

*Submitted by online form*

9 May 2019

**Re: DCMS Tailored Review of Historic England**

[Multiple choice answers highlighted yellow. Response text in blue.]

1. Which type(s) of organisation do you represent? Please select all that apply.
  - Charity
  - Other: Professional Institute
  
2. Which sector(s) do you represent? You are able to select more than one box as appropriate
  - Archaeology
  
3. Which one of the following geographical areas do you consider to be your primary location?
  - All

**STATUTORY FUNCTIONS:** The duties, powers and functions of Historic England are defined by the National Heritage Act 1983 (as amended by the National Heritage Act 2002). In summary, the overarching statutory purpose is to:

- a) secure the preservation of ancient monuments and historic buildings in England (including UK territorial waters adjacent to England);
  - b) promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and
  - c) promote the public's enjoyment, and advance their knowledge, of ancient monuments and historic buildings in England (including UK territorial waters adjacent to England).
4. Do you agree that the following functions are required (as set out in the National Heritage Act of 1983 and amended in 2002)?
- (a) to secure the preservation of ancient monuments and historic buildings.  
Y/P (explain) / N (explain) / DK

While, broadly speaking, the ‘preservation’ of material sites is still a function we would accept is required, ideally, we would be able to update the Act to take account of more up to date language. For example, we would replace ‘preservation’ with ‘conservation and enhancement’ and replace ‘ancient monuments and historic buildings’ with ‘heritage assets’. A more substantial change would be to change ‘secure the preservation’ with ‘secure appropriate management of’. This latter wording reflects the notion that not all heritage assets can be or should be preserved, and enables Historic England to adopt more flexible operational strategy for managing change, including responsibilities to delivering sustainable development and creating opportunities for social, environmental, and economic benefit.

At present, it is possible to interpret this function broadly; i.e. such that all ancient monuments and historic buildings, regardless of designation status, would be subject to this responsibility. We strongly approve of this breadth of operation. The suggested wording change would make this broad remit clearer. Failing change to the wording of the functions in the act, a formal statement of interpretation of this role would be welcomed, possibly in any future strategic plan.

We feel that this important, as in the past, Historic England have shown a tendency to retreat to a narrow definition of its remit under this duty – focussing on the designated and not on the majority of heritage assets which are undesignated. While this may be appropriate if the rest of the sector is supported and resourced to manage the rest (by LPAs through the planning system), the erosion of both the policy and the delivery mechanisms undermines this division of labour. To fulfil its statutory remit Historic England needs to take an active role in helping to sustain other key partners in the sector.

Clarification that monuments located within UK territorial waters adjacent to England are included within this function would also be valuable.

**(b) to promote the preservation and enhancement of the character and appearance of Conservation Areas**

Y/P (explain) / N (explain) / DK

Whereas (a) supports a broad interpretation by not referring directly to categories of designation of individual assets, this function is limited to the character and appearance of Conservation Areas. We suggest that a more appropriate function would be ‘to promote the conservation and enhancement of the historic character and appearance of England’s places and landscapes’.

This would enable, again, a broader view on the importance of the historic environment as a valued element of placemaking and would be more in line with Historic England’s Places strategy as well as recognising the wider context for the historic environment and heritage assets in the landscape.

This would update the Act and make it more appropriate for 21<sup>st</sup> century principles for historic environment management.

(c) to promote the **public's enjoyment** and advance their knowledge of ancient monuments and historic buildings.

Y/P (explain) / N (explain) / DK

Ideally, we would broaden this function as 'to promote the public's enjoyment and advance their understanding of *the historic environment*'.

5. In your view, what type of organisation is best placed to deliver the above functions?

- o NDPB

*Historic England has guardianship responsibility for the National Heritage Collection (NHC). This is a collection that comprises more than 400 historic sites and monuments that are under the nation's ownership or protection. Historic England is also the sole member of the charity - The English Heritage Trust (trading as 'English Heritage'). English Heritage manage and protect the NHC monitored by Historic England.*

6. Should Historic England continue to be the sole member of the English Heritage Trust?

Y/P (explain) / N (explain) / DK

*Selecting this option does not give an option to comment.*

7. Are the Historic England governance arrangements in relation to English Heritage effective (fit for purpose and compliant with principles of good governance)?

Y/P (explain) / N (explain) / DK

*Selecting this option does not give an option to comment.*

8. English Heritage manage the NHC. In your view, how effective is Historic England in ensuring that this is done effectively?

Y/P (explain) / N (explain) / DK

*Selecting this option does not give an option to comment.*

9. Should Historic England continue to monitor the management of the NHC undertaken by English Heritage?

No comment.

