

		AGENDA ITEM
		SSC/04/11
Committee:	Safer and Stronger Communities Policy & Scrutiny Committee	
Date:	11 February 2011	
SCRUTINY REVIEW ON ESSEX HERITAGE		
Enquiries to:	Christine Sharland, Governance Officer 01245 430450 christine.sharland@essex.gov.uk	

At the Committee's meeting in September 2011 (Minute 46) Members considered report SSC/13/10 enclosing a draft Scrutiny Report that had been prepared on the basis of the evidence collated as part of the review on Essex Heritage.

Councillor J Lucas, Cabinet Member for Heritage, Culture & the Arts, attended the meeting and confirmed his endorsement of the overall thrust of the report. He addressed each recommendation in turn, and indicated that there were some minor factual details that would need to be adjusted for the final report.

In conclusion the Committee agreed that the report should be redrafted in the light of comments made for further consideration by Members prior to being forwarded to the Cabinet Member for Heritage, Culture and the Arts.

A copy of the final Scrutiny Report is now attached for the Committee's consideration and approval.

Action required by the Committee:

The Committee is requested to consider the approval of the attached Scrutiny Report on Essex Heritage.

FINAL DRAFT 11 February 2011

Essex Heritage Scrutiny Report (SSC-SCR-12)

A Review by the Safer and Stronger Communities Policy and
Scrutiny Committee

Dated February 2011

Foreword by Chairman

This report of a Scrutiny Review of Essex Heritage represents an in-depth study into the many issues facing the Heritage and Conservation of the historic environment so prevalent across the County of Essex.

Members were able to take evidence from a wide range of witnesses, with hearings not only taking place in Chelmsford, but also at Waltham Abbey, where we also conducted a study of the historic townscape.

In recognising the rich and diverse heritage that exists across the County, we acknowledge that good Heritage has wider economic benefit, particularly in the area of tourism, but beyond that is the impact that a well conserved historic environment can have on a community's identity and also its citizens' wellbeing.

Our Committee's report comes at a time when public expenditure is under significant scrutiny, and where 'non-essential' areas of work may face significant cuts.

We have made a number of recommendations that we hope will draw attention to the need to actively support the work already occurring in helping to maintain and promote the rich heritage legacy that can be found across Essex, whilst recognising that any change that may come in the organisation of service delivery needs to be managed in a pragmatic way.

In commending this report to you, I offer this from John Betjeman:

"The Church's Restoration
In eighteen-eighty-three
Has left for contemplation
Not what there used to be"

Councillor Simon Walsh
Chairman of the Safer and Stronger Communities
Policy and Scrutiny Committee

Executive Summary

During 2010 the Safer and Stronger Communities Policy and Scrutiny Committee undertook a scrutiny review on 'Essex Heritage'. The Committee's findings and recommendations are set out in this report. While Councillor Jeremy Lucas, the Cabinet Member for Heritage, Culture and the Arts has commented on the Committee's draft recommendations, a review will be undertaken in February 2012 to monitor what action has been taken in practice in respect of the individual recommendations that the Committee has approved.

In summary the Committee's recommendations to the Council's Cabinet are set out below for ease of reference together with the interim observations of the Cabinet Member provided at the Committee's meeting on 17 September 2010.

NATIONAL ISSUES

Recommendation 1

That the Cabinet should invite the Government to clarify its current stance on planning issues in respect of historic buildings and the historic environment.

Councillor Lucas endorsed this recommendation and confirmed that the Council had already invited the new Minister for Culture and Tourism, John Penrose MP, to visit Essex.

STAFFING ISSUES

Recommendation 2

That, as part of the Transformation Programme, the Cabinet should invite the Transformation Team to consider:

(a) whether the current split of heritage related activities across Directorates is the most appropriate and cost effective method of organising staff; and

(b) whether an approach should be made to the 12 district councils in Essex to seek to combine staffing provision in order to better deal with heritage/planning conservation matters.

Councillor Lucas confirmed that this very issue is under review. The Council is looking at ways of pooling conservation talent, as many of the smaller authorities have genuine difficulties making up their conservation requirements. To pool resources would not only make economic sense but could raise consistency levels.

CONSERVATION ISSUES

Recommendation 3

That the Cabinet be invited to consider how the County Council, twelve district councils, and parish councils can work together to achieve a consistent and robust heritage planning policy across Essex.

Recommendation 4

That the Cabinet be invited to remind County Council Directorates of the importance of keeping their property portfolio in good order.

