factory sites while avoiding unnecessary obstacles for routine land management that does not have an archaeological impact. However, it will also provide a new level of protection through the requirement of consent for new intrusive works and for removal of archaeological material (eg axe rough-outs, waste flakes) from the surface of the registered area.

This pilot project has provided a model for the production of an IIAR and an HPA for an extensive and complex archaeological area through a successful working partnership between English Heritage staff and local stakeholders. The HPA is now ready to be signed by the Lake District National Park Authority and the National Trust and will provide a new statutory framework for the protection of some of England's most distinctive and important prehistoric archaeology.

John Hodgson, Senior Archaeologist, Lake District National Park Authority

Jamie Lund, Archaeologist, National Trust North West Region

New Ways of Working

The prospect of a modernised protection system is encouraging heritage professionals to transform their own working methods.

Principles of selection

Just what is it that makes a building, a site, a garden or a battlefield special enough to warrant designation? Statutory protection depends on a shared appreciation that aspects of our historic environment deserve an extra level of vigilance. Public enjoyment of the past has never been greater than it is today. This presents English Heritage and the DCMS with an opportunity to communicate better with the present-day guardians of historic places, and share our understanding as to why their property merits inclusion on the lists, schedules and registers that comprise our present designation approaches. A DCMS consultation, *Revisions to Principles of Selection for Listing Buildings: Planning Policy Guidance Note 15*, took place last year.

Owners and occupants alike of designated buildings and sites deserve to be treated with respect. Openness of process has been one of the central tenets of the HPR throughout. The arbitrary imposition of legal restrictions on the freedom to enjoy one's property at will is one thing; the highlighting of solid claims to historical or architectural notice, and its consequences, is quite another. Modern governance demands that the reasons for decisions and restrictions are fully explained, and made against published criteria. So the preparation of new principles of selection has formed an important strand of work for the Heritage Protection Department.

English Heritage takes pride in its research achievements, but it must be acknowledged that our energies have been applied unevenly across the full range of archaeological and historic features. In terms of setting out its stall, archaeology has led the way. Scheduling imposes very precise restrictions on designated archaeological sites, so it was important to communicate the importance of a site to the owner in order to establish a good working relationship and encourage positive management from the outset.

Essays on various aspects of the archaeological resource were commissioned from recognised

academic authorities. Named 'monument class descriptions', these have long been publicly available and go a long way towards explaining the claims to importance that a scheduled site possessed. In more recent years 'step reports' on different facets of industrial archaeology – from stone quarrying to the chemicals industry – set out current understanding in some considerable detail. This detailed work builds a secure and enduring basis for designation decision-making. We are committed to continuing work on archaeological principles of selection, and aligning them with other designated elements of the historic environment.

Where more clarity is required as a matter of urgency is in the realm of listing. Around 380,000 existing list entries cover approximately half a million buildings and items: but the formal published guidance on selection is confined to a few paragraphs in *Planning Policy Guidance 15 (PPG 15)*.

English Heritage's *Understanding Listing* booklets of the mid-1990s, on subjects as diverse as East Anglian farms, pubs and Manchester mills, constituted the first sustained effort to communicate our appreciation and designation of certain building types. What is now needed is coverage of the whole range of buildings and structures. This work is now in hand, informed by the findings of the 2005 public consultation. This will assist not only with the determining of new requests for designation, but will endow the huge body of existing listings with a fresh note of contextual understanding. This will assist all parties – owners, architects, managers, local authorities as well as designators – in the positive management of these very special places.

Our approach has been to supplement the overarching principles enshrined in *PPG 15* with two levels of supporting guidance. We have created 21 separate building-type categories, from agricultural to the utilities (see box opposite). The vast subject of housing has been broken down into five separate areas. Within each category, we have created outline



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A comprehensive series of English Heritage 'selection guides' will in future help to de-mystify the process through which historic buildings and places are designated.

principles of selection, which offer the essential guide to the particular qualities we look for in assessing candidates for designation; beneath these are longer supporting essays, termed 'selection guides', in which we provide an outline of the historical development of each type, and some expanded consideration of designation issues. Aspects such as design quality, decoration, plan form, rarity, technological interest, historical associations, materials, intactness and others can all be discussed, thereby demystifying much of the designation process. We are also aware that we will need to keep abreast of ever-changing understanding and perceptions and make sure that the lists remain fit for purpose.

We can then amplify our coverage of certain key areas through supporting publications that follow on from the *Understanding Listing* booklets. Topical themes such as schools, libraries, farm buildings and shops all suggest themselves as priorities. Electronic publication makes the dissemination and updating of such material ever more attainable.

