



Commission

Final Minutes of the 347th meeting held on 12 December 2024 at Cannon Bridge House, London, EC4

Commissioners present: Lord Mendoza (Chairman)
Nairita Chakraborty
Ben Derbyshire
Lady Jane Gibson
Professor Helena Hamerow
Dame Julie Kenny
Sir Jonathan Marsden
Patrick Newberry*
Robert Sackville-West
Richard Upton
Sue Wilkinson
*by video link.

Staff present: Duncan Wilson, Chief Executive
Andy Brown, Analytics Director (for part)
Liz Bushell, Director of Corporate Services
Beatrice Carpineta, Governance Officer (minutes)
Tom Foxall, Regional Director, London & South-East (for part)
Katharine Grice, Director of Communications & Public Engagement
Nick Kent, Head of Governance
Claudia Kenyatta, Director of Regions [Job-share]
Melanie Lewis, Director of Strategy & Business Improvement
Ian Morrison, Director of Policy & Evidence
Julia Ward, Head of the Chairman & Chief Executive's Office
Andrew Wiseman, General Counsel & Corporate Secretary

Others present: Peter Liney, Trustee, English Heritage Trust
Dr Katy Lithgow, Chair, Historic Estate Conservation Committee
Dr Nick Merriman, Chief Executive, English Heritage Trust (for part)
Nick Wright, Chief Financial Officer, English Heritage Trust (for part)

1 Apologies, announcements and Declarations of Interest

- 1.1 Attendees were welcomed to the meeting, including Dr Katy Lithgow, the Chair of the Historic Estate Conservation Committee and Peter Liney, a trustee of English Heritage Trust (EHT).
- 1.2 Apologies had been received from Commissioners Sandra Dinneen, Paul Farmer and Susie Thornberry.

Declarations of Interest

- 1.3 Dame Julie Kenny declared an interest in respect of Wentworth Woodhouse.

2 Minutes of 5, 22 July and 19 September 2024 Commission meetings and matters arising

- 2.1 The Minutes of the Special Meetings of Commission on 5 and 22 July 2024 and of the 346th Commission meeting held on 19 September 2024 were approved as a correct record.
- 2.2 The Chair reported that following Commission on 5 July, a contact form to enable Commissioners to report contacts with Government, had been set up on the Commissioners' Teams channel. Following the 19 September Commission, it had been decided that the annual report on HE's use of its enforcement powers would be made at the June 2025 meeting; feedback from the Commission's strategy discussion at that meeting had been incorporated in the Executive Team's awayday in October. There were no other actions arising from the minutes.

2.3 Commission APPROVED the minutes of the Special Meetings of Commission on 5 and 22 July 2024 and of the 346th meeting held on 19 September 2024 as a correct record.

3 Chairman's Report

- 3.1 The Chairman updated Commission on recent discussions he had had with Ministerial advisers and others about the role HE could play in the delivery of HMG's core missions. The Chairman welcomed the initial steps on potential co-operation on heritage between HE and the Saudi Arabian authorities, announced during the Prime Minister's recent visit there. This was an example of the soft power work that the Foreign, Commonwealth & Development Office was leading on in which HE had a part to play.
- 3.2 The Chairman mentioned his visit to the Tower of London and discussions with Historic Royal Palaces, who had told him how much they valued the work of Historic England.

3.3 Commission NOTED the Chairman's report.

4 Chief Executive's Report

- 4.1 The Chief Executive introduced his report to Commission and noted that the main themes in the Corporate Plan aligned well with the Government's missions.
- 4.2 Budget 2025-26 & Spending Review
The Chief Executive said that HE had not received notification from DCMS of its 2025/26 allocation. HE had been making representations about the need for improvements in baseline funding. There was hope that a revised version of the heritage in schools programme might continue.
- 4.3 Industrial Strategy Green Paper
HE had commented on the new industrial strategy highlighting that heritage is a core part of the creative industries and important to soft power.
- 4.4 Shrewsbury Flaxmill Maltings
The focus is now on the wider site disposal. The Chief Executive said that a new Strategic Programme Board had been established to supervise the project, whose

membership would include Commissioners Ben Derbyshire, Julie Kenny and Richard Upton. An initial request to developers to express interest had been made.

4.5 Fort Cumberland

The Chief Executive said that the priority was not now future strategy but on carrying out essential works, not least because HE staff were based there with sensitive scientific equipment. The Director of Strategy & Business Improvement added that urgent works were taking place in this financial year and a further programme was being considered for 2025/26. This work would lay the foundation for the future masterplan. Discussions had also been held with Portsmouth City Council about the site.

4.6 Nationally Significant Infrastructure Projects

There had been positive feedback after the Commission's visit to Essex from some of the national infrastructure bodies. The Chief Executive said it was important for the DCMS, as well as other departments, to realise that HE was playing a constructive role in working with infrastructure providers. HE had an important role in bridging the gap between communities and big infrastructure providers when it came to heritage.

4.7 The Director of Regions said that HE was negotiating a new memorandum of understanding with the Highways Agency. The launch of that in the Spring would be an opportunity for some media promotion of the relationship.

4.8 Historic Places Panel

The Chief Executive said that there had been three HPP visits this autumn. Members noted the hard work put in by Regions and Governance to deliver them and the unique circumstances of one of the towns visited, Barrow, and the opportunity that gave HE to engage across government but also the challenges that poses to the drafting of the Panel's report.

4.9 Staff Survey

The biannual staff survey results had been positive, the CEO noted, apart from expected concerns about pay. The improvement in engagement scores since the last survey in 2022 was a result of communicating authentically with staff, for example over the pressures on resources. Members discussed the survey and noted the improvements in several areas including on "compelling leadership" and also that good feedback on HE's performance was coming back externally. The CEO thought that areas for further improvement in engagement could include making greater use of middle management.