**10. Do Historic England provide appropriate assurance of the management of the NHC undertaken by English Heritage?**

Y/P (explain) / N (explain) / **DK**

**ACTIVITIES:** Historic England undertake specific activities to support the statutory duties, powers and functions. The section below seeks views on each of these specific activities.

- (I) Advise DCMS on the National Heritage List (Listing of Historic Buildings).
- (II) Advise DCMS on the scheduling of monuments, the designation of Historic Wrecks, the designation of Historic Battlefields, the designation of Historic Parks.
- (III) Management of the National Heritage List.
- (IV) Public Engagement (campaigns, exhibitions, events) to promote the historic environment.
- (V) Promoting diverse and inclusive heritage.
- (VI) Provision of planning advice to Local Authorities and Developers.
- (VII) Provision of advice on Placemaking.
- (VIII) Management of a Repair Grants Scheme for heritage at risk.
- (IX) Management of Placemaking Grants Scheme for conservation areas
- (X) Management of a Capacity Building Grants Scheme.
- (XI) Management of a Research Grants Scheme.
- (XII) Historic England research functions
- (XIII) Management of (including maintaining public access to) an archive of photographs and documents relating to historic buildings and sites

**11. Historic England undertake specific activities to support the statutory duties, powers and functions. The section below seeks views on each of these specific activities.**

**(I) Advise DCMS on the National Heritage List (Listing of Historic Buildings).**

Does this activity link to the overall statutory purpose: **Y** / N / P/ DK

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: Y / **N** / P/ DK

Is it effectively and efficiently delivered: Y / N / **P** / DK

**(II) Advise DCMS on the scheduling of monuments, the designation of Historic Wrecks, the designation of Historic Battlefields, the designation of Historic Parks.**

Does this activity link to the overall statutory purpose: **Y** / N / P/ DK

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: Y / **N** / P/ DK

Is it effectively and efficiently delivered: Y / N / **P**/ DK

**(III) Management of the National Heritage List.**

Does this activity link to the overall statutory purpose: **Y** / N / P/ DK

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: Y / **N** / P/ DK

Is it effectively and efficiently delivered: Y / N / **P**/ DK

**(IV) Public Engagement (campaigns, exhibitions, events) to promote the historic environment.**

Does this activity link to the overall statutory purpose: **Y** / N / P/ DK

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: Y / N / **P**/ DK

Is it effectively and efficiently delivered: Y / **N** / P/ DK

**(V) Promoting diverse and inclusive heritage.**

Does this activity link to the overall statutory purpose: Y / N / **P**/ DK

It is not explicitly linked, but can be assumed as a reasonable approach to ensuring representative heritages (eg. through designating important sites for certain communities of interest) and through equal or widespread enjoyment. Additional research into diverse heritages and public interest could provide strategic value (as in scotland

