



English Heritage New Model Project Team
Department for Culture, Media and Sport
4th Floor
100 Parliament Street
London
SW1A 2BQ

06 February 2014

Dear Sir / Madam,

Consultation on English Heritage New Model

Thank you for the opportunity to comment on the Government and the Historic Buildings and Monuments Commission for England's vision of a new model for English Heritage

The Institute for Archaeologists

The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

IfA has over 3,000 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

This response was considered by the Institute's Council at its meeting on 29 January 2014.

English Heritage New Model

IfA supports the Government and the Historic Buildings and Monuments Commission for England in their desire *'to look for innovative ways to manage, protect and promote our historic environment'* and welcomes this consultation as a valuable opportunity to reaffirm the value of English Heritage and to seek to secure its future.

In particular, welcomes

- (1) the statements in paragraphs 1.5, 2.10 and 4.1 that there will be no change to the Commission's duties and responsibilities for preserving England's wider historic environment
- (2) the opportunity to re-position the protection service so as to work more effectively in partnership with other stakeholders in the sector to promote and protect the historic environment
- (3) the opportunity to consider the long-term future of the National Heritage Collection, recognising the desirability of those assets remaining in public ownership and the need for investment in irreplaceable heritage assets.

However, while IfA does not take issue with the principle of separating the National Heritage Collection from the heritage protection service, significant concerns remain as to the details of the

proposed split and the future operation of the two new bodies (hereafter referred to respectively as 'the charity' and 'Historic England').

Specific Questions

Chapter 3: The Charity

1. The consultation outlines the benefits of the new model for the National Heritage Collection. Do you (please tick the appropriate box):

- Strongly agree with the proposed benefits
- Somewhat agree with the proposed benefits ✓
- Somewhat disagree with the proposed benefits
- Strongly disagree with the proposed benefits
- Neither agree or disagree
- Don't know

1.1 IfA 'somewhat agree[s] with the proposed benefits'.

2. If you either strongly or somewhat disagree with the proposed benefits why is this?

2.1 Notwithstanding the above answer, there are continuing doubts as to whether some of the benefits envisaged will in practice be realised.

2.2 In the first instance, 'the Government recognises' at paragraph 3.16 of the consultation document 'that the Commission will not be able to confirm the future level of funding for the charity until its own funding position is confirmed in future funding settlements.' This casts a considerable shadow over the viability of the model.

2.3 Moreover, the consultation does not reveal enough detail of the business case to give confidence that the charity can become self-funding within the given period (notwithstanding the injection of £85M by Government to address the most urgent conservation defects and cover start-up costs).

2.4 The forecasts of significant growth in membership, visitors and income may, in the fullness of time, prove to be justified, but the absence of any contingency planning in the vision is a real cause for concern. Any number of imponderables (such as a further outbreak of foot and mouth or a heightened security alert) may undermine reasonable assumptions and there is little, if any, indication in the consultation as to what will happen if the charity does not become self-sufficient in the given timescale (or at all). For instance, will the charity have termination provisions in its agreements with the Commission? (Paragraph 3.25 of the consultation document refers to such provisions in favour of the Commission – although the details of any reversion of assets to the Commission are not clear - but does not mention any similar mechanisms for the charity.)

2.5 If the charity ends up in deficit, will funds be diverted from Historic England to the charity? Paragraph 4.14 of the consultation document states that 'Once the charity becomes financially independent, it will no longer have a call on the resources of the Commission', but what happens prior to that (particularly if the charity never becomes financially independent)? We understand that the intention is that should the charity feel that it requires additional funds then it would make its case directly to Government without call on the Commission, but to ensure this contractual safeguards need to be put in place. Given the importance of the heritage protection services to be provided by Historic England (as to which see below), it would be of grave concern to IfA if its activities were to be undermined by a diversion of funding to the charity. If the new model is to work, this should not be allowed to happen.

2.6 If the charity does achieve self-sufficiency in the stipulated eight year period, it is not entirely clear what will happen to the collection thereafter. Will the charity, as a matter of course, retain it or will it be subject to some form of tender?

2.7 Paragraph 2.6 of the consultation document identifies *'the risk of a conflict of interest between the Collection and English Heritage's statutory duties'*, but this may be intensified rather than eliminated (at least in the transition period) if some trustees of the charity are appointed by the Commission (particularly given that the charity will have to 'pay its way').