4.10 Members said that HE had excellent leadership and management and asked that this was noted.

4.11 Commission NOTED the Chief Executive's report.
--

5 **Historic England Financial Update**

5.1 The Director of Corporate Services updated Commission on both the current financial year and the budget process for 2025/26. The returns for November showed that the forecast deficit had now fallen to £400K from £1.2M after Executive Team action to seek savings across HE, some project delays and other smaller movements. It was expected that underspends on projects would mean that there would now be a balanced budget at the end of the financial year. The Director said that a lot of work had gone into

achieving this, which was not without pain as there were now a lot of held vacancies and grants had been cut quite significantly. Recruitment controls would remain in place until the end of 2024/25.

- 5.2 The Director said that DCMS had now confirmed that the additional employers' pension contributions would be met by HM Treasury. HE would receive £600K and that would be put into reserves because 2025/26 looks to be challenging. DCMS had had a flat cash settlement in the budget and was now going through its business planning process. HE's budget would not be confirmed until January. The Executive Team was working on a number of scenarios so that there was flexibility to respond but all involved making savings across the organisation.
- 5.3 On the forthcoming Spending Review (SR), the Director said that HE had been told that the SR would cover three years for revenue and five years for capital and as with the likely budget for 2025/26, will be very tight.
- 5.4 In discussion, Commission noted that:
- the key capital issue for HE was the need for further spending on the digital strategy;
 - providing shared services to the new Football Regulator would provide some modest additional income;
 - there was uncertainty about whether increases in the employers' National Insurance would be refunded to ALBs but HE was budgeting on the assumption that it would not be;
 - income for work on national infrastructure projects was important and HE is reviewing its charges for services to ensure that the charges are adequate and consistent but recognised that there is only a small pool of clients;
 - HE was unable to charge local authorities for work on planning applications;
 - pay was an on-going risk for HE;
 - the VAT claim was still unresolved and HE was looking at other methods of dispute resolution with HMRC alongside EHT.

5.5 Commission NOTED the year to date and forecast year-end positions, and the main risks to them. Commission NOTED the 2025/26 budget timeline, risks and uncertainties.

6 English Heritage Trust financial performance report

- 6.1 The Chief Financial Officer of EHT reported that their current financial position was not as forecast. They had budgeted for visitor numbers to return to pre-pandemic levels but for several reasons that had not happened. At the end of October, visitor numbers were about 11 per cent down. The full-year visitor number forecast was 12 per cent down and there was a similar picture on membership recruitment, but membership retention was performing better. Unrestricted income over the full-year period would be substantially down but mitigations to cover the majority of that had been identified, including project deferrals and a recruitment freeze.
- 6.2 The likely outturn at the end of 2024/25 would be a deficit of about £2M in unrestricted income. Management was developing a new operating model with more prudent operating assumptions from 2025/26, including reducing EHT's cost base to avoid having to make in-year savings and delaying conservation work they knew was essential.

- 6.3 Dr Nick Merriman said that a new operating model had been under development since September to reduce EHT's costs and to increase its income. It was hoped that EHT would achieve a surplus of £9M next year despite increased costs of £2.7M due to National Insurance and the National Living Wage. Most of EHT's reserves were from the cultural recovery loan and there was a long-term need to build up its reserves. In 2025/26, about £5M would need to be reinvested in an essential electronic point of sale project but the aim was for a balanced budget. Management believed that they could in subsequent years generate the surplus needed to invest in conservation, technology and site improvement projects. A surplus of at least £10M a year was needed to invest in conservation of the collection.
- 6.4 Dr Merriman explained that the new structure of EHT would be announced in January, following board approval. EHT was one of a number of charities having to restructure. The result would be a more sustainable position from the next financial year onwards.
- 6.5 The EHT board had considered the draft five-year strategy (the first of two five-year strategies covering the ten-year period of the new operating licence) which set out how EHT plans to broaden its approach to become an organisation that tells England's story in a more inclusive way. Some key projects were going ahead, including the new Stonehenge learning centre and the redevelopment of Berwick Barracks after a grant of £4.2M from the National Lottery Heritage Fund.
- 6.6 Commission welcomed the report and discussed the content. Points made included:
- the need for HE and EHT to work together on telling England's story as there was a crossover with HE programmes such as working class histories and everyday heritage grants;
 - that EHT plans to change its event programme to make it less weather dependent, including having year-round events, and also changing opening hours over the winter season;
 - that there were plans to expand volunteering at EHT sites, including in areas such as ground maintenance;
 - that several important EHT sites in London run at a loss and have fewer visitors than might be expected; a new senior manager was being appointed to oversee them and address some of the structural issues involved.

6.7 Commission noted the English Heritage Trust Financial Update, December 2024.

7 Historic Estate Conservation Committee

- 7.1 The Chair of the Historic Estate Conservation Committee (HECC) summarised the main points of the annual report of the Committee on the state of the National Heritage Collection, which had been circulated. She said that the Committee had been impressed both by the quality of the work carried out at EHT properties and the response of staff to HECC's questions. The property visits made by the Committee illuminated the scale of the challenge faced by EHT and explained the conclusion of the report that EHT were doing a lot with very little.
- 7.2 Ms Lithgow remarked that some of HECC's focus arose from prioritisation by EHT to manage the work within the funds available. These questions included the high priority work that had not been fitted into the work plan and which could be overtaken as other

priorities emerged. The limited number of staff meant that some processes could take a long time. HECC thought that EHT was not getting credit for conservation work undertaken in other workstreams, such as during the improvement of visitor services.

7.3 HECC was adopting a more risk-based approach to its work utilising an approach widely used within the sector. This had been discussed with the Chair of the Audit & Risk Assurance Committee (ARAC). The approach had enabled the Chair to adopt a RAG-rating for the risks to the National Heritage Collection. The main risks to the Collection were physical forces, including climate-related events such as storms where there was a lack of funding including because the Collection was uninsured. Other areas of concern were the approach to structural engineering, the outdated asset management plan software and governance issues. Areas that were going well included wall painting, conservation planning and prioritisation, contract planning for maintenance work across the estate and the nature management strategy.

7.4 In 2025, HECC planned to look at some other risks include security of the estate and fire risks. The link between research and collections was another area HECC hoped to examine.