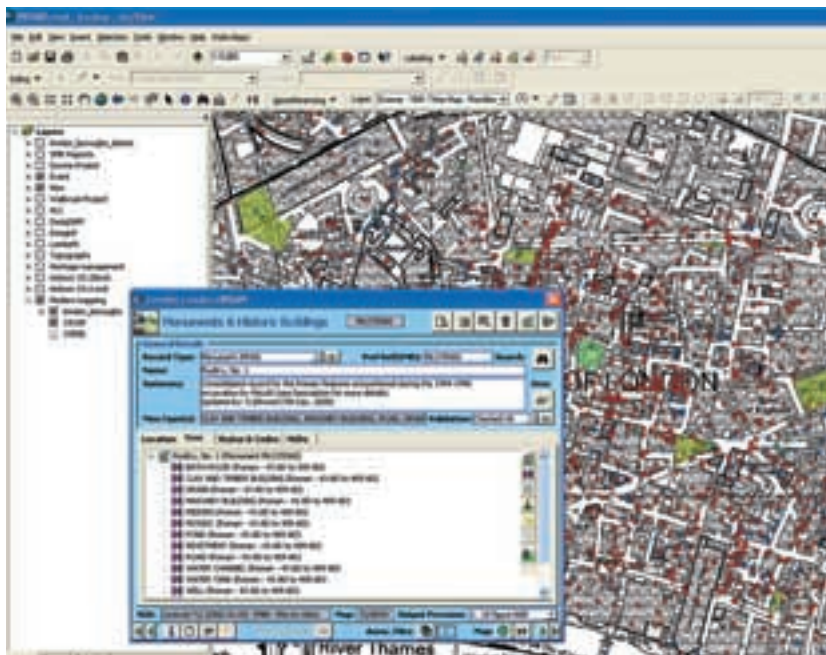
Thanks to the vital assistance of colleagues in the Research and Standards Group, the selection guides for buildings are now in hand. The exercise has two important benefits. Not only will it usher in much greater openness to the proceedings, it also speeds up our designation work. Principles of selection are thus crucial to the vital matter of identifying what requires special care during the planning process.

Roger Bowdler

Heritage Protection Department, English Heritage

Listed Building Types

- | | |
|--|----------------------------------|
| Agriculture | Domestic 5: vernacular |
| Buildings in Gardens, Parks and Urban Spaces | Education |
| Commemorative | Health and Welfare |
| Commercial | Industrial |
| Communications | Law and Government |
| Culture and Entertainment | Maritime and Naval |
| Domestic 1: country house | Military |
| Domestic 2: suburban | Places of Worship |
| Domestic 3: town and terraced houses | Sport and Recreational Buildings |
| Domestic 4: 20th century | Transport |
| | Utilities |



Comprehensive and easily accessible information about the historic environment will be vital to the success of the modernised heritage protection system.

Historic Environment Records

Running through the proposals for heritage protection reform is the underpinning requirement of access to high-quality information about the historic environment. This is encapsulated within the government's proposal to introduce statutory status for HERs. If heritage protection reform is to bring about the benefits expected, all of those involved in the management, ownership and understanding of the historic environment have to be able to access consistent and current historic environment information and therefore develop a common understanding.

In English Heritage we have been working together with colleagues in local authorities and government departments to understand the current situation regarding HERs and look at ways in which these may be developed in the future to underpin the implementation of heritage protection reform. The working party has drawn heavily on representation from the Institute of Historic Building Conservation and the Association of Local Government Archaeology Officers from the local authorities, staff from both the DCMS and the ODPM (now DCLG) and with English Heritage staff drawn from differing parts of the organisation. Together with a project looking at the capacity of local authorities to undertake heritage protection reform, these have formed the local delivery aspect of heritage protection reform.

Local authority HERs and their predecessors, the Sites and Monuments Records, are well-established sources for the management of the archaeological components of the historic

environment. These were started in shire counties in the mid-1960s, but following on from successive local government reforms have been developed in coverage and scope. Today, reflecting their archaeological origins, the majority of HERs do not hold comprehensive records of the built historic environment and even fewer hold maritime records, both of which will be needed for successful implementation of heritage protection reform.

Local-authority conservation officers do not have the same well-developed tradition of collating material in central databases. Information generated in dealing with historic buildings often ends up on the planning history files or in a separate filing cabinet or database. However, those few HERs that do consistently collect and hold this information demonstrate that it is not the material *per se* which precludes its inclusion. There is a need to develop and extend the existing standards and guidance to ensure that it is applicable to all of the components of the historic environment.

E-government, and in particular e-planning, has set out the direction that the government expects local authorities to take in dealing with the general public. As a result, the information base for the historic environment has to be held in a digital form that is accessible and searchable through the internet. It is recognised that initially some of the information held about the historic environment will not be available digitally; however, this percentage should reduce over time.

The working party is in the process of understanding how the existing systems used by local authorities may be made fit for purpose

when heritage protection reform is implemented. This will involve developing the necessary standards and benchmarks, developing the content and ensuring interoperability with other local authority systems, initially those in use in the planning departments but in time spreading throughout the authorities. Colleagues are working on a separate initiative, the Heritage Gateway, which will provide a structure that links the national with regional and local statutory and non-statutory records to provide comprehensive coverage while at the same time enabling the thematic cross-searching of many local authority data sets.

In parallel with the technical development, the working party has been looking at the changes that will need to be accommodated by the individuals using and contributing to the system. This work includes developing models for different delivery structures. In the process it will be necessary to examine models that would merge the existing provision into regional data providers, or even a single national one. At the same time, other models would see the existing structures further subdivided and the overall number of systems increase. This situation reflects the tensions between the economies of scale brought about by merger and the counterbalancing problems associated with distance between the local authority heritage adviser and the record – and all of this overlain by the possibilities of further local government reform.