The Council has tried to be flexible in its approach, and is keen to see more recent developments (ie those built within the last 50-100 years) as having heritage value. One approach, as adopted with some libraries, which are often housed in interested buildings, is to encourage greater activity in them. Councillor Lucas considered Essex's record as reasonable to date. However, he reminded the Committee of the likely financial restraints over the next few years, which would make their task more challenging.

ARCHIVAL SERVICES

Recommendation 5

That the Cabinet be invited to consider the findings set out in this report on archival services.

Councillor Lucas endorsed the findings as set out in this report, pointing out that he has just submitted a business case for acquiring the software needed to enable the public to download digitised material, at a cost. He also endorsed the idea of consistency across local authorities being required by law.

Regarding publications, he has been trying to revitalise this area, using the internet and electronic publishing.

BROWN AND WHITE TOURISM SIGNS

Recommendation 6

That the Cabinet be invited to ask officers to undertake a review of the current Essex policy and guidance notes, and incorporate any necessary updating.

Councillor Lucas made two points: Firstly, aside from the County Council, as Highways Authority, the Highways Agency has responsibility for road signs on trunk roads like the A12 and therefore has a say about the acceptability of tourism signs. Secondly, the funding of these signs is an issue for those people wishing to erect them. In response to the suggestion that the Council might consider funding tourism signs on the main routes into the county (especially in the light of the Olympics), Councillor Lucas confirmed that the Board of Visit Essex has been considering this matter.

HERITAGE SIGNAGE AND WAR MEMORIALS

Recommendation 7

That the Cabinet be invited to ask the Government to review the existing legislation, giving clear powers to parish councils (where they exist), and clarifying the arrangements in unparished areas.

Recommendation 8

That the Cabinet be invited to ask the 12 district councils in Essex to compile a list of war memorials in their area, with details of ownership and maintenance arrangements, and that the full list then be retained by the County Council and made available for public access.

Regarding war memorials, it was agreed that there should be clarity about where the responsibility for these lies (eg, parish council or alternative). In view of the potential budget problems for their maintenance, various bodies were cited as possible sources of financial and/or practical assistance: Royal British Legion, Communities Initiative Fund, and the County Council's own Historic Buildings personnel.

Councillor Lucas confirmed that the Imperial War Museum is currently compiling a national register of these. When this is complete, the County Council may then carry out a check against its own records.

Regarding Blue Plaques, it was suggested that local authorities should be given some guidance on this matter, to encourage a discerning and consistent approach. Councillor Lucas added that slate grey plaques could also be used, albeit they did not carry the kudos of national significance. Councillor Pond also reminded the Committee that there is a good example of an existing plaque scheme that is operated by Loughton Town Council.

Introduction

In the second half of 2009, the Safer and Stronger Communities Policy and Scrutiny Committee agreed to include in its Forward Look a scrutiny of 'Essex Heritage'. The agreed objective was:-

“To suggest means to the Cabinet and other interested parties whereby the Essex Quality of Life vision, as exemplified in the historic environment, can be better met, with due regard to effectiveness and economy”.

The overall Quality of Life vision is to provide the best quality of life in Britain, through Essex County Council services and partnership working.

The Committee had other urgent work to do at that time, having scrutinies in hand on street lighting (SSC-SCR -11) and two wheeler road safety (SSC-SCR-08). It therefore agreed that this scrutiny would take place in 2010.

The scrutiny process

A scoping document was drawn up to clarify the purposes of the scrutiny reference SS-SCR-12.

It was clear from the outset that a mix of oral and written evidence would be required and the Committee is delighted that a number of individuals and organisations agreed to attend its meetings and contribute towards the debate. The standard of presentation of the evidence given was uniformly high.

The Minutes of the Committee's meetings held on 19 March and 16 April 2010 set out more fully the evidence that was captured for this scrutiny review.

The Committee decided to concentrate on the wider (county and regional) picture at its March meeting. For April it decided to visit a particular location in the county to look at issues 'on the ground'. As a number of Committee members knew Waltham Abbey, that town was chosen. It was also acknowledged that there were several Town Councils and historical associations in the area which had an interest and expertise in preserving the built environment. Committee members were able to undertake a town walk prior to the meeting and the local press was included in the day's activities. This was very helpful in adding an element of 'heritage in the real world' to the debate on that day.