7.5 Commission welcomed the HECC annual report and discussed its findings. Points raised included:

- the scope of HECC's work and the workload implications this had for EHT, which could feel onerous and was a significant overhead; this raised the question of what constituted an appropriate level of scrutiny;
- the Committee had been established to scrutinise the use of the £52M grant from HMG when EHT was split from HE and now that was spent, was moving to a new role; HECC had been asking itself what work it needed to do in its new role to have adequate assurance; currently, it was visiting 10 properties a year out of a collection of 400;
- changes to EHT's structure might make it easier for HECC to satisfy itself in future;
- there was a need to make the HECC visits more collaborative;
- the recent incident at the British Museum had raised concerns about whether HECC was seeing all the collections and understood the vulnerabilities, hence the expansion of its work.

7.6 Commission turned to the proposals for the future of HECC contained in the paper that had been circulated. The Analytics Director (the HECC Co-ordinator) explained that the proposals tried to reach a balance between HECC being more collaborative in future but retaining its scrutiny role. The intention was to rebalance the Committee, including making the EHT trustees full members rather than observers to make it a joint committee. The relationship with the two audit committees would also be formalised.

7.7 Commission discussed the proposals and noted that:

- in the view of Dr Merriman, there was a lack of clarity as to whether HECC's role was advisory or scrutiny; he understood that the CEO of HE was the accounting officer and therefore HE needed to be able to assure itself as to the conservation of the National Heritage Collection but a joint committee could not do scrutiny in his view;
- the proposals had not yet been discussed internally by EHT;

- some Commissioners felt that the change in role of HECC was welcome but it did need to fulfil a scrutiny role;
- the EHT board did not have independent advice on the conservation of the National Heritage Collection but it did not make sense for them to establish a group to do that when HECC was already fulfilling that role; the difficulty was that HECC could not currently report to the EHT board;
- the proposals were trying to find a way through that would keep the support of HECC members, several of whom were concerned about the Committee's independence;
- the proposals were a good compromise which would maintain the independence of HECC but ensure that it reported to both organisations;
- there were other models, such as the advisory committee at the National Trust but that had a strategic role only and there were questions about its effectiveness;
- it would be necessary to seek further Government support for conservation of the National Heritage Collection in due course and evidence would be needed to support that.

7.8 The Chairman summed up the discussion. Commission was not yet ready to approve these proposals as drafted; a revised proposal should be brought to the February meeting after EHT had had a chance to consider the matter.

7.9 **Commission NOTED and DISCUSSED the Historic Estate Conservation Committee *Annual Review 2023/24*.**

7.10 **Commission DISCUSSED the proposals for the revision of the name and terms of reference of the Historic Estate Conservation Committee as set out in Section 4 of the paper, with effect from 1 April 2025 and AGREED to consider revised proposals at their February 2025 meeting.**

8 Corporate Priority Summary: Progress & Performance Update

8.1 The Chief Executive introduced the corporate priority summary report. He said that the Executive Team had decided not to carry out a major review of the Corporate Plan (CP) but to make smaller changes for the time being. A more substantial revision would probably be needed after the Government's Spending Review.

8.2 Staff Survey

The Director of Strategy & Business Improvement said that the staff survey showed that 87 per cent could see their work reflected in the CP. That was a good result, especially given that the CP was a relatively new piece of work.

8.3 Inclusive opportunities

The Director of Communications & Public Engagement said that 30 new Everyday Heritage grants had been awarded in the latest round, 91 per cent to organisations who had not received a grant from HE before.

8.4 Planning, listing and conservation

Commission discussed the pressures to change the listing system because of the perception that it is an obstacle to economic growth. It was noted that a change in primary legislation would be needed if Ministers wish to change listing criteria. Examples of the successful regeneration of listed buildings were being collated to assist in the debate.

8.5 Climate action

The Director of Policy & Evidence reported that HE had signed a joint statement of purpose with Arts Council England to support the de-carbonisation of the cultural sector, including advice best practice guidance and support both to decarbonise buildings and to prepare for the changing climate and the risks it brings. This will share resources and increase impact.

8.6 Developing HE

The Director of Corporate Services updated Commission on progress with the Digital Strategy. Given the uncertainty about future resources, the Executive Team had recently decided to extend several fixed-term contracts into the next financial year to reduce the risk of the programme not being completed. HE had included a bid for further IMT improvements in its Spending Review proposals.

8.7 Commission NOTED the Corporate Priority Summary and welcomed the updates.
--

9 **Work in Places**

9.1 The Director of Regions introduced the paper. The High Street Heritage Action Zone programme had now closed after nearly £100M of Government investment in heritage, working in over sixty high streets across England. An annex to the paper showed some of the outputs and HE had now received the first results of the external evaluation, which showed that the project had delivered against its goals and was good value for money, despite the impact of the pandemic. This was the first time there had been this kind of external evaluation and it was being shared with both DCMS and MHCLG officials

9.2 The HS HAZ programme had shown the value of work in places but given the current funding situation, the question was how to, within existing budgets and using other opportunities, take the learning from the programme and try to do more of such work. The paper had set out three ways forward:

- focus on the place first, rather than the historical asset; a places board has been established to take this forward;
- get others enthused about the model, so they rather than HE could deliver it; this was relevant to the Government's devolution agenda and the review of the Arts Council;
- HE to run potential projects in places but carefully selected given resources.

9.3 Commission welcomed and discussed the proposals in the paper. There was a recognition that many of the benefits of HS HAZ will not be visible for up to 20 years. The evaluation linked to other work under way, for example in the House of Lords Built Environment Committee report on high streets and that of the High Street Task Force.