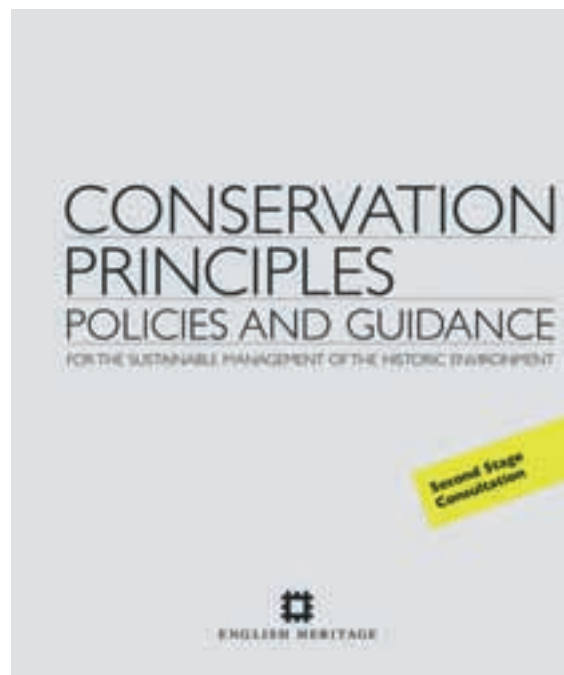
Dave Batchelor

Head of Local Authority Liaison, English Heritage

English Heritage's Conservation Principles

Delivering English Heritage's *Conservation Principles, Policies and Guidance* forms a vital leg of our three-pronged approach to what we have termed 'constructive conservation'. The other two legs are the establishment with government of heritage protection reforms fit for the 21st century, and building capacity and competency across the heritage sector. The *Conservation Principles* are designed to spell out in one place, in a comprehensive fashion, the fundamental beliefs and policies that should underpin our own standards of practice in the broad field of conservation.

The need for a conservation policy and statement of principles goes to the core of our business and our plan to exert leadership and provide consistency and transparency in all we do. These objectives are now enshrined as a key plank of the English Heritage Strategy 2005–2010, *Making the Past Part of Our Future*,



Design: The Holmes Wood Consultancy

which aims to help people develop their understanding of the historic environment, to value it, to care for it, and to enjoy it, both now and in the future. We intend to enable and promote sustainable change to the historic environment and help local communities to care for England's familiar and cherished places.

In February this year, we issued an initial brief consultation on the headline *Conservation Principles* as a range-finding exercise to draw out some of the key issues we ought to address in more detail in the consolidated document. We are particularly grateful for the number of responses to this initial exercise and for the depth of thought they represented. As a result, we have refined the wording of the *Principles* themselves in the light of widespread support for their scope and general direction. In addition, we have also refined the draft *Policies and Guidance* that underpin them by taking into account many helpful suggestions on scope and detail.

The resultant consolidated draft will be issued for a formal, full-length consultation lasting 12 weeks, and readers have the opportunity to review our current work and make further comments.

Copies of the consultation document will be found at www.english-heritage.org.uk/conservationprinciples. Replies to this second stage can also be sent to us as an annotated copy of our document, by letter addressed to Sally Embree, Conservation Principles, Conservation Department, English Heritage, 1 Waterhouse Square, 138–142 Holborn, London EC1N 2ST; or e-mail us at: conservationprinciples@english-heritage.org.uk.

Our intention then is similarly to revise the new draft in the light of written comments received and those provided at our regional focus group meetings, and to publish a final illustrated version in 2007.

Sally Embree

Conservation Department, English Heritage

Stewardship of the historic environment: negotiating principles and practice

Since 2003, the Institute of Field Archaeologists (IFA), the Institute of Historic Building Conservation (IHBC) and the Association of Local Government Archaeological Officers (ALGAO) have felt the need for a suite of common guidance for practitioners, embracing all aspects of the historic environment in all four countries of the United Kingdom and covering the full range of conservation tasks. Initial scoping of a project in 2004 envisaged building on the model of 'Standard and Guidance' documents developed by the IFA from the mid-1990s.

It was recognised early on that any work on developing such a standard would need to be all-embracing, covering best practice across the archaeological, historic building and landscape communities in the public and private sectors. A commonly agreed framework would be much more useful than simply quality assurance. The IHBC, IFA and ALGAO view it as a matter of central importance to strengthening partnership across professional groupings and to harmonising approaches to key professional issues such as accreditation and regulation. The title of 'Stewardship' was chosen – understanding and caring for inherited historic assets on behalf of present and future generations, a broad concept that is capable of extension from the ethical behaviours of professional and voluntary practitioners, to those of owners and managers.

In parallel with the first stages of the development process for the Stewardship standard and guidance, English Heritage commissioned

separate research for its own English *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*. The affinities between the two projects, with their separate purposes, were immediately striking. But despite the potential for overlap, there has been a constructive articulation between the two processes and sufficient dialogue to ensure that they are complementary, sharing common vocabularies where appropriate, and distinct in approach where necessary.

As the Stewardship project has matured, the initial model for a Standard and Guidance has progressively evolved. The first concept was of a high-level standard applicable to all roles and activities that would overarch two more specific standards for 'curatorial' activities, one for the archaeological aspects of the historic environment and the other for the historic built environment. It is a measure of the extent to which thinking in the sector has moved forward, that the lead bodies and their Advisory Panel have now abandoned this model in favour of a single, integrated framework for best practice.

