**Consultation on a proposal for regulations required by the Historic Environment (Wales) Act 2016 and four guidance documents**

**Consultation response form**

Since this consultation treats a range of topics relating to the historic environment, you may find that some of the following questions fall outside your interest or experience. Therefore, please feel free to answer as many or as few of the questions as you like.

Please return this form to reach the Welsh Government no later than 13 January 2017.

If you have any questions, please email:

[historicenvironmentleg@wales.gsi.gov.uk](mailto:historicenvironmentleg@wales.gsi.gov.uk)

or telephone:

01443 336091 / 01443 336090

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| **Data Protection** | | |
| Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.  The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.  Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information. | | |
| **Consultation on a proposal for regulations required by the Historic Environment (Wales) Act 2016 and four guidance documents** | | |
| **Date** | 12/10/2017 | |
| **Name** | Tim Howard | |
| **Organisation** | Chartered Institute for Archaeologists (CIfA) | |
| **Address** | Miller Building  University of Reading  Reading, RG6 6AB | |
| **Email address** | tim.howard@archaeologists.net | |
| **Telephone** | 0118 378 6446 | |
| **Type**  *(please select one from the following)* | Individual |  |
| Business |  |
| Local planning authority |  |
| Government agency/Other public sector body |  |
| Professional body/Interest group | **√** |
| Voluntary sector (community group, volunteer group, self-help group, cooperative, enterprise, religious group, not-for-profit organisation) |  |
| Other group not listed above |  |

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| **Confidentiality — Responses to consultations may be made public on the internet or in a report.** | |
| **If you do not want your name and address to be shown in any documents that we produce, please indicate here** |  |
| **If you do not want your response to be shown in any documents that we produce, please indicate here** |  |

A. Proposal for regulations under the Historic Environment (Wales) Act 2016 to set out procedures for a review of a decision to designate a scheduled monument or listed building

Grounds for review

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| **Q1.** | **Do you agree with the grounds of review for designations of scheduled monuments?** | | | |
| Yes |  | No |  | |
| Comment  For substantive response please see the accompanying letter. | | | | |

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| **Q2.** | **Do you agree with the grounds of review for designations of listed buildings?** | | | |
| Yes |  | No |  | |
| Comment | | | | |

When and how should a review application be made?

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| **Q3.** | **Do you agree that a request for a review should be made within 3 months of receipt of a notice of designation?** | | | |
| Yes |  | No |  | |
| If not, what timescale would be appropriate? | | | | |

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| **Q4.** | **Should any other information be required in the review application?** | | | |
| Yes |  | No |  | |
| If yes, please specify. | | | | |

Review procedures

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| **Q5.** | **Do you believe that the procedures outlined are reasonable and fair for all involved in designation reviews?** | | | |
| Yes |  | No |  | |
| If not, how could they be improved? | | | | |

Award of costs

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| **Q6.** | **Do you agree with the measures proposed for the award of costs to deter unreasonable behaviour in designation reviews?** | | | |
| Yes |  | No |  | |
| If not, how could they be improved? | | | | |

B. Draft statutory guidance for certain public bodies — *Historic Environment Records in Wales: Compilation and Use* — as required by the Historic Environment (Wales) Act 2016

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| **Q7.** | **Does the draft statutory guidance, *Historic Environment Records in Wales: Compilation and Use*, clearly set out the roles and responsibilities of the relevant public bodies?** | | | |
| Yes |  | No |  | |
| How could this section be improved? | | | | |

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| **Q8.** | **Does the draft statutory guidance, *Historic Environment Records in Wales: Compilation and Use*, give the relevant public bodies adequate guidance on how they may contribute to the compilation of historic environment records?** | | | |
| Yes |  | No |  | |
| How could this section be improved? | | | | |

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| **Q9.** | **Does the draft statutory guidance, *Historic Environment Records in Wales: Compilation and Use*, clearly set out how the relevant public bodies should use the historic environment records in the exercise of their functions?** | | | |
| Yes |  | No |  | |
| How could this section be improved? | | | | |

C. Draft best-practice guidance: *Managing Listed Buildings at Risk in Wales*

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| **Q10.** | **Will the draft guidance, *Managing Listed Buildings at Risk in Wales*, support the more effective management of historic buildings at risk?** | | | |
| Yes |  | No |  | |
| How could it be improved? | | | | |

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| **Q11.** | **Does the advice on condition, use and ownership contained in the draft guidance, *Managing Listed Buildings at Risk in Wales*, cover the key issues?** | | | |
| Yes |  | No |  | |
| If not, what is missing? | | | | |

D. Draft best-practice guidance: *Managing Change to Registered Historic Parks and Gardens in Wales*

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| **Q12.** | **Does the draft guidance, *Managing Change to Registered Historic Parks and Gardens in Wales*, clearly explain the implications of owning a historic park or garden included in the statutory register?** | | | |
| Yes |  | No |  | |
| How could it be improved? | | | | |

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| **Q13.** | **Will *Managing Change to Registered Historic Parks and Gardens in Wales* help owners and their agents to manage historic parks and gardens to achieve high-quality, sensitive change?** | | | |
| Yes |  | No |  | |
| How could it be improved? | | | | |

E. Draft best-practice guidance: *Managing Historic Character in Wales*

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| **Q14.** | **Does the draft guidance, *Managing Historic Character in Wales*, clearly explain what historic character is?** | | | |
| Yes |  | No |  | |
| How could it be improved? | | | | |

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| **Q15.** | **Does the draft guidance, *Managing Historic Character in Wales*, give sufficient information to support the effective management of historic character?** | | | |
| Yes |  | No |  | |
| If not, what is missing? | | | | |

Additional comments

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| **Q16.** | **We have asked a number of specific questions. If you have any related issues that we have not specifically addressed, please raise them here.** |
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How to respond

Please submit your comments by 13 January 2017 by email or post.

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| **Email** |
| Please send the consultation form to:  [historicenvironmentleg@wales.gsi.gov.uk](mailto:historicenvironmentleg@wales.gsi.gov.uk)  [Please include **‘Consultation on historic environment regulations and guidance 2**’ in the subject line.] |

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| **Post** |
| Please send the consultation form to:  Regulations and Guidance Consultation 2  Legislation and Policy Team  Historic Environment Service (Cadw)  Welsh Government  Plas Carew  Unit 5/7 Cefn Coed  Parc Nantgarw  Cardiff  CF15 7QQ |