2.8 The necessary commercial focus of the charity if it is to become self-financing is likely to concentrate attention (and finance) on those assets most likely to attract visitors (the 'honey pots'), potentially jeopardising the future of less 'attractive' assets. Although the charity is intended to retain the role of 'owner of last resort' (see paragraphs 3.24 and 4.12 of the consultation document), it is not clear how the acquisition, maintenance and improvement of future properties (including marine heritage assets) has been addressed in the business plan, nor whether it is realistic to expect existing or future properties to be improved (rather than simply maintained).

2.9 In order to provide a safeguard against an overly commercial approach to managing the National Heritage Collection (with attendant risks of harm to heritage assets), steps should be taken expressly to embed English Heritage's *Conservation Principles* (2008) at the heart of the new charity.

2.10 Furthermore, the reference to *'existing support arrangements continuing for an extended period'* in paragraph 5 of the consultation document raises concern as to potential demands on the services and energies of Historic England from the Charity. These demands should not in any way undermine Historic England's ability to carry out its role in relation to the wider historic environment and heritage assets generally.

2.11 Reliance is also placed in the consultation document upon the increased use of volunteers. Public engagement is to be welcomed, but this must complement the work of those with relevant expertise and not replace it. In any event, there is a cost to organisations using volunteers.

3. Are there any further benefits that could be delivered by this model?

3.1 Yes. By safeguarding the funding of Historic England and ensuring that funds cannot be diverted to meet any deficits of the charity, the model would support the management and protection of the whole of the historic environment in England. Although the National Heritage Collection is an invaluable asset, it represents a tiny fraction of the resource provided by heritage assets in England in whose protection Historic England will need to play a key role.

4. Are there any other key opportunities for the charity to increase earned income in addition to those outlined in the consultation? (please tick the appropriate box)

Yes

No

Don't know

4.1 No comment.

5. If yes what are they?

5.1 Not applicable.

6. What aspects of the current service provided to the public by English Heritage in relation to the National Heritage Collection is it important that the charity maintains?

- 6.1
- (1) Maintenance and improvement of the National Heritage Collection.
 - (2) Access to the National Heritage Collection
 - (3) Information and education with regard to the National Heritage Collection.
 - (4) Ownership of last resort.

7. What are the opportunities to further enhance the services that will be offered by the charity?

7.1 The services offered by the charity could be further enhanced by

- (1) where possible, expanding the National Heritage Collection to include not only heritage assets acquired as owner of last resort but also those (including marine heritage assets) which best help to *'bring... the story of England alive'* (English Heritage press release)
- (2) working in partnership with other stakeholders not only to conserve the Collection but also to promote knowledge, understanding and enjoyment of it.

8. Do you agree that the suggested charitable objectives are broadly the right ones? (please tick the appropriate box)

Yes

No

√

Don't know

8.1 No.

9. If no, what changes to them do you think should be made?

9.1 See under question 7 above.

10. Are the proposed success criteria to measure the performance of the charity and to ensure that the benefits are realised the right ones? (please tick the relevant box)

Yes

No

√

Don't know

10.1 No. They should be revised and/or augmented as indicated in paragraph 11.1.

11. If not what else should be included in the success criteria?

11.1 The first criterion should relate to the condition of the National Heritage Collection and the quality of the conservation and management delivered by the new charity, allied with increased knowledge and understanding of the collection.

Chapter 4: Historic England

12. We are interested in the views of respondents to the proposed future opportunities and priorities for Historic England. Are these the right priorities and opportunities? Is there anything missing?

12.1 The National Heritage Collection is, in itself, a significant and high-profile national asset. However, for IfA, the services to be provided by Historic England are more important and should be given greater prominence in the vision, since they are crucial to the management and protection of the whole of the historic environment in England.

12.2 Although grant-in-aid for Historic England for 2015/16 is proposed to be maintained at the 2014/15 level of £69.3 million, the lack of financial detail with regard to Historic England beyond 2015/16 raises concerns that the service will be vulnerable beyond that date. As stated above, paragraph 3.16 makes clear that the future operation of the Commission is dependent on no further cut to grant in aid. The success criteria assume that that flat-line funding will produce improved services, the scope of which must reflect the Commission's unchanged duties and responsibilities for conserving England's wider historic environment. The risk is that some of the success criteria, further discussed below, will not be achieved. Serious consideration should be given to diverting to Historic England the predicted year-on-year savings in grant to the charity, rather than assuming that these savings will revert to the Treasury.