The notion of a fixed standard with measurable outcomes has also been reviewed and at the time of writing is now structured as simple Guiding Principles informed by key concepts and supporting detailed guidance. The next steps in refining and testing this framework will be through national and regional working groups, who will peer review drafts in a series of workshops. The crucial question for all the many interest groups in the historic environment sector is whether the generalities of the Guidance document work adequately for their particular situations. What emerges from this stage may look rather different again but, as the shape of a modernised heritage protection system continues to evolve, it is right that this guidance for the next generation of stewardship engages dynamically with that process.

Gill Chitty, Head of Conservation, Council for British Archaeology

David Baker OBE

News from English Heritage

European Heritage Summit

Between 26 and 28 April English Heritage hosted (with the assistance of an anonymous donation) the first meeting of the heads of the European (EU) heritage agencies on the initiative of English Heritage Chief Executive, Dr Simon Thurley. The event was attended by representatives from 21 EU countries (including the four UK home countries) and resulted in an Action Plan, which states that the group will:

continue to meet as the European Heritage Forum to exchange experience, ideas and best practice, to strengthen and support existing networks dealing with heritage and tourism and carry out the following specific actions. 1) to make a high-level public statement of the outcomes of this meeting, 2) to develop common statistical information on European heritage by strengthening our commitment to HEREIN and other available tools, 3) to commit to using the new European Heritage Forum to exchange information and to share best practice on all aspects of the management of the historic environment and its sustainable use, 4) to develop as a specific publication from the European Heritage Forum an analysis of the economic and social benefits of investment in the historic environment, including sustainable tourism.

It was also agreed that the forum should meet annually (hosted by different member organisations) and should establish a 3-year rotating secretariat. Further information and related papers from the Summit are available on www.english-heritage.org.uk.

Capturing the Public Value of Heritage

On 25–26 January more than 400 people came together at the Royal Geographical Society to discuss the ‘public value’ of heritage. Organised by the Heritage Lottery Fund, English Heritage, the National Trust and the DCMS, the conference focused on the question of how we capture the value of heritage. We know that people care about it, and that funding it generates all sorts of social and economic benefits. The bigger challenge is to present that evidence in a way that is relevant both to the public and to politicians.

The proceedings of the conference will be relevant to anyone involved in looking after the heritage, or who is interested in how ideas of ‘public value’ can be applied to cultural heritage. Copies* are available from English Heritage Postal Sales at the address on the back cover of this issue of *Conservation Bulletin*.

* Clark, K (ed), *Capturing the Public Value of Heritage: Proceedings of the London Conference 25–26 January 2006*. English Heritage (2006). Paperback, 112 pages. ISBN: 1 905624 10 7; Product Code: 51216; £10

Capturing the Public Value of Heritage

THE PROCEEDINGS OF THE LONDON CONFERENCE
25–26 January 2006



Historic Environment Local Management (HELM) website update

Since its launch in March 2004, the HELM website has developed as a comprehensive resource for historic environment decision-makers. Annual figures for 2005–6 have shown a sharp increase in use, with 127,209 unique visitors to the website.

In July 2006 HELM will launch a pilot online learning project aimed specifically at local authority Historic Environment Champions.



© Alexandra Coven, English Heritage

Delegates from 21 countries to the first European Heritage Summit attended a dinner at Eltham Palace hosted by English Heritage Chairman, Sir Neil Cossons.

A key aim of the pilot will be to evaluate the effectiveness of HELM training and guidance in an online format. HELM eLearning will provide a range of interactive courses on local heritage management issues in a more accessible and personalised way than ever before. A brief introduction to HELM eLearning can be viewed at <http://www.helm.org.uk/elearning>.

In the future, the HELM website will feature more best-practice case studies from local authorities nationwide, some examples of which have been covered in recent publications such as *Heritage Works* and *Shared Interest*.

New HELM publications will continue to be published, alongside more links to local authority guidance and up-to-date news of training and education schemes run by English Heritage and its partners.

Protecting and Preserving and Making Accessible our Nation's Heritage

The Chairman and Chief Executive of English Heritage gave evidence to the Culture, Media and Sport Select Committee on 25 April. The questioning from the committee members allowed key messages on heritage protection reform, modernisation, resources and Stonehenge to be re-emphasised. David Lammy, the Minister for Culture, and Baroness Andrews, the Parliamentary Under-Secretary at the ODPM (now DCLG), presented evidence at the same hearing. The committee has begun work on preparing a report on all the evidence it has received, which will be published later in the year.

The Country Houses Foundation

The Country Houses Foundation, formed as a grant-giving charity in 2005, has launched a scheme to assist the repair and restoration of buildings in England considered of historic or architectural significance. Trustees expect to

make approximately six grants a year, of between £50,000 and £250,000.

Projects likely to be favourably considered will be those associated with listed or scheduled buildings, their related gardens and grounds, or those located in a conservation area. To be eligible projects must contribute to a sustainable future for the building and provide some public benefit, typically in the form of a degree of public access.

