Buildings at Risk and Implementation Plan and Heritage Grants Scheme

To: Cabinet
Date: 27 February 2014

Main Portfolio Area: Planning and Transportation

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Classification: None exempt

Ward: All Wards

SUMMARY

The purpose of this report is to present a proposed Strategy and implementation plan that reflects best practice for dealing with local authority heritage assets at risk. Set out in this strategy and implementation plan are proposals for identifying and monitoring heritage at risk in the Borough. (The Strategy and implementation plan form Appendix B of this report). The proposed Building at Risk (BAR) strategy is required to meet English Heritage best practice and to amplify the guidance on heritage at risk which is contained within the National Planning Policy Framework at Para 126. The strategy will allow a process of identification and monitoring of buildings at risk that will allow for early and pro-active intervention by the Authority to prevent buildings becoming a major problem requiring high levels of investment to bring back to an economical or viable use.

As a result of the proposed Buildings at Risk Strategy and its implementation plan minor amendments to the current Heritage Partnership Grants Scheme are also sought. These amendments are twofold and are intended to have additional benefits beyond the BAR strategy. The changes are explained in the Heritage Partnership Grant Report that forms Appendix C of this report, however in brief the changes requested are:-

- To widen the type of projects eligible for heritage partnership grant to support the facilitation of local communities engaging their own buildings at risk surveys with professional assistance and supported by grant funding. This will directly benefit the BAR strategy
- That use of the grant fund be expanded to support the use of statutory powers under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- In cases of particularly problematic buildings where end use viability is uncertain, to commission external expert advice to identify uses that may or may not be viable and on methods or works that would be required to increase levels of viability to allow building restoration. This would allow the Authority to utilise existing resources in a much more proactive manner, much earlier in a buildings deterioration cycle resulting a more economic use of resource and funding.
The above changes would all maximise the effectiveness of the BAR strategy. A copy of the existing Grants Strategy agreed in 2007 and the proposed amendments recommended is attached for comparison at Appendix C.

In addition to the above three criteria and to indirectly assist the BAR strategy it is requested that the amendments to the Heritage Partnership Grant additionally include the following:-

- the type of projects eligible for Heritage Partnership Grant be widened to support the facilitation of local communities engaging with other conservation type work where local community involvement is a requirement, for example conservation area appraisals and management plans, Local Heritage Asset list production (in line with the Local Heritage Asset Supplementary Planning Document Adopted by Cabinet in June 2012) again utilising professional assistance where required.

The benefits to the BAR strategy of the above addition would be the freeing up of in-house resource to allow greater proactive input into achieving the goals of the BAR Strategy and in proactively bringing redundant, under used and vulnerable buildings at risk into viable acceptable uses. A subsidiary benefit for general conservation would be a pro-active and positive opportunity for greater community engagement that goes beyond current best practice and which allows the opportunity for greater appreciation of local heritage within the local community.

Members are asked to consider the contents of the BAR strategy and the proposed four amendments to the grants scheme (as above) with a view to the report being presented to Cabinet. It should be noted that this would not result in any additional grant being required. It would allow greater flexibility on grant spend to achieve a proactive approach, particularly for buildings where there is no identified viable or specific end use, rather than year on year reactive work to maintain the status quo. It will also allow a proactive approach to working with communities on wider heritage issues as identified in the proceeding paragraph.

LINK TO STRATEGIC COMPASS

The BAR strategy and amendments to the grants scheme have both been considered by Management Team, Planning Policy Working Group and P & T CAB who have agreed that this should be adopted as the Councils approach to identifying and monitoring heritage assets at risk and for providing the greatest flexibility for grants to protect and enhance heritage assets.

The report has direct links to the Strategic Compass as follows:

Passionate About our Communities – This is about ensuring that the Borough maintains its high quality historic environment and that we make the most of the asset within the Borough through providing ongoing monitoring of vulnerable buildings, assisting owners to maintain their buildings through grants where necessary and addressing redundant and other problem buildings as early as possible. The minor changes to the grant scheme will, in part, allow greater proactive collaboration with local communities and facilitate greater involvement with communities within conservation areas regarding public realm improvements and establishing local heritage asset identification and adoption.
Passionate About Providing Value – The strategy sets out a clear and transparent process for identifying risk as required by the NPPF and will allow for early identification of potential problems so that effective action can be taken sooner which is cost effective.

Passionate About our Customers and Passionate about our People – The grants scheme will assist where necessary to ensure owners are able to maintain buildings of quality and historic value which are important assets and make the Borough an attractive place to live, work and visit. The process of assessing eligibility for grants is robust and clear and no proposals for change to this are planned. The increased flexibility in being able to use the grants for assisting the more problematic buildings in a proactive manner in order to find suitable solutions and end uses will be more cost effective than at present and we will work with local communities to find suitable end uses for such buildings.

Report status

The report recommends that following the period for call-in that:-

- the Council adopt the Buildings at Risk Strategy and Implementation Plan as the approach that will be taken in dealing with local authority heritage assets at risk, and that
- the council adopts the more flexible approach as proposed for the use of the Heritage Partnerships Grant to assist with implementing the BAR strategy.

Route to Implementation/Timetable:

The strategy and grants scheme will provide the framework for dealing with buildings at risk and grants for such buildings by this authority. The BAR strategy and implementation plan will be published on the Council’s website as guidance for developers and be used as part of the wider Conservation Strategy of the Council and for decision making on grant funding.