12.3 There is also concern about the ethos of the new heritage protection service. Historic England's role in the planning system in facilitating sustainable development is an important one, but there is too great a focus in the consultation document on improving the service specifically for owners and developers. Thus, the section on 'Better Services' (paragraphs 4.10 to 4.11) directs itself towards making 'the heritage protection system work better for owners, developers and infrastructure providers...' The aim should in the first instance be to make the system work better for the historic environment, thereby benefitting everyone including communities, owners, developers and others.

12.4 The consultation document (at paragraph 4.13) rightly acknowledges the future 'role for Historic England, working in partnership with others, to review the landscape for heritage services and to develop recommendations to ensure that in the future we make the best possible use of the resources available so that England's heritage can continue to make such an important contribution to our quality of life.' However, the document fails adequately to recognise the central role which local authorities and local authority archaeology and historic environment services play in managing and protecting the historic environment. One of Historic England's priorities should be to support local authorities in this regard and, in partnership with such authorities and others, to undertake a radical reappraisal of its and their role in providing heritage services. Given the current and accelerating attrition of local services as a result of budget cuts and other changes within local authorities we regard this as a very high priority for action.

12.5 Historic England also needs to support capacity-building, professionalism and the application of standards in the sector. English Heritage's work towards ensuring that the sector has the skills it needs has been highly valued and should be enhanced at this time of critical skills loss. It should be charged with working in partnership with other stakeholders (including IfA) to this end.

12.6 The grants provided by English Heritage play a crucial role in supporting the historic environment sector and should be identified as a priority for Historic England. We note that the proportion by which grants from English Heritage have been cut is far higher than that by which Government grant in aid to English Heritage has been reduced.

13. Are the proposed success criteria to measure the performance of Historic England the right ones? (please tick the appropriate box)

Yes

No

Don't know

√

13.1 No. They should be revised and/or augmented as indicated under question 14.

14. If not what else should be included in the success criteria?

14.1 The things which IfA currently values about English Heritage include its

- expertise (both generally and in relation to specific areas such as the provision of regional science advisors)
- independence
- leadership
- championing of, and support for, research (not only through the NHPP and its programme of grants, but also through its infrastructure such as the National Monuments Record Centre at Swindon)
- support for local authority archaeology and heritage services
- skills-development and capacity-building roles

The success criteria should reflect more clearly a desire to maintain and enhance such roles.

14.2 The following are more detailed suggestions to improve the success criteria.

- i. 'Customers' in the first criterion should include local authorities, planners and archaeologists as well as the public and developers, but its primary concern should be the

- historic environment, itself.
- ii. The second criterion should have a wider focus – on Historic England's input to the planning process for the benefit of all, not just developers. Furthermore, the criteria should include improvements in the quality of planning advice (by comparison with the purely quantitative measurement of planning performance at page 36).
 - iii. The success criteria should include advice to Government.
 - iv. The success criteria should measure progress in realising the Government's vision for the historic environment set out in its *Statement on the Historic Environment for England* (2010).
 - v. There should be specific consideration of capacity-building in the criteria.
 - vi. There should be a criterion aimed more specifically at grant-funded research successes, perhaps framed as presenting and disseminating results to the public.

15. Should the National Heritage Protection Plan form the basis of the business plan for Historic England? (please tick the appropriate box)

Yes

No

✓

Don't know

15.1 No. (See below.)

16. If no – why not?

16.1 The NHPP provides an overarching framework within which the English Heritage Action Plan is one of several action plans. A separate business plan should be produced.

17. Are there any further points you would like to add in relation to the consultation?

17.1 If the new model is to be effective it must look beyond the eight-year transition period and seek to provide some safeguards for the longer term future of heritage management and protection.

17.2 The important role which Historic England has to play with regard to maritime archaeology should not be overlooked. Thus, for instance, Annex 3 (online access) should also refer to designated historic wreck sites.

IfA would like to be involved in the further development of the English Heritage new model and would be happy to assist in any way in which they can. In the meantime, if there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,



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