Christopher Taylor, Chairman of the Country Houses Foundation, says, 'The trustees are aware of the huge backlog of repairs that is putting many historic buildings at risk. Funding from mainstream sources is in short supply and many projects receive only partial funding or do not qualify for assistance. We hope to be able to help where others cannot and no doubt will have a difficult time deciding which of the many deserving projects we can support.'

For further information please contact Amanda Witherall, Country Houses Foundation, Bloxham Mill, Bloxham, Banbury, Oxon OX15 4FF; tel: 0845 402 4102; fax: 0845 402 4103; email: info@countryhousefoundation.org.uk.



© English Heritage

Cllr Hilary Nelson, Historic Environment Champion for North Norfolk District Council. English Heritage's first national conference for local authority historic environment champions will take place on 12 July.

The National Monuments Record

News and events

The National Monuments Record (NMR) is the public archive of English Heritage. It includes more than 7 million archive items (photographs, drawings, reports and digital data) relating to England's historic environment. The following information gives details of web resources, new collections (catalogues are available in the NMR search room in Swindon) and outreach programmes.

Contact the NMR at:

NMR Enquiry & Research Services, National Monuments Record, Kemble Drive, Swindon SN2 2GZ;

tel: 01793 414600; fax: 01793 414606;

email: nmrinfo@english-heritage.org.uk;

web: www.english-heritage.org.uk/nmr

Heritage Gateway

The Heritage Gateway is a new sectoral website that will help to deliver the integrated local and national record as the information base to support the HPR. Established as a partnership between English Heritage, the Association of Local Government Archaeological Officers and the Institute of Historic Building Conservation, Phase 1 of the project has created an information resource for the historic environment at www.heritagegateway.org.uk.

Development of the Heritage Gateway is ongoing. Phase 2 of the project, due to be launched in April 2007, will provide an online cross-searching mechanism allowing users to query English Heritage and the NMR's datasets, HERs and other key online resources within the sector.

For further information contact Cat Cayley, tel: 01793 414560; email: catherine.cayley@english-heritage.org.uk.

Online resources from the NMR

PastScape

PastScape, the publicly accessible online version of the national database of monuments recorded at the NMR, is regularly updated. Updates can be accessed at: <http://www.pastscape.english-heritage.org.uk>.

Below are some recently completed projects and notice of work in progress.

A recent desk-based enhancement of the maritime record used Dutch sources to include several wreck sites of Dutch warships sunk during the wars of the late 17th century. The Historic Environment of Liverpool Project, a partnership between English Heritage and key stakeholders in that city to record the historical, economical and architectural development of Liverpool, is under way. Enhancements to the industrial heritage datasets include ongoing work to record textile mills in the Keighley area of West Yorkshire. One of these sites is the architecturally impressive Dalton Mills, which was recently used as a backdrop in the BBC drama series *North and South* based on the novel by Elizabeth Gaskell. Projects based on unique NMR archive material, English Heritage surveys and publications also aim to add information on Victorian cemeteries and workhouses: such information is often requested by customers pursuing genealogical research. Records for lidos and open-air swimming pools have also been enhanced, drawing on *Liquid Assets* (by Janet Smith, published by English Heritage, 2005).

For further information please contact Robin Page, tel: 01793 414617; email: robin.page@english-heritage.org.uk.

ViewFinder

ViewFinder is an online picture resource drawing on the NMR's national photographic collections. It contains more than 35,000 images, with a programme to add more each year. It can be accessed at: www.english-heritage.org.uk/viewfinder. The following important collections of historic photographs have recently been added.

The family photographic firm of Alfred Newton & Son was based in Leicester. Its output covers much of the country, but it is best known for recording the building of the Great Central Railway in 1894–9. The NMR holds 3,960 negatives, which provide a valuable historic record of life in the communities the



new railway cut through. (The images of the construction of the railway are mostly held by the Record Office for Leicestershire, Leicester & Rutland.)

Nathaniel Lloyd (1867–1933) was a successful businessman who trained as an architect in middle age. His particular interests were the history of the English house, brickwork and topiary. He published monographs on all three themes, making extensive use of the camera in his research. The NMR holds his collection of 3,500 glass-plate negatives.

Bill Brandt was already a noted photographer when he was commissioned to work for the National Buildings Record (NBR), formed in 1941 to document buildings and monuments of architectural or historical significance in case of bomb damage. He worked on the project until 1943. He photographed churches, other buildings and streets in Chichester, Canterbury, Rochester and Colchester, and Spencer House in London. The NMR holds 446 of these images.

For further information please contact Andrew Sargent, tel: 01793 414740; email: andrew.sargent@english-heritage.org.uk.

NMR cataloguing

The Lavender Hill Mob: photographs by Millar and Harris

Film stars pictured in their homes, photographs taken for *Vogue* and *House Beautiful*. What are these images doing in the collections of the NMR? The answer lies in the Millar and Harris collection, the current cataloguing project from the NMR's historic architectural archive.

Millar and Harris were a commercial photographic company based in their later years at Lavender Hill, Clapham. Their extensive client base included not only glamorous magazines but also architects, interior designers, construction companies and industrial engineers, government agencies, department stores, hotels and restaurants, as well as private individuals. The collection, comprising approximately 51,300 items, covers the period from the early



Top left: Saltdean Lido, Brighton, East Sussex, was opened in 1938. 258P/07

Top right: The monument to Dean Fotherby (died 1619) was just one of the tombs in Canterbury Cathedral recorded by Bill Brandt for the National Buildings Record in 1941. AA42/01330

1930s to 1991, when the firm closed and the negatives were acquired for the NMR archive.