We will work with partner organisations and voluntary groups to implement the BAR strategy which will provide a sound evidence base for the Local Plan and Conservation strategy. The implementation plan sets out a 5 year rolling programme of works which would allow for assessment of 4 parishes per annum. This reflects the English Heritage best practice guidance which recommends a 5 yearly review of all buildings/areas. This would therefore become a rolling programme which would best fit alongside existing work commitments.

Portfolio Holder Declaration

I confirm that I have read the report and approve it for publication.

Signed: Councillor Alan McDermott Dated: 13 February 2014
BACKGROUND/INTRODUCTION

Historic environment planning policy and legislation shows that local planning authorities are seen as principal players in the protection of the historic environment, a role that extends beyond that of the statutory planning and listed building consent systems.

The creation and maintenance of a local heritage at risk register is a vital role of local authorities and is recommended through national planning policy, the Government’s advisor on the historic environment (English Heritage), and through the legislative tools provided to local authorities to take action against the deterioration of heritage assets.

Paragraph 126 of the National Planning Policy Framework states that “Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.”

English Heritage advises that the role of a local authority, in this case Tunbridge Wells Borough Council, in creating its own buildings at risk strategy, is to carry out the following functions:

- regular monitoring to identify vulnerable buildings before they become at risk
- prompting, encouraging and if necessary using statutory powers to try to ensure that owners maintain them adequately, or at the very least keep them wind and weather tight
- addressing functionally redundant and other problematic buildings before they reach crisis point, and where possible before they become vacant

Tunbridge Wells Borough Council has carried out surveys of buildings at risk at several different times in the past. The last major survey was carried out in 2007, nearly seven years ago, and is therefore unlikely to be up to date.

Conclusion

With this policy and guidance in mind, the BAR strategy as drafted would set out a clear process for the Conservation Team, with potential assistance from amenity and community groups and other volunteers, to best protect buildings at risk along with an implementation plan with timescales for this work. This would form part of the wider work programme for the team and provide an evidence base for the state of the historic environment for the production of the Local Plan.

WHAT IS THE ISSUE THAT REQUIRES A DECISION AND WHAT DOES THIS MEAN FOR THE PEOPLE OF TUNBRIDGE WELLS?

The Borough has a high quality of environment in all contexts but the heritage associated with the Borough is of exceptional quality and it is important that this is retained and enhanced wherever possible for the future. Early identification of potential buildings at risk and potential problem areas is critical to ensure that grant money is spent in the most effective and prudent manner. The proposed strategy follows English Heritages best proactive guidance for Local Authorities in carrying out the BAR work and the increased flexibility for the use of grants will enable the authority to protect and enhance these assets of importance.
Adoption of the strategy will make it clear what can be expected from us as part of our wide Conservation work.

WHO HAVE WE CONSULTED AND HOW? (OR WHO WILL WE CONSULT FOLLOWING THE DECISION?)

Internal consultations have occurred within the Planning Department involving staff in both Policy and Development Management, the Team Leaders, section heads and departmental head. Planning Policy Working Group and P & T CAB have also been consulted. The documents are internal working documents and it is not considered that external consultation is specifically required.

HOW WILL THE DECISION BE COMMUNICATED?

The BAR Strategy is an internal working document, The Planning Service will be notified of the adoption of this internal strategy. The changes to the Grant Scheme will be notified to Parish Councils, The RTW Civic Society, Cranbrook Conservation Area Advisory Committee. Information regarding the changes will also be placed on the current Heritage Partnership Grants web page on the TWBC Website.

In terms of undertaking the work, the strategy identifies that working with communities and interest groups would be beneficial and step will be taken to engage with such groups as set out in the implementation plan itself.

WHAT ALTERNATIVE ACTION COULD WE TAKE?

There is no absolute requirement to provide this strategy but the NPPF makes it clear that local authorities are expected to have a “positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk” and this strategy and implementation plan will provide the clarity of process by which we will identify and target resources in the future. The minor changes to the grant scheme will facilitate the actions within the strategy and implementation plan.

CONCLUSIONS

The publication of this strategy will form part of an emerging wider Conservation Strategy. It will provide detailed guidance on how heritage at risk will be identified and targeted and how grant funding will be used in line with the NPPF and adopted Core Strategy.

RECOMMENDATION FROM CABINET ADVISORY BOARD

The Planning and Transport were consulted on this decision on 4th February 2014 and agreed the following recommendation to Cabinet:

1) The Cabinet Advisory Board supports the recommendation (s) in the report.
RECOMMENDATION(S)

1) That the Buildings at Risk Strategy and Implementation Plan be adopted

2) That the proposed changes to the Heritage Partnership Grants Scheme be agreed to provide greater flexibility in use for heritage assets.

REASON(S) FOR RECOMMENDATION(S)

To ensure that the Borough Council provides clear guidance for the interpretation of the NPPF and Core Strategy Policies to ensure consistency of approach throughout the Borough

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Background Papers
None

APPENDICES TO REPORT
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APPENDIX A Cross Cutting Issues
APPENDIX B Buildings at Risk Strategy and Implementation Plan
APPENDIX C Heritage Partnerships Grant Scheme.