9.4 Other points made in the discussion included:

- the value of being able to show the return per pound, in line with the Treasury Green Book, particularly if annual benefit can be demonstrated;
- it would be important to have figures for the benefit in individual towns to share with Members of Parliament and other influencers;
- the narrative had changed from saving buildings to supporting people and communities – there were successful examples to show this;
- the support of HE in communities has been critical to the success of heritage regeneration and community projects – not just grants but the expert advice;
- how far could HE switch the grants programme to focus on places?
- the need for a rebranding to find the best way to highlight the work;
- the need for regional teams to put the places agenda into their discussions with local authorities about local plans;
- being able to demonstrate that the HAZ and HS HAZ projects had created a substantial number of new jobs would show the value of work in place to policymakers;
- whether the data from HS HAZ could be utilised as a case study to demonstrate the value of culture and heritage capital.

9.5 Commission NOTED the social and cultural benefits which have arisen through Working in Place in our HSHAZ programme; NOTED the emerging evaluation for our HSHAZ programme; and ENDORSED the proposal to build on the successes of the HAZ and HSHAZ programme through a continued focus on 'Working in Place' with partners.

10 Historic England Engagement with Developers

- 10.1 The Regional Director for London & Southeast spoke to the paper on engagement with developers. The context was that HE had engagement with developers through planning and listing work, and in policy development (such as the recent HE Advice Note on climate change and historic buildings), but it tended to be about specific projects and be reactive, rather than broader based and strategic. Unlike other areas of work, HE had tended not to celebrate successful working with developers.
- 10.2 Mr Foxall said that that the over-arching objective of the proposals was to achieve better development outcomes for heritage through a step-change in HE's relationship with developers and in developers' understanding of the benefits of heritage-led development, particularly through take-up of HE's pre-application planning advice.
- 10.3 Mr Foxall said that Commission was being asked to approve the programme set out in the paper and to make suggestions of its own, including on prioritisation. The Director of Communications & Public Engagement added that HE wanted to gather case studies as they were more powerful but there was a challenge with some journalists as they liked to present Historic England's work in a confrontational, emotional way. Highlighting a list of successful cases once a year was one option. Audience research

was under way to identify the barriers to developers engaging with HE and with historic buildings.

10.4 Commission welcomed the paper and discussed its proposals. Points made in the debate included:

- the scale of the development sector versus the limited resources available to HE to engage with them meant that it made sense to seek culture change and a less adversarial approach which could reduce caseload;
- heritage-led regeneration could lead to a better bottom-line for developers;
- HE could create an income stream from advice to developers as they were less price sensitive and HE's charged-for services were cheaper than those of the private sector;
- the work programme needed to be run as a campaign over several years to engage with the new generation of developers and achieve impact; and to have a KPI;
- some local authorities were still pursuing comprehensive redevelopments that ignored the value of heritage but yet others were taking too conservative an approach to the modification of heritage buildings; fiscal and other incentives were all in favour of demolition rather than refit and reuse;
- events to promote HE's engagement should include the Royal Institution of Chartered Surveyors and the larger consultancies;
- working with developers was important to HE because of the potential to improve planning applications before they were submitted, which would reduce HE's caseload; but it also mattered because developers had influence with others.

10.5 **Commission APPROVED the cross-group Engaging the Development Sector programme, but NOTED that the level of ambition and sequencing will need to be informed by decisions on corporate priorities in the round, in the context of our settlement from DCMS at business planning. Commission DISCUSSED further steps HE might take to better engage with the development sector and to increase our pre-application casework; and ADVISED on the prioritisation of items in the programme, especially on campaigns, publications, events and industry awards.**

11 Ironbridge Gorge Trust

11.1 The Chief Executive updated Commission on the ongoing discussions about the future of the Ironbridge Gorge Trust.

11.2 **Commission NOTED the update.**

12 Historic England Committee minutes and updates

12.1 Commission noted the minutes and oral updates from recent sub-committee meetings.

Minutes from sub-committees:

- A. Audit & Risk Assurance Committee 20 September & 14 November**
- B. Business & Finance Committee 14 November**

- C. Historic England Advisory Committee 26 September**
- D. Historic England Conservation Committee 23 October**
- E. London Advisory Committee 26 September**
- F. Remuneration & Appointments Committee 8 October**
- G. High Street HAZ Strategic Programme Board 11 July**

13 Casework Report & Planning Bulletin

- 13.1 Commission received its regular update on Historic England's business critical casework and recent and forthcoming planning developments. Commission discussed several cases, including the future of the landscape at Arlington Court and progress in disposing of Baguley Hall.

13.2 **Commission NOTED the Casework Report and the Planning Bulletin.**

14 Any Other Business

- 14.1 The Director of Policy & Evidence reported on two successful grant applications to the Arts & Humanities Research Council for £1.2M to invest in staff and equipment at Fort Cumberland as a national hub for interdisciplinary research in heritage science, and to the Crown Estate for £1.17M to enhance HE's National Marine Heritage Record.

15 Closed Session

- 15.1 Commission held a closed session.

Nick Kent
December 2024

Commission

Final Minutes of the 346th meeting held on 19 September 2024 at Cannon Bridge House, London, EC4

Commissioners present: Lord Mendoza (Chairman)
Nairita Chakraborty
Sandie Dawe
Ben Derbyshire
Sandra Dinneen
Paul Farmer
Lady Jane Gibson
Dame Julie Kenny
Sir Jonathan Marsden
Patrick Newberry
Robert Sackville-West
Susie Thornberry
Richard Upton
Sue Wilkinson

Staff present: Duncan Wilson, Chief Executive
Liz Bushell, Director of Corporate Services
Beatrice Carpineta, Governance Officer (minutes)
Luminita Holban, Development Director (for part)
Nick Kent, Head of Governance
Uta Langley, Organisation Development Director (for part)
Mel Lewis, Director of Strategy & Business Improvement
Ian Morrison, Director of Policy & Evidence
Amy Pitts, Director of Communications & Public Engagement
Kate Schwarz, Head of Strategic Planning (for part)
Emma Squire, Director of Regions [Job-share]
Julia Ward, Head of the Chairman & Chief Executive's Office

Others present: Dr Nick Merriman, Chief Executive, English Heritage Trust (for part)
Nick Wright, Chief Financial Officer, English Heritage Trust (for part)

1 Apologies, announcements and Declarations of Interest

- 1.1 Attendees were welcomed to the meeting, including Nick Wright, the Chief Financial Officer of English Heritage Trust (EHT).
- 1.2 Apologies had been received from Commissioner Professor Helena Hamerow; and from staff member Andrew Wiseman, General Counsel & Corporate Secretary

Declarations of Interest

- 1.3 Dame Julie Kenny declared in an interest in respect of Wentworth Woodhouse. Sue Wilkinson declared an interest as a Trustee of the Churches Conservation Trust.

