



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Heritage Bill — Update on progress**

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BY **John Griffiths AM, Minister for Culture and Sport**

In January this year, I informed Assembly Members of the outcome of the consultation on proposals for the Welsh historic environment, *The future of our past*. Since then, work has been undertaken to refine the proposals and identify the most appropriate means to give them effect and it is timely to provide an update on progress. In some cases the proposals will require changes in legislation through the Heritage Bill.

Some of the consultation responses expressed frustration at the low number of successful prosecutions for unlawful damage to scheduled ancient monuments in Wales. Consequently, an additional six-week consultation this spring sought views on a proposal for amendments to the Ancient Monuments and Archaeological Areas Act 1979 that would make it more difficult for a person accused of such damage to employ a defence of ignorance of the monument's status or location.

That consultation closed on 14 April and 60 replies were received. There was strong support for the proposal, which was generally regarded as providing a proportionate deterrent that would assist in the protection of scheduled ancient monuments in Wales. The responses and a report on the consultation have been published today on the Welsh Government website [<http://wales.gov.uk/consultations/cultureandsport/proposed-amendments-to-the-criminal-offences-and-defences/?status=closed&lang=en>].

The results of these two consultations have shaped the Heritage Bill's proposals, which will contribute to three principal outcomes:

- more effective protection for listed buildings and scheduled ancient monuments;
- improved mechanisms for the sustainable management of the historic environment; and
- greater transparency and accountability in decisions taken on the historic environment.

The Bill will seek to give protection to the full range of nationally important archaeological sites in Wales and to create new measures that would allow Cadw to take prompt and

effective action to prevent damage to scheduled ancient monuments. Other proposals aim to make it easier to take action against those who have damaged or destroyed monuments.

The Bill will also seek to enable authorities to act quickly if a listed building is under threat from unauthorised works and give them greater flexibility in dealing with historic buildings that are suffering from neglect.

Owners or developers who are considering sustainable new uses for unlisted historic buildings would benefit from the Bill's proposals to relax the conditions for applications for certificates of immunity from listing.

The proposal to establish heritage partnership agreements in Wales would allow owners of historic assets to enter into voluntary arrangements with consenting authorities to create integrated plans for their management over a period of years. This would free owners and the authorities from the burden of repeated applications for similar works, while encouraging a more consistent and coherent approach to the management of the buildings or monuments.

The sustainable management of the entire historic environment would be improved by the proposal to place Wales' historic environment records, which provide detailed information and advice to local planning authorities, on a more stable footing.

The existing structures for the designation of nationally important historic assets would be made more open and transparent by the proposed introduction of formal consultation with owners and the creation of mechanisms for the review of decisions.

Finally the Bill will include provision for an independent panel to advise on historic environment policy and strategy at a national level in Wales. In my written statement of 10 April, I announced that I was minded to establish the panel on a statutory basis through the Heritage Bill, and my officials have recently conducted a workshop with key stakeholders to inform the development of the legislative proposals.

The Heritage Bill will be complemented by non-legislative policy, advice and guidance to form an integrated body of measures. This will include updated planning policy and advice on the historic environment. I am working with the Minister for Housing and Regeneration to bring about the revision of the historic environment chapter of *Planning Policy Wales* and the production of a new technical advice note (TAN) for the historic environment to consolidate and update current guidance. This will be the subject of public consultation in 2015. Such cooperation will help to ensure that the Heritage and Planning Bills and supporting policy and advice embody common principles, encouraging and supporting development, while also affording the historic environment the protection it needs.

Further supporting guidance will also be developed by Cadw to encourage the positive management of the historic environment. Subjects to be treated will include historic assets of local importance, World Heritage Sites and the sustainable management of listed buildings.

The proposals for the Heritage Bill and the associated policy, advice and guidance will contribute to the achievement of the shared goals that will be contained in our proposed Future Generations Bill (working title), as well as complementing the proposals being developed in the wider legislative programme, including the Planning and Environment Bills.

Through the Heritage Bill and associated measures, the Welsh Government is taking the necessary steps to safeguard Wales' rich historic environment for future generations and to promote its sustainable management so it can continue to deliver its many economic, social and environmental benefits.