There proved to be a substantial amount of literature available. The Committee considered the following publicly available documents during the course of its scrutiny:-

- (a) English Heritage publication "Making the most of your local heritage"
- (b) English Heritage publication "Refurbishing historic school buildings"

- (c) Department For Constitutional Affairs publication “War memorials in England and Wales – guidance for custodians”
- (d) DCLG/Ministry of Justice joint letter “War memorials – maintenance, repair and protection – penalties for vandalism”.
- (e) DCLG consultation paper on a new Planning Policy Statement (PPS) 15 on planning for the historical environment. *(It should be noted that since the review was undertaken PPS 15 has been overtaken by PPS 5, which was published on 23 March 2010).*
- (f) DCLG publication “Taking forward the Government’s response to Killian Pretty review.”
- (g) Essex County Council Service Asset Management Plan for Environment, Sustainability and Highways Directorate (Historic Environment) 2009 to 2012.
- (h) English Heritage publication “Heritage at Risk – Conservation Areas”.
- (i) Essex Brown and White Tourism Signs policy and guidance notes.
- (j) Report of the Specialist Planning and Conservation Services Best Value Review Group (November 2000).

In addition, a number of organisations contributed written submissions to the Committee. Town Councils proved to be a source of much interesting and thoughtful comment.

A full list of the background papers and contributors is set out at the Appendix to this report. Copies of all contributions are held on file by the County Council.

The Committee then adjourned its work until September 2010 to consider other urgent issues and reflect on what it had heard.

During this time, the national position changed substantially. The General Election took place and the new Coalition Government introduced a programme of immediate cutbacks in public expenditure. It also made it clear that the level of funding for local authorities in the future would be limited.

As a number of heritage activities are discretionary, the Committee had to be realistic in considering what proposals it would put forward. It is clear that any proposals requiring new or additional expenditure are most unlikely to be accepted.

It also took into account that any proposals:-

- (a) had to offer good Value for Money; and/or
- (b) should seek to reflect, and where possible improve upon, partnership working.

Having prepared a draft report, the Committee then held a session on 17 September 2010 with Councillor Jeremy Lucas, Cabinet Member for Heritage and Culture, before coming to its final conclusions.

Findings and recommendations

The Committee gathered a great deal of material during its scrutiny. As set out above, it has tried to be realistic in looking at a way forward. Whilst a substantial number of findings are set out below, the Committee has concentrated on putting forward a relatively small number of recommendations, homing in on what it sees as the absolute priorities if the heritage of Essex is to be preserved for future generations.

In Autumn 2011, the Committee will monitor the position and issue a follow up report at that stage.

NATIONAL ISSUES

Findings

The Committee is aware of how bodies such as English Heritage and the National Trust distribute their funds. It confirmed that it could not influence either of these bodies' practices, which are set nationally.

Whilst a lot of discussion has taken place on planning regulations, limited advice on historical buildings has been issued. It is not known whether the new Government will be taking forward the review of PPS15.

There appear to be a number of inconsistencies in the way a building owner goes about obtaining Listed Building Status and also why some apparently suitable buildings are excluded. Some Councils hold unofficial lists of interesting but unlisted buildings but these have no legal status and their relevance is questioned.

There seems to be limited knowledge of how new conservation areas can be designated and how established areas can best be safeguarded.

In July 2010 Councillors Walsh, Pond and Deakin (as a Colchester Borough Councillor) confirmed that they had attended the *National Heritage in Local Authorities* conference in July. John Penrose MP, the new Parliamentary Under Secretary of State for Culture, Olympics, Media and Sport, had addressed delegates at the Conference and confirmed his unequivocal adherence to PPS15 (as per the previous Government, albeit with caveats on funding). However, the Members considered that his statement needed to be strengthened by placing a duty on Local Planning Authorities to establish a framework for receiving and considering suggestions for new Conservation Areas. Attention was also drawn to the ramifications of the new Government's proposed changes to PPS5 on 'garden grabbing' and the abolition of planned Housing Targets in terms of their impact on the built heritage.

RECOMMENDED:

(1) That the Cabinet should invite the Government to clarify its current stance on planning issues in respect of historic buildings and the historic environment.

STAFFING ISSUES

To the Committee, this produced the most fundamental issues to consider.

Findings

It was clear in statements made by a number of witnesses that the County Council is well regarded for the quality and ethos of its heritage staff and their ability to communicate effectively at all levels and with the public. These staff are, however, spread around a number of Directorates and appear to act in silos, separate from each other.