To date, more than 13,000 items have been catalogued, covering the years from the 1930s to the 1950s. Many images capture the glamorous interiors of the 1930s, including the homes of Fay Wray, Arthur Askey, Flora Robson, Lord and Lady Mountbatten, Will Hay and many others. Wartime coverage includes air-raid shelters, air-warden demonstrations, bomb damage, servicemen's clubs and shop displays on wartime economy. Many photographs record post-war exhibitions designed to kick-start the British economy. Shop and house interiors show contemporary furniture design. A wonderful series shows the Festival of Britain in 1951 under construction and in use, and there are displays for the Coronation in 1953.

For further information about the collection please contact Helen Shalders, tel: 01793 414749; email: helen.shalders@english-heritage.org.uk.



Celebrities of an earlier era: the actress Fay Wray, photographed at her home at 20 Grosvenor Square, Mayfair, by Millar & Harris on 24 September 1935. CC011729

Legal Developments

Moving buildings

One of the things that has surprised me in my work for English Heritage is the relative frequency with which proposals are made to dismantle listed buildings and structures and rebuild them elsewhere – or even to move a structure intact to a new location.

These cases have caused confusion in the past. After all, surely a building ceases to be a building once it is taken apart and divorced from the land forming its address (often referred to by heritage professionals as the ‘legal’ part of the listing)? Not so, the High Court, in the shape of Mr Justice Sullivan, ruled last year in the case of *Judge v First Secretary of State and another* [2005] All ER (D) 409 (Apr).

The case concerned the proposed relocation of a statue of Sir Samuel Sadler as part of comprehensive redevelopment proposals for the centre of Middlesbrough. Included in the proposals was the redesign and remodelling of Victoria Square, in which Sir Samuel’s statue stood.

Middlesbrough Council applied to the First Secretary of State for listed building consent for what they described in their application as the ‘relocation’ of the statue. Consent was granted subject to conditions requiring the method of dismantling the structure to be approved and the structure to be re-erected in its proposed new location within one year of the consent.

This decision was challenged by Mr Judge on a number of grounds, but the one that concerns us here is that the First Secretary of State had no power under the Act to grant consent to ‘relocate’ the statue. It is true that that term is not used in the legislation, which refers only to demolition of buildings. But s.17 provides for conditions to be imposed requiring (among other things) ‘the reconstruction of the building ... with the use of the original materials so far as practicable’. Mr Justice Sullivan gave Mr Judge’s argument fairly short shrift and pointed out that the two processes expressly envisaged by the Act – demolition and reconstruction – amounted to relocation.

He considered the earlier case of *R (on the*

application of Antique Country Buildings Ltd) and Others v Leominster DC [1987] 56 PCR 240. Readers may recall that this case concerned a listed barn which was dismantled without listed building consent with a view to exporting the component parts to the USA – presumably to be re-erected there. The local planning authority issued a listed building enforcement notice requiring the building to be restored to its former state. In that case, the would-be exporter of the parts argued precisely that, once dismantled, the parts could no longer be considered to be a building. The judge disagreed and held that for the purposes of the then 1971 Act, ‘the word “building” is perfectly capable of meaning something which had been a listed building but has since been demolished’. Mr Justice Sullivan agreed, holding that it was ‘irrelevant’ whether the parts ceased to be part of the land.

Mr Judge sought permission to appeal to the Court of Appeal and was refused. Lord Justice Buxton added the following comment:

True it is, of course, that the [listed building consent] code in terms does not deal with the moving of a building. But I find it impossible to say that such a step is excluded from the code – that is to say, excluded from any possibility of receiving listed building permission [*sic*] – merely by the fact that an object of this sort is to be moved rather than left in place. If that were the case the barn referred to in the Leominster DC case would have ceased to be covered by the code, so that permission could not have been granted under the code, as soon as any part of it was dismantled. That, in my judgement, cannot be right.

At least one commentator has stated that this point ‘makes clear that when a listed building has under a listed building consent been dismantled and re-erected, the re-erected building remains listed’. This certainly goes beyond the view that English Heritage has previously taken, ie that the parts remain listed but that the re-erected whole needs to

be re-listed on its new site. It certainly seems to me that, practically speaking, at minimum, the list entry would need to be amended to reflect the new address. Of course the important issue is what view will the DCMS take? That remains to be seen.

Review of Charles Mynors, *Listed Buildings, Conservation Areas and Monuments*

Many practitioners have long regarded *Listed Buildings, Conservation Areas and Monuments* by Charles Mynors* as an invaluable reference work. It is probably the only published work providing comprehensive coverage of the law relating to what we have in the last few years come to know as the historic built environment. So should practitioners invest in the fourth edition of the book, which was published in May? My answer is a resounding 'yes' – and not just because Mynors was kind enough to ask me to review his drafts and gracious enough to consider some of my suggestions.

The main reason is simply that there have been, over the years, significant changes in this area of law. Mynors himself notes that this fourth edition, at 950 pages, is about twice the length of the first, published in 1990 – not least because of the plethora of Regulations, Circulars and Court cases since then. The

fourth edition is in Mynors' words 'hopefully, up-to-date as at 1st January 2006'.