2 Minutes of 13 June 2024 Commission meeting and matters arising

2.1 The minutes of the 345th Commission meeting held on 13 June 2024 were considered. Paragraph 5.6 was amended to delete the reference to the learning centre at Stonehenge. With that amendment, the minutes were approved as a correct record. There were no actions arising from the minutes

2.2 **Commission approved the amended minutes of the 345th meeting held on 13 June 2024 as a correct record.**

3 Chairman's Report

3.1 The Chairman spoke on his activities since the last Commission meeting. He congratulated colleagues on reaching final agreement on the new Property Operating Licence with English Heritage Trust (EHT) and in getting the *2023/24 Annual Report & Accounts* published and laid in Parliament before the summer recess.

3.2 The main event since Commission last met was the change of Government. He had been focusing on getting to know new Ministers and in contacting departments. The Chairman said he was keen to cement Historic England's role in the creative industries, housing, net zero and the economy. He noted also the communications successes of HE over the summer and that the Spending Review settlement next April would be the key event during the next period.

3.3 In discussion, Commission noted the importance of engaging with metro mayors. Mayors in the north of England had launched the "Great North" programme to keep up the momentum in culture and heritage achieved by the Northern Corridor.

3.4 **Commission noted the Chairman's report.**

4 Chief Executive's Report

4.1 Meeting with Minister for Heritage

The Chief Executive reported on his and the Chairman's recent positive meeting with the new Heritage Minister, Sir Chris Bryant MP. He noted the Government's focus on growth and HE's continuing need to demonstrate how it could contribute. This included showing the positive value of listing and how HE's role in the planning system enabled better outcomes. HE would relaunch the strategy for saving and converting disused mills, particularly for housing.

4.2 Stonehenge A303 bypass

Despite the disappointing decision to postpone the Stonehenge bypass, the judicial review was continuing and HE would participate. The project could return at a future date. It was a good example of the wider benefits of cultural heritage capital.

4.3 Budget 2025/26 and the Spending Review

The Chief Executive updated Commission on discussions with the Department of Culture, Media & Sport (DCMS) on prospects for the 2025/26 Budget to be announced on 30 October and the Spending Review period 2026-228.

4.4 Commission discussed the financial issues facing HE, including the proposed bids for the Spending Review. The proposals were welcomed as addressing the structural

financial deficit in HE and financial resilience issues in the sector. Members noted the current difficulties and the balance between addressing those and taking a longer view. It would be important, it was suggested, to identify which of the Spending Review bids was the first priority. Commission noted that other statutory planning consultees were better funded.

4.5 The value of strong local relationships with Members of Parliament and local authorities to making HE's case was recognised, along with the need to ensure that HE's spokespeople were sufficiently diverse to connect effectively with different audiences.

4.6 Historic Chapels Trust

The Historic Chapels Trust disposals programme was progressing positively. Several chapels could have legal agreements in place with new owners by the end of the financial year. The Churches Conservation Trust was running a maintenance and repair programme to get the chapels ready for sale.

4.7 Commission noted the Chief Executive's report.

5 Historic England Financial Update

5.1 The Director of Corporate Services updated Commission on the current financial year. A deficit of £2.8M was now predicted, largely as a result of HMRC having indicated that they intended to reject a VAT refund claim. The HMRC panel considering the matter had been delayed until November. The expectation had been that the VAT claim (worth £1.9M in the current year) would be successful but it was no longer possible to include receipt of those funds in the forecast. This meant a forecast deficit and several measures to reduce the potential deficit.

5.2 The Director said that substantial savings had been identified so far but they were insufficient to eliminate the forecast deficit and it was likely that part of the reserves from commercial income would have to be drawn down. There were also pressures on HE to increase expenditure, particularly in respect of pay.

5.3 Commission discussed the current financial position and noted that:

- pay pressures were impacting recruitment in some specialist roles but to a limited extent;
- the issue for recruitment was base pay, rather than the current rate of increase;
- the rate of staff turnover at nine per cent over a year was low;
- HE was facing difficulties partly because two public bodies were withholding funding to which HE felt it was entitled;
- the Remuneration & Appointments Committee would need to look at the pay picture for 2025/26 and consider scenarios.

5.4 Commission NOTED the year to date and forecast year-end positions, and the main risks to them.

6 English Heritage Trust financial performance report

- 6.1 The Chief Executive of EHT reported on the current financial position of EHT. Income was below forecast. This was a picture seen across the sector, partly because of the poor weather over the summer but also the impact of the cost-of-living crisis and, to a lesser extent, the slow return of inbound tourism.
- 6.2 Dr Nick Merriman said that in-year measures were being taken in response to this situation, including deferring expenditure on capital projects at some sites and focusing maintenance on health and safety issues. These were short-term solutions. Dr Merriman explained the longer-term measures that senior management were planning included improving marketing and income development as part of a broader strategy to ensure financial stability.
- 6.3 Commission welcomed Dr Merriman’s exposition, discussed the report, and noted that:
- this was a sector-wide problem, reflecting a reduction in discretionary spend by visitors and significant supplier price increases;
 - EHT could not be dependent on good weather to be financially viable; the business model needed to change;
 - delaying or abandoning capital projects would impact on partners;
 - there were though, opportunities to improve income through new partnerships that EHT was exploring;
 - repayment of the Cultural Recovery Fund loan was factored into EHT’s plans;
 - given the potential impact on the care of the National Collection, the Historic Estate Conservation Committee (HECC) should be briefed on the financial situation;
 - membership retention was holding up.