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: **Y** / N / P/ DK

Is it effectively and efficiently delivered: Y / N / **P**/ DK

**(VI) Provision of planning advice to Local Authorities and Developers.**

Does this activity link to the overall statutory purpose: **Y** / N / P/ DK

Is this activity still required by government and the public: **Y** / N / P/ DK

Could it be delivered by an alternate organisation: Y / N / **P**/ DK

Is it effectively and efficiently delivered: Y / N / P / DK

**(VII) Provision of advice on Placemaking**

Does this activity link to the overall statutory purpose: Y / N / P / DK

Is this activity still required by government and the public: Y / N / P / DK

Could it be delivered by an alternate organisation: Y / N / P / DK

Is it effectively and efficiently delivered: Y / N / P / DK

**(VIII) Management of a Repair Grants Scheme for heritage at risk.**

Does this activity link to the overall statutory purpose: Y / N / P / DK

Is this activity still required by government and the public: Y / N / P / DK

Could it be delivered by an alternate organisation: Y / N / P / DK

Is it effectively and efficiently delivered: Y / N / P / DK

**(IX) Management of Placemaking Grants Scheme for conservation areas.**

Does this activity link to the overall statutory purpose: Y / N / P / DK

Is this activity still required by government and the public: Y / N / P / DK

Could it be delivered by an alternate organisation: Y / N / P / DK

Is it effectively and efficiently delivered: Y / N / P / DK

**(X) Management of a Capacity Building Grants Scheme.**

Does this activity link to the overall statutory purpose: Y / N / P / DK

Is this activity still required by government and the public: Y / N / P / DK

Could it be delivered by an alternate organisation: Y / N / P / DK

Is it effectively and efficiently delivered: Y / N / P / DK

**(XI) Management of a Research Grants Scheme.**

Does this activity link to the overall statutory purpose: Y / N / P / DK

Is this activity still required by government and the public: Y / N / P / DK

Could it be delivered by an alternate organisation: Y / N / P/ DK

Is it effectively and efficiently delivered: Y / N / P/ DK

**(XII) Historic England research functions.**

Does this activity link to the overall statutory purpose: Y / N / P/ DK

Is this activity still required by government and the public: Y / N / P/ DK

Could it be delivered by an alternate organisation: Y / N / P/ DK

Is it effectively and efficiently delivered: Y / N / P/ DK

**(XIII) Management of (including maintaining public access to) an archive of photographs and documents relating to historic buildings and sites**

Does this activity link to the overall statutory purpose: Y / N / P/ DK

Is this activity still required by government and the public: Y / N / P/ DK

Could it be delivered by an alternate organisation: Y / N / P/ DK

Is it effectively and efficiently delivered: Y / N / P/ DK

**12. Please use this space to provide comments if you consider any of the activities to be:**

- o no longer required.
- o outwith the scope of the overall statutory purpose?
- o deliverable by an alternative organisation?

Please refer to activities by number as outlined above

(i) Note: The NHLE also covers the assets in (ii) below and is not just about historic buildings. There is still an emphasis on listed buildings over all others, with many listings seeming to be driven by an interest in promotion and not heritage need, which potentially creates an unbalanced approach to heritage protection

(ii) The ability for Historic England to undertake an effective scheduling programme has been limited by decisions made on resourcing which have historically deprioritised scheduling. A stronger approach to scheduling sites is needed. We would support a stronger strategic approach to the Scheduling regime which would seek new positive benefits from scheduling, for instance, the introduction of a Grade B schedule could provide a mechanism for national protection to be extended to sites of lower significance which are currently afforded very little protection in the planning system or recognition by land managers.

It is worth noting that initiatives to give better protection to non-designated through the development of the National Importance programme have not been given the priority or resources that they needs. This work is urgently needed to comply with NPPF policies and to give greater clarity to developers and land managers.

Additionally, Historic England do not provide sufficient resources to the management of scheduling at sea or designations of protected wrecks.

(iv) Many other bodies share a role in promoting public engagement with the historic environment, however, none can have such a broad remit and unique position as Historic England in how it does this. HE is uniquely placed to champion the historic environment in the context of wider government strategies for placemaking, communities, health and wellbeing, etc. and must therefore work as intermediaries across government to ensure heritage is represented in these areas and is able to contribute to public benefits. These areas are key to engaging people with heritage and promoting knowledge and enjoyment.

(vi) We feel that Historic England delivers important planning advice on development control cases. However a more positive strategic approach to achieving impact from that advice is not clearly evidenced by recent changes to the management of this process. Recognising that budgets have been cut over time, including in the recent re-structure, we understand the challenges, and would like to support Historic England to deliver advice which is based upon the principle of delivering positive change in development. There are many excellent examples of where this works well.

Where Historic England does not deliver its role effectively is in the recognition of the wider responsibility to ensure that systems of heritage protection are sustainable. As we have stated, we think that Historic England needs to do much more to work with local authorities and support provision of HERs and advice services. We also think that there is potential to work more closely with National Amenity Societies to make effective use of resources in development control cases.

We also believe that HE should have a wider role in providing leadership in the operation of planning safeguards for the historic environment, and that this should include a clear role in working with local authorities to ensure that there is capacity to manage planning and provide historic environment advice.

(xii) Many unsubsidised commercial competitors could undertake research work currently undertaken by Historic England.

### **13. Are there further functions or powers that Historic England should be given?**

- o Yes (please explain) / No / DK

Crucially, Historic England is the body with the clearest responsibility to championing the historic environment to government. This is not represented in this list of activities. This role must involve policy advice to departments across government and supporting sector advocacy.



Currently this activity is hampered by a lack of organisational confidence to present independent opinion to government, particularly when there are hard truths.

In some areas, HE delivers extremely valuable sector advocacy and support for the sector, for example, in lobbying for planning reform and supporting the sector with information through its planning bulletin. In other areas, there is a reluctance to commit to this role, with statements or assertions that 'Government won't accept that': such statements may not be correct, and even if they are should not prevent HE from offering its advice.

Another key function which we believe Historic England should expressly commit to is to work with local authorities to support and advise on the delivery of historic environment advice in the planning system. The 2016 Culture White Paper mandated Historic England to act in response to observed issues. However, Historic England has not to our knowledge acted on these commitments two years on from the Culture White Paper.