At a district level, there is a great deal of inconsistency. The number of staff available who hold appropriate levels of expertise is limited and positive action is often dependent on the interests and enthusiasm of a single officer. Often that officer has limited administrative support. Career opportunities in a district council are limited and the officer might have to move out of the area to further their career, meaning that their expertise is then lost to Essex residents.

Given that situation, there appears to be a strong argument that the County Council staff should, in collaboration with district councils, take on a more overarching role across the whole county. This should encourage a more proactive response to be made to heritage and conservation issues instead of the generally reactive approach taken at present. There would be merit in bringing listed buildings and conservation areas (all 'heritage assets' under PPS15) under the same expertise and care.

Any changes should be considered as being achievable within existing resources, and there might be opportunities for economies of scale. They should be backed up by a Service Level Agreement.

RECOMMENDED:

(2) That, as part of the Transformation Programme, the Cabinet should invite the Transformation Team to consider (i) whether the current split of heritage related activities across Directorates is the most appropriate and cost effective method of organising staff; and (ii) whether an approach should be made to the 12 district councils in Essex to seek to combine staffing provision in order to better deal with heritage/planning conservation matters.

CONSERVATION ISSUES

Findings

Enforcement of planning conditions seems to be patchy across the county. District Councils need to take a consistent approach across an area as large as Essex. The Council was made aware of good practice in districts outside the county during its investigation.

Whilst English Heritage has to adopt particular dates for what it regards as historic, the Committee considered that Essex should take a flexible approach - historic does not need to mean only buildings and/or only those which are several hundred years old. However, Essex Officers have advised that the legislation makes clear that any building pre-1840 in reasonable condition and which has not been altered out of recognition is pretty much certain to be listed, but buildings of a later date require a much stronger case to be made. The County Council's view (and that of most local authorities) is that this is no longer adequate, and that the Government Department for Culture Media and Sport, and English Heritage need to look at this again. Essex County Council (and those from other local authorities, organisations and members of the public) regularly make the case for new listings to English Heritage. It remains a slow, cumbersome and largely opaque process, but there are about 10 to 12 approved new listings per annum in Essex.

The County Council should always try to set a good example in maintaining its own historic buildings (including schools) and monuments to a high standard. Essex Officers have indicated that the County Council does have a good record, not just with flagship properties (such as Cressing Temple and the historic mills), but also with buildings such as schools and libraries.

Major land holders in the county should ensure that they fulfil their legal obligations regarding the maintenance of any historic buildings on their land.

Whilst there is some evidence to suggest that certain private owners do not keep their historic buildings in good order, there was stronger evidence that the opposite was often the case, as this maintained (and sometimes increased) the property's value.

Essex is unusual in that a large number of its historic buildings are built of wood rather than stone or brick.

Essex has a number of important historic industrial buildings and structures (i.e. Gunpowder Mills at Waltham Abbey, Marconi Buildings in Chelmsford and various World War Two military structures).

Essex has a number of major Post World War Two developments, including two New Towns, which include a mix of historic and new buildings, which must not be overlooked as an important part of Essex' heritage.

Shop frontages are often allowed to be updated or renovated in a manner not in keeping with the remainder of the building or the locality.

Street furniture should be in keeping with the locality. Local authorities might wish to create a heritage street where appropriate (a current example being Museum Street in Loughton).

There is a considerable level of expertise within Town Councils which should be used in conjunction with County or District Council activity.

RECOMMENDED:

(3) That the Cabinet be invited to consider how the County Council, twelve district councils, and parish councils can work together to achieve a consistent and robust heritage planning policy across Essex.

(4) That the Cabinet be invited to remind County Council Directorates of the importance of keeping their heritage property portfolio in good order.

ARCHIVAL SERVICES

Findings

It is acknowledged that there must be limited handling of, and access to, rare and frail paper records.

It has proved very difficult for archival services, such as the Essex Record Office, to determine what forms of technology are the most appropriate for retaining records.

New storage systems can themselves quickly become out of date and require replacement, incurring substantial costs for limited benefit.

Currently, digitalisation seems to offer the most cost effective and longest lasting method of storing information.

The charge made by the Essex Record Office to any individual wishing to copy and digitise information seems somewhat high. The service should consider negotiating a lower figure should the individual be willing to deposit a copy of any digitalised image with the Office.

Since the Committee's original gathering of evidence for the review, the Cabinet Member has submitted further comment on the charge made for the individual copying of records.

