



Tailored Review of Historic England

DCMS Tailored Review Team consultation

Date: 9 May 2019

A. Preface: Tailored Reviews of public bodies

1. Public bodies are reviewed roughly five-yearly in line with Cabinet Office requirements. The intention is to "...provide robust challenge to... the continuing need for the organisation and, where appropriate, make recommendations for improvement".
2. Historic England (HE) has been carrying out a 'Change Programme' of internal review, and a review of its casework, and is about to launch a further Corporate Plan. These will presumably impact on HE, but have involved little stakeholder consultation (cf 18-19 below), and little has been communicated on paper, so it is difficult to comment now.

B. Heritage, Historic England, and the CLA

3. The CLA is one of Historic England's half-dozen most key stakeholders. Our 30,000 members collectively manage and/or own, and pay for the management and maintenance of at least a quarter of heritage, making us by far the largest stakeholder group of heritage managers and owners. They are also extensive users of the heritage consent and planning system. Almost all care about heritage and its protection. Many are involved in heritage tourism businesses, public access and engagement, or run non-heritage businesses involving heritage assets. Almost all are affected by HE, especially by HE policy and advice, and some (mainly those managing Grade I or II* listed buildings, and monuments) have direct contact with HE. The CLA meets HE regularly at various levels.

C. Introduction

4. The CLA agrees with and welcomes and supports almost all the activities HE actually carries out. We of course support (for example) wider engagement and diversity, partnerships with arts and cultural organisations and with higher education, place-making, Heritage Action Zones, thematic listing and 'enriching the list', and fundraising. We particularly support further research work, work with others to bring heritage more effectively into future public goods funding of rural heritage, properly-targeted work to address heritage at risk including the positive re-use of redundant farm buildings, and increasing the capacity and resilience of the heritage sector. All these things (and many others not listed here) are important, and in some or many of these areas HE has made significant progress.
5. Unfortunately, however, this is not sufficient: it leaves some important gaps.

D. Key areas which need to be addressed

6. There are several key areas in which HE should significantly change its approach:

(i) Heritage protection reform: creating a system that works

7. HE has three statutory purposes set by Government. The third of these is promoting public enjoyment and advancing knowledge, and this is (as noted above) very important.

8. But the first two of HE's three statutory purposes are concerned with heritage protection. This is the most fundamental duty of HE as the Government's adviser on heritage.

9. The threat to heritage protection from inadequate resourcing in the local planning authorities (LPAs) which run the heritage protection system is universally acknowledged, at least outside HE. A system created in the 1950s-70s which (in essence) assumes that there are four conservation officers in each borough cannot work properly with (on average) 1.2 (often none) in each borough. LPA conservation resourcing has been cut by 35 per cent since 2006, from an already-low base.

10. HE – see 13-15 below – appears to see this as a minor issue, which could be fixed by providing some advice and training. HE however is not the main casualty of the current problems: the casualties are LPA staff, owners and applicants, heritage assets, and the public, which loses when bad outcomes happen, or good outcomes fail to happen.

11. In contrast, the rest of the heritage sector identified the growing seriousness of these problems a decade ago. The Historic Environment Forum (HEF) came to the conclusion that the cuts were most unlikely to be reversed¹, and that instead of awaiting further cuts it was better to proactively identify appropriate solutions². In 2014, with support from Government, it set up a cross-sector working group, the Historic Environment Protection Reform Group (HEPRG).

12. HEPRG has spent nearly five years working up, and consulting on, a series of proposals, designed to increase heritage protection by ensuring that the heritage protection system is the best that can be devised with the resources available. HEPRG's proposals are set out in its Summer 2016 consultation paper³. They address the actual problems on the ground, are implementable by the sector itself without significant input from Government, and in particular aim to create a system defensible against further cuts because it can be seen to be focusing scarce resource on the higher-impact cases which matter most, while carefully identifying safe ways of handling lower-impact cases. While of course nobody is committed to the actual implementation of the HEPRG proposals until the detail has been fully developed, HEF, most consultation respondents, and Government have supported them, and there are undertakings to develop them further in the Government's Heritage

¹ See also paragraphs 16-17 below re future trends in public spending.

² See the HEF October 2015 Consultation Paper 1 [here](#).

³ See the HEF Summer 2016 Consultation Paper [here](#).

Statement⁴ at the end of 2017, and recently in Heritage Counts 2018⁵. They also help to fulfil one of the key objectives of Heritage 2020, a separate HEF initiative, of “ensuring that systems of heritage protection are the best that can be devised with the resources available”. Importantly, despite consultation questions asking for other ideas, nobody over several years has suggested any convincing alternatives.

