

Managing the Past for the Present

Our European partners

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A study of practices amongst our EU partners highlights the case for heritage reform in England.

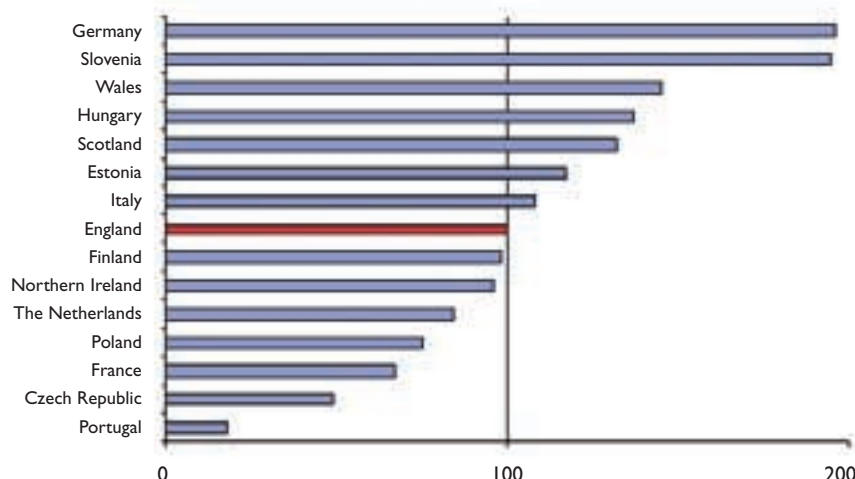
Having recently returned from a tour of European Heritage agencies the question of how English heritage protection compares to its European counterparts is fresh in my mind. As chief executive of English Heritage I think we have much to be proud of in this country, but my investigations did highlight some areas in which we lag behind our European neighbours.

English Heritage is not unusual in Europe in combining the role of regulator, designator, research centre and property manager. The majority of EU heritage bodies are similarly integrated agencies. Where English Heritage is different is that it is a non-departmental body; every other body is either an agency or a government department. This clearly gives English Heritage an independent voice, but it also distances us from both decision-making and funding decisions. It also characterises our role in heritage protection as the Secretary of State designates on the advice of English Heritage. This, however, is not the only difference in the process.

England is the only country in Europe¹ that

does not consult owners on the proposal to designate a building and the only one where there is no appeal against a decision to list. Although a small number of other countries do not have an appeals process that is because the consultation period and stages of consideration are lengthy. Almost all countries consult local authorities on designation proposals and many advertise the fact of consideration in the local paper. Almost every country also has an independent committee that scrutinises either all proposals or at least the controversial ones. In Hungary each designation proposal is also circulated to all other ministries for approval. As a consequence the European designation process is relatively slow, with the average time to confirm a listing being two years. The English system is, on average faster, often more effective, but compared to other EU systems it is unfair and undemocratic.

Sometimes the development industry complains that England has too high a proportion of designated buildings and sites. It is difficult to find comparable data that will indicate whether we protect more or less than other



Protected Sites per million population (Index England = 100) excluding Norway and Sweden

Meeting with our Polish colleagues in Warsaw – (from left to right) KOBIDZ Director Jacek Rulewicz, Simon Thurley, KOBIDZ Vice Director Tadeusz Morysiński and Culture Minister Ryszard Mikliński



Alexandra Coxen © English Heritage

countries; however, attempting to benchmark England using land mass, population and percentage of all buildings gives some insight.

Along with the Netherlands and Germany, England has the highest density of individually protected sites and monuments in Europe. While this is certainly the case it should be noted that England is more densely populated than most European countries and when we look at the number of protected sites in terms of population we get a different result. The figures show that by population we are very much in the middle of the European range. Possibly the best measure of whether we over-designate is the percentage of protected structures and sites as a proportion of all buildings. On this measure England seems to have between 1.7 and 2.1 per cent designated, which is similar to Scotland, Northern Ireland, Slovenia, Hungary and the Czech Republic, but much more than Norway, Sweden, Finland or the Netherlands, for instance.

On balance then, although we are probably in the European upper quartile, the scale of heritage protection in this country, particularly given our stable history and consequent high rate of preservation, does not seem excessive.

Almost everywhere significance is defined by heritage legislation, but protection is essentially part of the planning system. Broadly speaking EU countries adopt one of three arrangements for protection in the planning system.

1. The first type is the most centralised – a licensing system run by the national heritage body. In Portugal IPPAR simply issue a licence to the applicant directly for all work to listed

buildings. The local authority has no role in the process. The same applies to Finland (where disgruntled applicants can appeal to the ministry), to Slovenia, the Netherlands and to Italy.

2. The second type is where the responsibility is shared between local politicians and the national body, usually with advice from the national body as compulsory. This is operated in the Czech Republic, Sweden and Hungary.

3. The third type is where decisions are made entirely by local officials and their elected bodies, as in Norway and Poland. In Estonia the national heritage body, Muinas, have contracted their role in the planning system to local authorities, but in practice sit by them in a joint committee.

The English system is a fourth type, in reality a mixture of two and three, and is a product of our grading system. In dealing with Grade I and II* English Heritage process about 16,000 applications a year for advice. Local authorities deal with 91 per cent of all listed building issues.

Every country has some type of area protection and this is generally designated and regulated on a local, usually a municipal level, as in England. In Germany, for instance, in addition to the 1.3 million listed sites there are a further 250,000+ specific buildings covered by area protection. In Italy it is estimated that 50 per cent by area of the country is protected by heritage legislation. In the Netherlands, uniquely, these areas (354 listed townscapes) are designated nationally and development control rests with the national heritage body, RDMZ. The Portuguese system is more hit and miss. Each listed building has a protected buffer zone of 50m.

Across Europe (except in type 1 countries) the key issue is local capacity, standards and expertise. Only two countries other than England are addressing this directly: Poland, where a series of events is held at the Voivodship (regional) level, and in the Czech Republic, where there are well-established courses in collaboration with the universities. In type 1 countries there is no training. This is unfortunate as it distances people from decisions about their heritage.

The case for heritage reform in England is, to my mind, highlighted by a study of EU practice. The results of my survey will be presented to the government over the coming months in the hope that it will reinforce the need for legislation soon.

1. When I refer here to Europe I mean the UK, the twelve other EU countries I visited, and Norway.