At present, Historic England does not have a remit which enables it to operate outside UK territorial waters. We believe that DCMS should give HE the power to advise on cases of UK assets (i.e. wrecks) outside territorial waters.

**14. Historic England play a key role in the preservation of the wider Historic Environment.**

**How effective is the preservation of the wider Historic Environment by Historic England?**

Extremely effective / **Moderately effective** / Not effective at all / DK

[cut text as no space to comment when rating HE effective]

Further areas of concern include the lack of provision to deal with issues facing non-designated heritage assets, which include the vast majority of buried archaeological sites, lack of engagement with local authorities which provide the most critical support for safeguards for the historic environment in the planning system, and relative lack of success in mainstreaming heritage within other relevant policy areas such as management of the environment, landscape, communities and health and wellbeing.

Historic England also has problems with how it recognises and responds to the marine historic environment. There is strong concern within ClfA's membership about the lack of parity between principles and policies covering Historic England's role on land versus at sea, with a commensurate lack of investment in staff to deliver marine obligations.

**15. Are you aware that Historic England use a Heritage at Risk Register to monitor the state of the Historic Environment?**

- **Yes**

16. Historic England acts as 'Last Resort' owner for historic buildings of profound national importance which are at serious risk (with no suitable alternative owner). Historic England has, in specific circumstances, assumed ownership of such sites, secured funding for restoration and added to the National Heritage Collection or sourced suitable alternative owners

Is this Last Resort role appropriate for Historic England?

- Yes (explain) / N / **P** (explain) / DK

Historic England should only act as the owner of last resort in exceptional circumstances.

17. The Historic England Strategy (2018-21) can be found at [historicengland.org.uk](http://historicengland.org.uk) The aims are listed below:

Aim 1. Championing.

Aim 2. Protecting through the listing and planning system.

Aim 3. Match funding and financial incentives to protect places.

Aim 4. Strengthening national capacity and resilience of heritage sector.

Aim 5. Oversight of the National Heritage Collection cared for by English Heritage.

Aim 6. Improving financial and organisational resilience and accountability.

18. Is the Historic England strategy appropriate for its functions?

- **Yes** / No (explain) / Partially (explain) / Don't know

19. Does the Historic England strategy align with the statutory purpose?

- **Yes** / No (explain) / Partially (explain) / Don't know

20. Is Historic England led effectively?

- Yes / **No** (explain) / Don't know

As the government's lead advisor on the historic environment, we believe that Historic England needs to be a thought-leader in the historic environment. This needs to start with a central commitment to being the champion for the whole historic environment. In recent years, Historic England has often taken a narrow view on its responsibilities which has restricted its ability to develop and communicate positive values on what heritage and the historic environment can deliver in terms of social, economic, and environmental benefits.

This has not always been the case, and in the mid-2000s the then English Heritage presided over a period of innovative leadership which substantially improved the relevance of heritage to wider society leading to the development of Conservation Principles (2008) and Planning Policy

Statement 5 (2010). This is in stark contrast to the recent example of the revision of Conservation Principles, which took an inwards looking view on Historic England's own narrow operations, at the expense of the positive principles of the value of the 'wider' historic environment.

As stated above, we strongly value Historic England and its role in supporting the sector and delivering many functions vital to the historic environment. However, we are concerned that a risk-averse organisational culture, inconsistent willingness to work collaboratively, and a lack of overall strategic leadership is damaging to the effectiveness of the organisation.

We believe that the current leadership does not have a clear enough strategic vision for the organisation, or at least doesn't communicate that effectively to others. This manifests often in an inward-looking stance on issues facing the historic environment enough and a lack of engagement with the rest of the sector which Historic England's leadership often fails to understand.

In many areas, Historic England's staff provide excellent leadership to and collaboration with the sector on specific issues (recent examples of note include planning reform and rural strategy where staff have been, and continue to be, invaluable), but the organisation clearly does not promote this through its organisational culture. There are also low points across the organisation (recent bad examples include the handling of the review of Conservation Principles and HEAN on Statements of Significance).

Partly, this lack of strong and effective leadership may be the result of successive budget cuts and a climate of fear across NDPBs. However, it is not in Government's interests to oversee arm's length bodies which are afraid to provide strong advice based upon innovative strategies and principled positions.

The Historic England Key Performance Indicators are:

- KPI 01 Number of visits to the HE website.
- KPI 02 Advice and guidance downloads from the website.
- KPI 03 Research publications downloads from the website.
- KPI 04 Number of page views of the digital Archive.
- KPI 05 Number of page views of the National Heritage List for England.
- KPI 06 Media coverage (national and local print and broadcast items).
- KPI 07 Number of followers on social media channels.
- KPI 08 Number of subscribers to the Historic England online newsletter.
- KPI 09 Number of Heritage Schools training participants (teachers and other educators).
- KPI 10 RepTrak™ survey score.