Action: Chief Executive of EHT to brief HECC on EHT’s financial situation and its potential impact on care of the National Collection

6.4 Commission noted the English Heritage Trust Financial Update, September 2024.

7 Enforcement & Prosecution Policy

- 7.1 In the absence of the General Counsel & Corporate Secretary, the Chief Executive explained that Commission was being asked to approve a new enforcement and prosecution policy. It had been felt necessary to set out in writing current practice in light of the allegations of misuse by the Post Office of their prosecution powers.
- 7.2 Commission discussed the proposal and requested that they be notified of use of enforcement and prosecution powers, perhaps in an annual report. The Chief Executive welcomed the suggestion of annual reporting and said the Executive Team would ensure that that happened in future.

Action: General Counsel & Corporate Secretary

7.3 Commission APPROVED the Historic England Enforcement & Prosecution Policy.

8 Historic England Foundation Trustee Appointments

- 8.1 The Development Director outlined the recruitment process for new trustees for the Historic England Foundation. The Foundation had been pleased to select Purnima Mookerjee and William Stratton-Morris as potential trustees.
- 8.2 Commission welcomed the selection of two exceptional candidates and approved their appointment as trustees of the Historic England Foundation.

8.3 Commission APPROVED the appointment of William Stratton-Morris and Purnima Mookerjee as trustees of the Historic England Foundation.

9 Corporate Priority Summary: Progress & Performance Update

9.1 The Chief Executive introduced the corporate priority summary report, which updated Commission on progress in meeting the six priorities in the Corporate Plan.

9.2 Better Places Service

The Director of Regions said that the Better Places Service, which HE provided on behalf of the Ministry of Housing, Communities and Local Government (MHCLG), had been extended by six weeks while Ministers considered whether it should continue until the end of the financial year. Commissioners highlighted the value of the service but noted that its future partly related to the debate around devolution in England and to the future of place-based work carried out by HE.

9.3 Inclusive opportunities

The Director of Communications & Public Engagement said that round three of the Everyday Heritage grant programme was in progress with a closing date of 7 October 2024 and this round would focus on rural and coastal heritage.

9.4 Planning, listing and conservation

The Director of Regions updated Commission on the Countryside Stewardship Heritage programme that HE delivers on behalf of the Department of Environment, Food & Rural Affairs (Defra). Launched in April, the scheme will provide £5M for rural heritage and has a dedicated HE team.

9.5 The Chairman reported that a meeting had recently been held between representatives of HE and the Corporation of London as part of a dialogue to improve the relationship.

9.6 Climate action

The Director of Corporate Services noted that there was a red rating on this activity because of the funding challenge with de-carbonising HE's estate. Other work on the HE to net zero programme was going better with the internal net zero champions having an impact.

9.7 Stewardship of the National Collection

Commissioners enquired about progress on the master planning work at Fort Cumberland, given its red rating. The Chief Executive said that work on Shrewsbury Flaxmill Maltings had been prioritised and that the focus at Fort Cumberland at present was to ensure that it was maintained to a safe standard as a listed building. There was a lack of capacity and capital to take the project further.

9.8 Commission NOTED the Corporate Priority Summary and welcomed the updates.

10 Strategy Session

- 10.1 Commission participated in a discussion of future developments and strategy for Historic England led by the Organisation Development Director.
- 10.2 Members broke into small groups and discussed corporate priorities and the future of heritage in England.

10.3 Commission PARTICIPATED in a discussion on future strategy and NOTED that the outcome would be discussed by the Executive Team at a future meeting.

11 Historic England Committee minutes and updates

- 11.1 Commission noted the minutes and oral updates from recent sub-committee meetings.

11.2 Commission noted the minutes from:

- a the 04 July 2024 meeting of the Audit & Risk Assurance Committee;**
- b the 04 July 2024 meeting of the Business & Finance Committee;**
- c the 27 June 2024 Historic England Advisory Committee.**

12 Casework Report & Planning Bulletin

- 12.1 Commission received its regular update on Historic England's business critical casework and recent and forthcoming planning developments. The Director of Regions said that the style and format of the Casework Report was under review and she welcomed feedback on how it could be improved.

12.2 Commission noted the Casework Report and the Planning Bulletin.

13 Closed Session

- 13.1 Commission held a closed session.

**Nick Kent
September 2024**



Commission

Final Minutes of the 345th meeting held on 13 June 2024 at Cannon Bridge House, London, EC4

Commissioners present: Lord Mendoza (Chairman)
Sandie Dawe
Ben Derbyshire
Sandra Dinneen
Paul Farmer
Lady Jane Gibson
Professor Helena Hamerow
Dame Julie Kenny
Sir Jonathan Marsden
Patrick Newberry
Robert Sackville-West
Susie Thornberry
Richard Upton

Staff present: Duncan Wilson, Chief Executive
Liz Bushell, Director of Corporate Services
Beatrice Carpineta, Governance Officer (minutes)
Nick Kent, Head of Governance
Claudia Kenyatta, Director of Regions
Ian Morrison, Director of Policy & Evidence
Amy Pitts, Director of Communications & Public Engagement
Hannah Talbot, Head of Marketing
Julia Ward, Head of the Chairman & Chief Executive's Office
Andrew Wiseman, General Counsel & Corporate Secretary

Others present: Tony Cates, Trustee, English Heritage Trust (for part)
Dr Nick Merriman, Chief Executive, English Heritage Trust (for part)

1 Apologies, announcements and Declarations of Interest

- 1.1 Attendees were welcomed to the meeting.
- 1.2 Apologies had been received from Commissioners Nairita Chakraborty and Sue Wilkinson; and from Fazima Osborn and Helen Dhoot, DCMS Deputy Directors Heritage & Analysis; Gerard Lemos, Chairman of English Heritage Trust (EHT); and from staff member Luminita Holban, Development Director.

Declarations of Interest

- 1.3 None.

