

HERITAGE PROTECTION REFORM

To: Buckinghamshire Historic Environment Forum

Date: 25th March 2009

Authors: Report by the County Archaeologist

A. PURPOSE OF THE REPORT

- 1 To update the Forum on the progress of Heritage Protection Reform legislation and the five recommended actions agreed in September 2008.

B. PROPOSED ACTION

- 2 **The Forum is invited to:**

NOTE the absence of the Heritage Protection Bill from the Queen's Speech, MPs responses to the Chairman's letter and progress on the recommended actions from the September meeting.

C. RESOURCE IMPLICATIONS

- 3 Uncertain. In the context of the Draft Heritage Protection Bill it had been stated that local authority's transitional costs would be met through English Heritage grant aid and therefore 'ring-fenced' to historic environment services but that annual costs will form part of the local authority SSA, so need not necessarily be passed on.

D. SUPPORTING INFORMATION

- 4 The Draft Heritage Protection Bill was published in April 2008 and considered by the Culture Media and Sport Select Committee which reported in July 2008. It was expected to form part of the Queen's Speech in December 2008 but was not mentioned due to the government's decision to focus on the economic downturn. DCMS and English Heritage have subsequently indicated that they intend to take forward those elements of the reform which do not require primary legislation and that future legislation will address those elements which require it. English Heritage has published a work program for 2009, the key points of which are:

April - Consultation on new PPS & EH strategic designation program

June - Start of strategic designation and heritage management program

July -PPS consultation closes

September - Local designation guidance published

November - Historic Environment Record training begins

- 5 At BHEF's September 2008 meeting the Forum agreed to the following actions:
1. The Chairman to write to Buckinghamshire MPs at an appropriate time to draw their attention to the Bill and the Forum's views on it. *Comment: a letter was sent, replies will be circulated at the meeting.*
 2. The Chairman to respond to any consultation on a new draft Planning Policy statement in collaboration with HEF members. *Comment: Consultation is due in April so this action to be carried forward.*
 3. The County Council to prepare a costed IT Appraisal for making the HER accessible to District Councils. *Comment: work on this has commenced with a report made to a working party in January 2009.*
 4. County and District Councils to agree a charging policy for the archaeological planning advisory service and monitor its effect. *Comment: DCs have been consulted but legal issues still to be clarified.*
 5. County and District Councils with advice from English Heritage to consider the desirability and scope of Service Level Agreements for Historic Environment Services. This would include assessment of the roles, responsibilities and resources required to discharge future statutory responsibilities. *Comment: a working party is examining the implications of HPR without legislation.*

E. BACKGROUND PAPERS

Draft Heritage Protection Bill. DCMS (April 2008)

Draft Heritage Protection Bill. Culture Media and Sport Select Committee (July 2008)

The historic environment : a force for our future. Government Policy Statement.

Heritage Protection for the 21st Century. DCMS White Paper (March 2007)

Heritage Protection for the 21st Century. Regulatory Impact Assessment DCMS (March 2007)

Historic Environment Records Consultation. DCMS (July 2003)

Impact Assessment. Draft Heritage Protection Bill. DCMS (April 2008)

Protecting our historic environment: Making the system work better. DCMS (July 2003)

The Heritage Protection Bill

Joint Ministerial statement from Andy Burnham (Secretary of State for Culture, Media & Sport), Barbara Follett (Minister for Culture) and Baroness

Kay Andrews (Parliamentary Under Secretary of State for Communities and Local Government)
English Heritage's response follows.

<http://www.english-heritage.org.uk/server/show/category.20038>

CONTACT OFFICER: ALEXANDER (SANDY) KIDD 01296-382927