KPI 11 Changes to the National Heritage List for England (additions, amendments and deletions).

KPI 12 Historic sites newly identified and added to Historic Environment Records.

KPI 13 Total cost of grants distributed.

KPI 14 Number of planning pre-application proposals (for which advice given).

KPI 15 Number of planning cases (for which advice given).

KPI 16 Sector training opportunities delivered.

KPI 17 Number of volunteers engaged.

KPI 18 Adult visits to heritage sites: percentage of Black, Asian and minority ethnic visitors, percentage of lower socio-economic visitors, percentage of visits by people with disabilities or long-term illness

**21. Are these indicators:**

a) reflective of your priorities or those of your organisation?

Yes / No (explain) / **Partially** (explain) / Don't know

b) comprehensive?

Yes / **No** (explain) / Partially (explain) / Don't know

c) Measurable?

Yes / No (explain) / **Partially** (explain) / Don't know

Many of these KPIs do not provide a clear measurement of impact. While it is fine to have some KPIs which can monitor year-to-year performance based on simple numbers (KPIs 1-10 and 16-18) these do not provide methodologies for judging success.

We would argue that KPIs 14 and 15 are not the most appropriate measure, as they measure simple volume, rather than measuring whether advice given achieves positive outcomes. We recommend that these KPIs are adapted to record positive outcomes achieved as a result of advice given.

KPI11 has the potential to mask negative impacts, e.g. through sites destroyed and therefore removed from the NHLE.

KPI12 has little to do with Historic England, and whilst we welcome Historic England utilising KPIs which seek to measure the state of the wider historic environment (over which it should take broad responsibility) and the performance of the whole sector, it seems out of step with current Historic England activities.

**22. How well does Historic England measure the impact of their work in the following areas?**

- a) Championing the historic environment  
Extremely well / moderately well / not well at all / Don't know.
- b) Protecting the historic environment  
Extremely well / moderately well / not well at all / Don't know.

**23. How effective is Historic England in achieving their functions set out in (a), (b), and (c)?**

- (a) Secure the preservation of ancient monuments and historic buildings.  
Extremely effective / moderately effective / slightly effective (explain) / not effective at all (explain) / Don't know.
- (b) Promote the preservation and enhancement of the character and appearance of Conservation Areas.  
Extremely effective / moderately effective / slightly effective (explain) / not effective at all (explain) / Don't know.
- (c) Promote the public's enjoyment of, and advance their knowledge of, ancient monuments and historic buildings  
Extremely effective / moderately effective / slightly effective (explain) / not effective at all (explain) / Don't know.

**24. Historic England offer a suite of chargeable services (Enhanced Advisory Services). These Services are promoted to support developers in mitigating risks during the planning process.; and are offered in addition to HE's non-chargeable planning and listing services. Are the Historic England Enhanced Advisory Services:**

- a) Effective for their customers?  
Yes / No (explain) / Don't know
- b) Value for Money?  
Yes / No (explain) / Don't know
- c) Appropriately priced?  
Yes / No (explain) / Don't know
- d) Beneficial to achieving the aims of Historic England?  
Yes / No (explain) / Don't know

**25. Have you procured Historic England Enhanced Advisory Services in the last three years?**

No.

26. Are there additional services Historic England could undertake to generate income?

- Y / N / DK

In the past English Heritage explored offering additional services, but they threatened to undercut equivalent services from unsubsidised parts of the sector it was supposed to be supporting, and were a distraction from core purpose. Historic England should focus on its core business and be adequately supported by grant in aid to do so.

27. How well does Historic England work with partners across the heritage and cultural sectors?

Extremely well / Moderately well / Not well at all / DK

28. Do Historic England demonstrate the following attributes?

- Skill  
Yes / Partially / No
- Knowledge  
Yes / Partially / No
- Experience  
Yes / Partially / No

29. Are Historic England: (Please select all that apply).

- Open
- Transparent
- Accountable
- Responsible
- None of the above
- Don't know

30. Do Historic England promote diversity in their programmes (outreach, funding, engagement)?

Yes/No/Don't know

31. Have you as an individual or organisation applied for funding from Historic England in the last three years?

Yes/No

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rob Lennox', written in a cursive style.

**Rob Lennox**

*BSc (Econ) MA PhD ACIfA MCIPR*

**Policy and Communications Advisor, ClfA**