2 Minutes of 21 March 2024 Commission meeting and matters arising

2.1 The minutes of the 344th Commission meeting held on 21 March 2024 were approved as a correct record. Of the three action points from the last meeting, two had been resolved: details of HE events at the UK Real Estate Investment & Infrastructure Forum had been circulated to Commission and the new Framework Agreement with the Department of Culture, Media & Sport (DCMS) had also been sent to Commission. The remaining action, concerning the Historic Places Panel, would be resolved at its annual meeting on 28 June.

2.2 Commission approved the amended minutes of the 344th meeting held on 21 March 2024 as a correct record.

3 Chairman's Report

3.1 The Chairman referred to meetings outlined in his written report. He also said that he had been visiting Historic England's regional offices; he had been to Bristol, Newcastle and Cambridge so far and would be visiting Swindon, London, Manchester and Birmingham within the next month.

3.2 The General Counsel & Corporate Secretary explained the rules that applied to Commissioners during the general election period to ensure political neutrality.

3.3 Commission noted the Chairman's report.

4 Chief Executive's Report

4.1 The Chief Executive highlighted several issues from his report.

Shrewsbury Flaxmill Maltings

Commissioner Richard Upton had led the presentation to the local authority of the Peter Barber proposals for residential development. The meeting had gone well but parking issues still needed to be resolved. The aim was to get the project to market in 2025.

4.3 The project had won five awards at the RIBA West Midlands Regional Awards, including West Midlands Building of the Year and will now be entered for a national award. It had also won a Europa Nostra award in the conservation and adaptive reuse category.

Baguley Hall, Manchester

The property, which had been taken back from EHT, was now being marketed with the aim of ensuring a long-term future for the building.

National Blue Plaques Scheme

The unveiling of the plaque to George Harrison in Liverpool had been a very successful event receiving extensive media coverage. The Chief Executive thanked the HE team involved and the Commissioners who had attended.

4.6 The national call for nominations was now open and over 100 had been received so far.

4.7 Richards Review of Statutory Consultees

A draft of the report had been sent to Government departments to check for accuracy but not shared with arms-length bodies. Nothing further had been heard since Parliament had been dissolved.

4.8 Stonehenge

The state party report to UNESCO had been delayed by a month because of the general election.

4.9 The Court of Appeal had agreed to hear an appeal by Save Stonehenge World Heritage Site Ltd against the High Court decision not to allow their challenge to the Development Consent Order.

4.10 Director of Corporate Strategy & Business Development

The Chief Executive said that Melanie Lewis had been appointed Director of Strategy & Business Development from 28 August 2024. She was currently the Chief Executive of the Shakespeare North Playhouse.

4.11 During questions to the Chief Executive, Commission discussed preparations for the next Parliament. Commissioners noted the forthcoming spending review, the likelihood of planning reforms, the work HE was doing on a policy framework for new towns and the potential value of Shrewsbury Flaxmill Maltings as a model of high-density residential development in a heritage-led regeneration project.

4.12 Commission noted the Chief Executive's report.
--

5 **English Heritage Trust financial performance report**

5.1 The Director of Corporate Services introduced the report on EHT's financial performance in the 2023-24 financial year. She noted that the outturn was a lower deficit than forecast than in the budget but there had been challenges around income, particularly development income, and some of the savings made were in conservation maintenance expenditure, which was lower than budget.

5.2 Dr Nick Merriman said that the challenges left by Covid (including the slow return of international visitors) meant that a deficit had been expected but it was less than forecast. Other factors affecting the outturn included the need to return a significant donation and the Hollywood writers' strike reducing income from filming.

5.3 Turning to the conservation maintenance budget, Dr Merriman noted that it appeared as if there had been a fall since last year but spending had been exceptionally high in 2022-23 at £9.9M (compared to £5.3M in 2023-24). That year was an anomaly with several projects completing at the end of the new model capital funding. The outturn had been less than planned in 2023-24 partly through cost savings but also reprofiling with several projects extended over two years because of weather and technical issues. This year EHT had a budget of £6.3M and the expectation was that that would be about the level of spend in future.

5.4 Commission discussed the financial report. In answer to questions, Dr Merriman said that there had been price pressures because of construction cost inflation. EHT had carried out a review of systems and processes that he believed would lead to improved project management, and capital works would have larger contingencies in future.

- 5.5 Dr Merriman also said that although the current EHT forecast is a balanced budget, that seems unlikely because of poor weather reducing visitor numbers; senior management would be looking at means of mitigating this. Commissioners reported that similar issues were affecting other heritage attractions and that the change in weather patterns was likely to be a longer-term issue requiring changes in policy. In answer to questions, Dr Merriman added that there was nothing at present to suggest that EHT would have difficulty meeting the Covid Recovery Loan repayments from next year.
- 5.6 In more positive news, EHT volunteer numbers were up since Covid at c. 5,000 people – their highest ever level and a £0.5M donation had just been received.

5.7 Commission noted the English Heritage Trust Financial Update, June 2024.

6 2023-24 Annual Report & Accounts

- 6.1 The Director of Corporate Services reported to Commission that they had before them the draft of the Annual Report & Accounts (ARA), which had been reviewed by the Audit & Risk Assurance Committee in May. Amendments were being made following that meeting, particularly to ensure that the ARA was clearer about the value of the National Collection.
- 6.2 Commission would be asked to approve the final edition of the ARA at a special meeting on 5 July 2024, after the completion of the audit by the National Audit Office (NAO). The Director of Corporate Services reported that the timing of the general election meant that the intended laying date would not be met and that HE might not be able to lay before the summer recess. The NAO were intending to stick to the planned audit timetable and would provide for a shadow certification process to enable the ARA to be provisionally approved by the Comptroller & Auditor General even if it could not be laid immediately.
- 6.3 The Director said that there was an additional problem: the inability of the Civil Service Pension Scheme administrators to supply the pension disclosures required for the ARA. This was due to legal questions around age discrimination and resourcing challenges; it was expected that only forty per cent of arms-length bodies (ALBs) would get the necessary information in time. HM Treasury would issue an accounts direction to enable ARAs to be laid without a pensions disclosure.
- 6.4 The outturn for 2023-24 was also covered in the report to Commission and the Director of Corporate Services noted that the outturn came within 0.1 per cent of the budget allocation.
- 6.5 In discussion, Commission praised the structure and content of the draft ARA; recognised the difficulty of recording the value of the National Collection in the ARA because of the way the accounts are compiled; and that a short summary of the final ARA would be published later. Commissioners questioned the amount of the NAO audit fee but noted that they are a monopoly supplier.