13. HE – as the Government’s adviser – might have been at the forefront of this, identifying the problems and leading on finding effective solutions. It was not, which is why HEF took action itself. And although HE has been involved in HEF’s HEPRG initiative and helpfully provided a secretariat for HEPRG, there never appears to have been a feeling within HE that the dramatic cuts to LPAs have created any fundamental change in the landscape, or that any action is needed outside HE’s traditional comfort zone of providing advice and training⁶.
14. If advice and training were sufficient, HEF and HEPRG would simply have recommended these. They would not have spent nearly five years developing proposals which – like all effective reform – go outside this traditional heritage comfort zone, in order to address the problems in much more effective ways. HEPRG’s proposals cannot, however, be implemented without HE’s support. In the more than two years since HEPRG’s last public consultation in 2016, HE appears to have done little to help to take the proposals forward, and appears to be offering no alternative other than, again, “advice” and “training”.
15. Advice and training are not a sufficient solution to the problems HEF has been working on. As above, HE’s highest duty is ensuring that the heritage protection system works, now and in the future. It does not appear to be doing this, and its stakeholders therefore need to point this out, to HE itself and to Government, and Government needs to ask it to establish a heritage protection system which can work effectively and be financially sustainable in the future, and to lead the changes needed to implement this, with a programme and a timescale.

(ii) Refining the core message and the evidence base

16. The areas HE feels comfortable focusing on – like public engagement, and designation – matter, and they are good things to do for an organisation with the funding to do them. But in a world in which heritage has to compete for attention and for money against other priorities, this approach is unlikely to enable HE, or (importantly) heritage more widely, to secure that attention and funding. Almost everyone – governments included – agrees

⁴ “We will continue to explore opportunities to streamline heritage consent processes...reducing burdens...and allowing local planning authorities...to deliver a more effective service” (*Government Heritage Statement*, DCMS, 2017, pp 14-15).

⁵ “...HEPRG...has continued to consider ways to address the continuing reduction in heritage resources in LPAs. These include a greater use of expert advice, the use of LBCOs, and the use of independent experts to expedite applications...and improved advice...” (*Heritage Counts 2018 Overview* section, 3.5).

⁶ HE does sometimes take forward its own projects, like Local Listed Building Consent Orders and Heritage Partnership Agreements, introduced after 2013 and taking up much sector and MHCLG resource, but – as most stakeholders predicted beforehand – almost unused in practice: there are very few LLBCOs or HPAs, and almost all were promoted (and partly or largely funded) by HE.

with HE's "heritage is important to us all" core message, but it is not enough: we are no longer in the demographically-benign era of the 1950s-1970s when governments were able to spend a certain proportion of national income on heritage 'for its own sake'. The "heritage is important to us all" message did not stop HE⁷ itself being repeatedly cut, local authority heritage resourcing being repeatedly cut, and heritage being targeted for further taxes. This happened under governments of different colours: not only in the post-2009 'age of austerity', but also under the last Labour government in 2000-08, during probably the greatest-ever peacetime expansion of public spending.

17. Government has not made systematic cuts to public spending since before the 2015 election, and perhaps it is becoming possible to forget the many years of cuts before then. But all major political parties have undertaken to increase spending on the NHS and education, and the demographic change which is dramatically increasing pension, health, and care costs is only in its early stages. Substantial cuts to unprotected areas of public spending will inevitably resume, and a "heritage is important to us all" core message will not be sufficient. The cultural importance of heritage is important, but it needs to be one element in a wider message, much of which will need to be based on heritage's role in the economy. That wider message also requires an evidence base. Traditionally HE focused its research on what it felt was interesting to do: that people feel that heritage contributes to wellbeing, and that regeneration schemes in Bradford created x jobs. That is important, but it left crucial gaps, especially macro-economic: we did not know heritage's full overall value in the economy, how many jobs it involves, what heritage costs to look after, who pays those costs, how much tax revenue it raises, or how much surplus that generates for government above public heritage spend (crucial to counteract governments' assumptions that the opposite is the case). HE to its credit has put more resource into this recently, and we understand intends to do more. As part of a convincing core message, HE needs to complete this research, especially macro-economic research on economic value, growth, jobs, and tax, as soon as possible.

(iii) Working more effectively with stakeholders

18. HE does much to support stakeholders, especially funding heritage sector bodies and initiatives, and it is of great importance that it continues to do this. But it often seems to have a reluctance to consult, or listen to, stakeholders about what HE does itself. This leads to widespread frustration among stakeholders, though this may not always (many stakeholders are funded by HE) be communicated to HE.
19. The point here is not just that stakeholder consultation is usually seen as desirable; it is that routine and genuine (but proportionate) stakeholder consultation is likely to improve outcomes in each area. On heritage at risk, for example, HE could have stronger policy if it consulted organisations active in this field, including owners' groups. On strategic planning, where HE abolished its pre-existing Advisory Board, its plans might be more rigorous if it consulted key stakeholders. Above all, HE is much more likely to be valued and appreciated by stakeholders, and (importantly) to be appreciated – and funded – by Governments, if it has a close and collaborative relationship with its key stakeholders. HE

⁷ Then English Heritage.

needs to have mechanisms in place to ensure the consultation of key stakeholders, or a wider stakeholder base, in all areas of its activities in which this is appropriate.