Key changes that will undoubtedly assist the practitioner include the inclusion for the first time of diagrams and illustrations of some key 'curtilage' cases. I am in no doubt that these will help anyone who wants to understand this potential minefield of a subject. I myself for the first time only truly understood the *Calderdale* case when I saw the illustration of its layout. (I had never understood why anyone would think that a row of cottages on the other side of a bridge over a valley from a mill could be in the mill's curtilage until I saw how narrow the valley was and that the cottages were parallel to the mill rather than as I had always envisaged the relationship. A picture really does paint a thousand words.)

Mynors has also thoughtfully re-ordered parts of the book to make it more easily usable by practitioners. Instead of separate chapters covering each of the different legal regimes in turn (listed buildings, conservation areas, scheduled monuments and so on) the new edition orders its chapters according to the key questions any owner contemplating changes to his property needs answered:

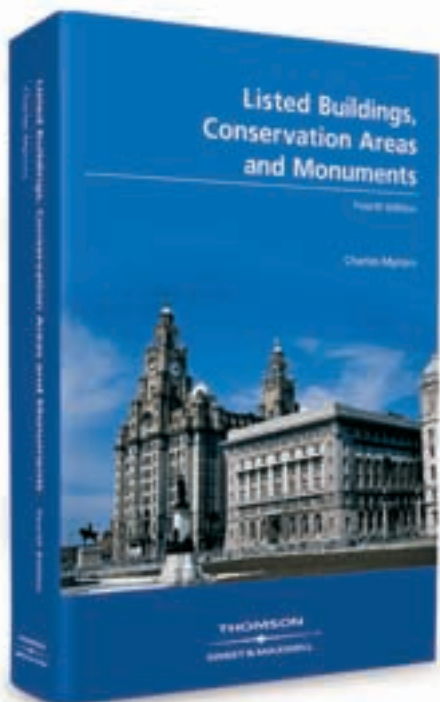
- What consents and permissions do I need? (The book makes far greater reference to planning permission, which is in many, if not most cases in addition to specific 'heritage consents'.)
- How do I get them?
- What will the decision-maker take into account in deciding whether I should get permission?
- What are my rights of appeal?
- What happens if I carry out works without consent?

Finally, Mynors has also covered for the first time the similar but subtly different versions of heritage law in Scotland and Northern Ireland, which will be good news for practitioners in those jurisdictions.

All in all a 'must have' for any practitioner's book shelf.

Nigel Hewitson *Legal Director*
Nigel.hewitson@english-heritage.org.uk

* Mynors, Charles, *Listed Buildings, Conservation Areas and Monuments*. 4th edition, Sweet and Maxwell (2006). Hardback, 950 pages. ISBN: 042 175 8309; price: £135



New Publications from English Heritage

Clash of Arms

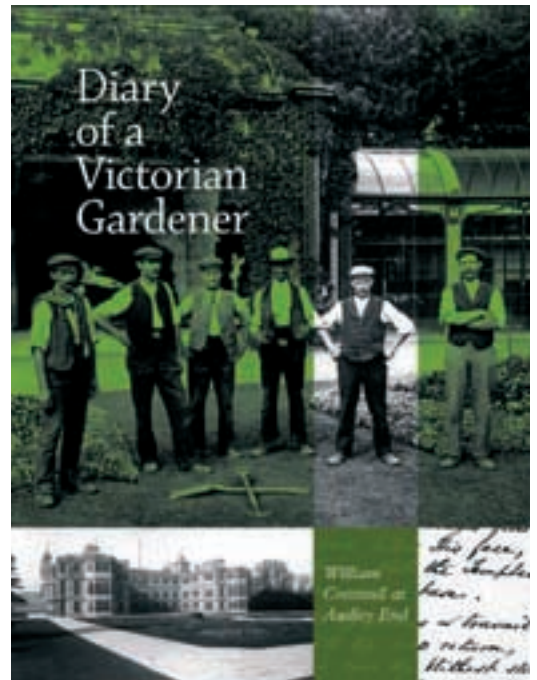
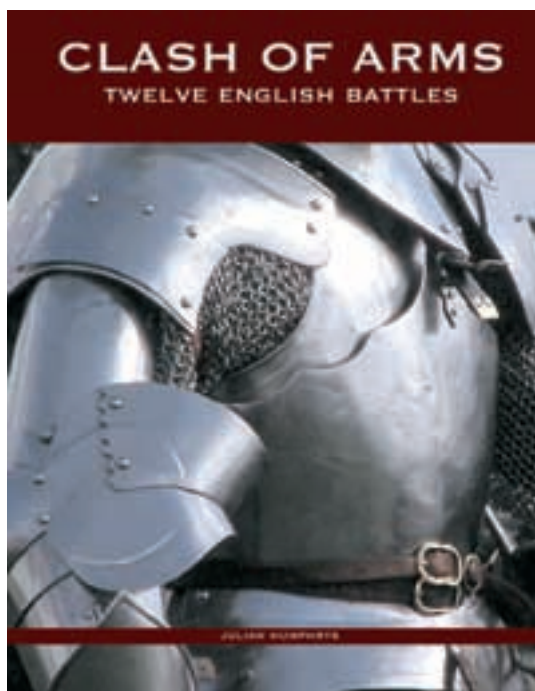
by Julian Humphrys