The charge was introduced two years ago of consent, for a fee, for members of the public to bring their own cameras into the search room and photograph records - previously disallowed but almost certainly happening anyway, especially since the provision of cameras within mobile phones. A fee of £10 a day is charged, which is exactly the same as two neighbouring authorities (Suffolk and Cambridgeshire), fractionally more than Norfolk (£9.20); and it is understood that Hertfordshire may be introducing a similar charge. Compared to the charge for having copies made by the Council's staff, which has to cover the time costs involved, this is good value as there

is no restriction on the number of copies which can be made. Anyone wanting just one or two prints would presumably pay the per copy charge.

The County Council should retain all its historical papers (including diagrams, maps and plans) under the aegis of the Essex Record Office and not retain these within individual Directorates.

There are a number of interesting publications available on local history, although funding for these is limited and the numbers sold may be small. Agencies may be able to work closer together to encourage greater publicity and sales.

It has been suggested by Officers that it is time for the County Council to re-think its strategy with regard to publications. While it does retain the expertise to edit such publications, and manage them through the publication process, it should be recognised that it does not need to store, promote, and distribute these. It could be done through a commercial partner, such as Oxbow Books (based in Oxford), who sell the Council's archaeological monographs in the East Anglian Archaeology series.

RECOMMENDED

(5) That the Cabinet be invited to consider these findings.

BROWN AND WHITE TOURISM SIGNS

Findings

The Council has a detailed policy and guidance note in place, but these are now several years old.

Signage in the locality of attractions is generally satisfactory. However, it is not always clear to visitors coming from outside the area which exit they should take off major traffic routes. Attractions could be missing out on business due to this

RECOMMENDED:

(6) That the Cabinet be invited to ask officers to undertake a review of the current Essex policy and guidance notes, and incorporate any necessary updating.

HERITAGE SIGNAGE

Findings

The Blue Plaque scheme is popular with the public, and local councils might wish to consider implementing such arrangements in their area. This is a relatively inexpensive and lasting way of bringing an issue of local (and sometimes national) importance to the public's attention.

Should Councils wish to move forward this idea, the Blue Plaque scheme used in Loughton is commended as an example of local good practice.

WAR MEMORIALS

Findings

The Committee acknowledges the importance of maintaining War Memorials to a high standard at a time when British forces are fighting overseas and there are 70th anniversaries of events in World War Two.

The Committee is aware of the guidance in the Joint Ministers Letter of 2009, but wonders how widely this Guidance has been distributed across the county.

Many War Memorials were built by organisations that no longer exist. Under legislation dating back to 1923, Parish Councils have the opportunity to take over and maintain War Memorials, but this is not a statutory duty.

Not all areas in Essex are parished, so it is very unclear in those areas where the responsibility for maintenance lies.

There are a number of very specific memorials in Essex (i.e. at North Weald Airfield) which did not come within the remit the Committee gave itself.

RECOMMENDED:

(7) That the cabinet be invited to ask the Government to review the existing legislation, giving clear powers to parish councils (where they exist), and clarifying the arrangements in unparished areas.

(8) That the Cabinet be invited to ask the 12 district councils in Essex to compile a list of war memorials in their area, with details of ownership and maintenance arrangements, and that the full list then be retained by the County Council and made available for public access.

Background Papers

- Scoping Document Reference SSC-SCR-12
- Safer and Stronger Communities Policy and Scrutiny Committee Minutes of March 2010.
- Safer and Stronger Communities Policy and Scrutiny Committee Minutes of April 2010.

List of contributors

Name of Contributor	Organisation
Mr. Michael Herbert	Local History Recorder and Editor of the Great Waltham Village Design Statement
Mr. Nicholas Charrington	Owner of Layer Marney Towers
Mr. Owen Bedwin	Head of Historic Environment, Essex County Council
Mr. Graham Tite	Tunbridge Wells Borough Council
Mrs Miriam Stead	Essex Records Office
Mr. Stephen Dixon	Archive Service Manager Essex Records Office
Mr. John Neale	English Heritage
Mr. Barry Shaw	Head of Built Environment
Mr. David Andrew	Historic Buildings and Conservation Manager
Diane Rhodes	Hills Amenity Society Loughton
Ms. Enid Walsh	Town Clerk Loughton Town Council
Mr. Bob Whittome	Town Clerk Epping Town Council
Mr. Tony O'Connor	Curator of the Epping Forest District Museum
Mr. Peter Huggins	Waltham Abbey Historical Society