(iv) Embedding constructive conservation into all HE’s heritage protection work

20. HE’s (sometimes) stated policy of ‘constructive conservation’ – that “historic places need to be used, re-used, adapted and developed if they are to have a future” – is of fundamental importance. Without constructive conservation – people working together to keep heritage used and viable – there is no long-term heritage protection.
21. It is however clear from our and our members’ experience that constructive conservation is not actually, yet, HE’s underlying philosophy of heritage conservation. So far, it has been a defensive tool brought out to prove HE’s flexibility when it is criticised as “anti-change”. It is, therefore, largely confined to major developments in the public eye, which can then be illustrated in publications like *Sustainable Growth*. To its credit, HE has greatly improved its approach to such applications. But constructive conservation is intended for developers and the development sector, not the other types of owner or applicant who make up some 90 per cent of all applicants (and it is also almost never applied to building materials, however expensive or however invisible).
22. HE needs to embed constructive conservation into its entire approach to heritage protection, and its own casework, and actively promote this to LPAs, and to do this with a strong focus on the 90 per cent of cases which are not in the public eye.

(v) Understanding that building heritage skills is a demand, not supply, issue

23. HE rightly often refers to the importance of heritage skills, both craft skills and professional skills. Skills are important, they are now often not being used where they ought to be used, leading to poorer decision-taking and poorer outcomes on the ground, and undoubtedly we ought to have more of them.
24. Unfortunately, however, HE’s approach continues to be based on a faulty diagnosis, that there is a big supply-side shortage of heritage skills. If that were correct, clients/owners would be desperate to find heritage-skilled people, that would bid up wages and fees, more people would train, and the problem would (in time) disappear. That has (in general) not happened. Instead, despite great efforts – courses, training, apprenticeships – over 20 years by HE, NHTG, COTAC, and others, the problem has continued. As the HEF Skills Summit in 2013 identified, the key is lack of demand: clients are too often not demanding heritage skills, so attempts simply to build supply have not succeeded. Demand would build supply, but without effective demand, there will be no effective supply. It is true that both need to be worked on, but demand is the key, and HE cannot achieve its skills objectives until it recognises this. Encouraging and incentivising greater market demand is not simple, and above all it cannot be achieved by a HE ‘skills team’ alone: it requires a strategic approach across the whole of HE, taking a ‘skills-proofing’ approach within every strategic decision (“what effect would each option have on heritage skills demand?”). It is important that this is built into all HE’s thinking at a strategic level.

E. Conclusions and Review recommendations

25. Our answer to the Tailored Review's first question (see paragraph 1 above) is that there is a continuing need for an organisation with HE's remit and statutory purposes. It is also of great importance that heritage protection is properly funded, and that other heritage bodies and initiatives like HEF, the Heritage Alliance, and the National Amenity Societies, and projects like Heritage 2020, are properly funded, via HE or otherwise.
26. But Tailored Reviews are also intended to 'robustly challenge' and recommend improvements. As above, while much of what HE does is of real value, the Review should challenge the above aspects of the way HE currently fulfils – or in some areas fails to fulfil – its role. In particular the Review should ask HE to:
- (i) Most importantly, establish a heritage protection system which can work effectively and be financially sustainable in the future, and lead the changes needed to implement this, with a detailed programme and timescale.
 - (ii) Develop a heritage core message which goes beyond the cultural importance of heritage (important though that is), backed by a strong evidence base.
 - (iii) Put systems in place to ensure that it consults and works more collaboratively with its stakeholders, especially with regard to HE's own activities.
 - (iv) Embed 'constructive conservation' into HE's whole approach to heritage protection, focusing on the high proportion of cases which are not in the public eye.
 - (v) Adopt a more effective skills policy focused on building and incentivising demand for heritage skills.
27. A HE which takes a strategic, rigorous, and collaborative approach could have a strong future, protecting and promoting heritage effectively, and valued by its stakeholders and by governments. The potential alternative is a lack of effectiveness, and a future of repeated cuts as in the past. Given that an independent HE has a genuinely important role, we think that would be very unfortunate, as would any resulting impacts on the funding and effectiveness of other heritage organisations and initiatives as above.



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