Some battles have had a lasting effect on the history of this country and remain strongly etched in the public consciousness. Others are relatively unknown – even to the people living on or near their sites. *Clash of Arms* examines 12 very different English battles and explains how vital, often unpredictable and sometimes overwhelming factors may have influenced their eventual outcomes. Each chapter contains fascinating contemporary accounts and special sections cover themes such as weapon development, changes in battlefield tactics, biographies of influential leaders, and how studying the landscape can aid our understanding of a battle. Lavishly illustrated with maps, contemporary pictures, historical re-enactments and photographs of the battlefields, *Clash of Arms* is the story of how men at war changed a country forever.

PRICE £20.00 + P&P

ISBN: 1 85074 9388 / PRODUCT CODE 51058

Hardback, 208 pages



Diary of a Victorian Gardener: William Cresswell at Audley End

Miraculously discovered at a London fleamarket, the diary of William Cresswell is a saved treasure. This unique and fascinating record highlights his work in the extensive gardens at Audley End in Essex, and his earlier employment in Streatham. Not only does the diary give us insight into the daily tasks and concerns of a journeyman gardener at a great country house, but it also provides a glimpse into contemporary events and Cresswell's everyday life, from the wooing of his girlfriend to his regular participation in church and village activities. Published in full for the first time with a detailed glossary, as well as a history of Audley End, this fully illustrated book will make an ideal gift for anyone interested in gardening and social history.

PRICE £12.99 + P&P

ISBN: 1 85074 9884 / PRODUCT CODE 50999

Hardback, 128 pages



The English Buildings Book

by Philip Wilkinson and Peter Ashley

The English Buildings Book is the most comprehensive single volume on English architecture for the general reader. Where most general books on English buildings are arranged chronologically, this one is arranged by building type and use. More than 700 buildings are described and illustrated in colour, ranging from the architectural icons – such as castles, cathedrals and country houses – to the less noticeable but equally fascinating buildings of our towns and villages – parish churches and meeting houses, shops and hotels, town halls and market halls, windmills and lighthouses, barns and bars.

There are plenty of examples of each type and style, allowing the reader to follow the evolution of architecture from the Saxon period onwards. And there are also the architectural ‘eccentrics’ – houses shaped like aircraft hangars, mills that look like palaces, stations or cinemas in the shape of 1930s radio sets. The book is an architectural feast, from beginning to end.

PRICE £35.00 + P&P

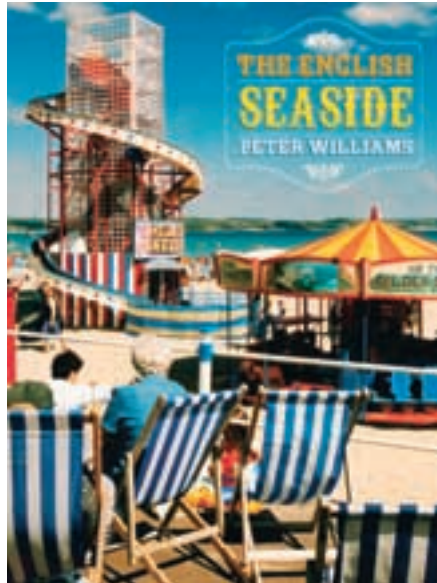
ISBN: 1 85074 9698 / PRODUCT CODE 51078

Hardback, 392 pages

The English Seaside

by Peter Williams

Available in paperback for the first time, *The English Seaside* captures every vestige of English holidays by the sea. Gaudy beach huts, model villages, amusement arcades, funfairs, fish and chips – all are represented in this evocative



collection of seaside photographs from up and down the English coastline.

The book features every type of seaside, from fishing villages with quaint harbours packed with boats, lobster pots and seagulls, to resort towns with piers, grand hotels and pavilions.

For too long the English seaside has suffered from a bad press, accused of being tatty, cold, grey and windswept, but Peter Williams finds the seaside to be warm-hearted and welcoming, about having fun, riding the rides and seeing the shows.

PRICE £9.99 + P&P

ISBN: 1 905624 02 6 (978 1 905624 02 7)

PRODUCT CODE 51230

Paperback, 176 pages

Publications may be ordered from English Heritage Postal Sales, c/o Gillards, Trident Works, March Lane, Temple Cloud, Bristol BS39 5AZ; tel: 01761 452 966; fax 01761 453 408; email: ehsales@gillards.com Please make all cheques payable in sterling to English Heritage. Publications may also be ordered from www.english-heritage.org.uk

Conservation Bulletin appears three times a year.

It is printed on recycled paper.

ISSN 0753-8674

Product Code: 51217

Subscription enquiries: tel: 020 7973 3253;

email: mailinglist@english-heritage.org.uk

Additional copies: customers@english-heritage.org.uk

Guest editor: Peter Beacham

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tel: 01672 513253; email: r.whimster@eclipse.co.uk

Original design: Boag Associates Ltd

Layout: Libanus Press Ltd

Printed by: Hawthornes Ltd

Web version: www.english-heritage.org.uk

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English Heritage is the Government's lead body for the historic environment.

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