6.6 Commission NOTED that the Audit & Risk Assurance Committee reviewed the draft Annual Report & Accounts on 28 May 2024 and NOTED the final outturn for 2023-24.

7 Corporate Priority Summary: Progress & Performance Update

- 7.1 The Chief Executive said that the corporate priority summary report related to the six priorities in the Corporate Plan. It provided a framework for reporting on, and reviewing progress with, those six priorities.
- 7.2 Levelling-up
The Chief Executive noted that the year-end financial snapshot showed that HE's first priority, levelling-up, had received the largest share of HE expenditure in 2023-24.
- 7.3 In questions, Commissioners expressed concern that the legal requirement for local authority-wide design codes was impracticable. The Director of Policy & Evidence reported that HE is supporting design code trailblazers to ensure that heritage is included and carrying out its own pilot in Pendle to identify the issues with design codes.
- 7.4 Commissioners expressed disappointment that the seaside enhancement fund might not proceed.
- 7.5 Inclusion, Diversity & Equality (IDE)
The Chief Executive said that IDE was increasingly business as usual – a mark of the good progress that had been made. The Director of Communications & Public Engagement said that HE was sharing this area of work with the heritage sector through the launch of the Inclusive Heritage Advice Hub. A third round of everyday heritage grants would be launched in July. The Director added that the impact of HE's IDE work could be seen in the key performance indicators (KPIs).
- 7.6 Commissioners noted the sophisticated work on IDE being done in recruitment and retention, which had been highlighted at the Remuneration & Appointment Committee as well as the need to explain to a wider audience why HE is promoting IDE as part of its work.
- 7.7 Planning, listing and conservation
The Chief Executive reported that the focus in recent months had been on consolidating HE's engagement in this area as part of the Richards Review. The review had enabled HE to show the value of its casework, including evidence that showed that HE's advice led to better development, something acknowledged by developers themselves. Several senior staff had attended the UK Real Estate Investment Forum in Leeds recently and got across the message that HE is not a block on growth.
- 7.8 Responding to comments on the substantial growth in digital engagement, the Chief Executive said that this showed the impact of the DCMS-funded investment.
- 7.9 The Chief Executive noted that HE had taken a clear line on tall buildings, stressing the need for economic growth, and recognising the value of tall buildings in the right place, but the need for a tall buildings' strategy in England.
- 7.10 Climate action
The Director of Corporate Services reported that a group of staff champions for net zero had been established to help meet HE's targets. A lot of investment was needed in the office estate to reach the target, especially at Swindon because of the high energy costs of the archive. It was hoped that the Government Property Agency taking over the lease would help as it had some resources to support energy efficiency (but that would not apply to the archive). This area was amber rated because of the investment issues.

- 7.11 The Director of Policy & Evidence reported that the rollout of net zero training to the heritage sector was going well and would increase following the introduction of a sharable training package that did not require further HE support to deliver. A research observatory exercise had trawled all the research in the UK on climate and its impact on heritage. Over one thousand research papers had been found and, at a meeting last week with the UK agencies, the Arts & Humanities Research Council and the Irish Government, there was strong support for a UK/British Isles-wide research strategy and plan for climate change and heritage; funding would now be sought.
- 7.12 The Director Policy & Evidence updated Commission on the forthcoming HE Climate Change Advice Note, which was due for publication in July. There had been good co-operation from the Departments for Levelling-up, Housing & Communities and for Energy & Net Zero. Commissioners raised the issue of ensuring consistent application by local authorities and the Director said that 70 per cent of local authorities had now signed up to HE's new training module on the advice note. Commissioners noted this would be critical work for the next government and also the growing importance of new energy infrastructure as an issue for regional offices.
- 7.13 Stewardship of the National Collection
The Chief Executive said that this priority included those parts of the National Collection not under the management of EHT, notably Fort Cumberland and Shrewsbury Flaxmill Maltings. It would probably be necessary to make further investment at Shrewsbury to realise the residential element and at Fort Cumberland because of its condition. Commissioners welcomed the inclusion of the archive in the report and noted that future strategy for the archives would be discussed by BFC in the autumn.
- 7.14 Developing Historic England
The General Counsel & Corporate Secretary updated Commission on the new estate strategy. It would provide a framework for reviewing the type and location of offices in the light of changes in ways of working since Covid. It would take time to make changes as most offices were leased. Commissioners suggested that the approach might be to make locations a hub shared with compatible organisations.

7.15 Commission NOTED the Corporate Priority Summary and welcomed the updates.

8 HE Brand Refresh

- 8.1 The Director of Communications & Public Engagements introduced the report. She explained that the brand concept being presented to Commission had been revised after initial responses. The intention was to get feedback from Commission on the strategic direction of the brand refresh.
- 8.2 The Director explained that the reason for the brand refresh was that although Historic England was doing well in terms of visibility, there was an opportunity to increase its profile further. Current branding has been in use since 2016 and there was now an opportunity to build on success. This brand refresh was a small step rather than a jump.
- 8.3 Hannah Talbot gave an on-screen presentation showing the development of the brand refresh and the revised branding that was now proposed. The new branding was built on audience research and focused on the effect that heritage has on people.

- 8.4 The Director explained that the concept was being tested between May and July and would then be refined before Executive Team approval.
- 8.5 Commission discussed the branding proposals and gave feedback on the ideas shown in the presentation. Commissioners welcomed the overall concept, the desire to be bolder in the presentation of HE but noted that there was a tension between the focus on the extraordinary and the message about people loving local heritage. It was also suggested that the concept was perhaps too focused around buildings and needed to bring in other aspects of the National Collection, including the archives. The crisp, direct language and the lack of jargon was welcomed.
- 8.6 Commission asked about the differentiation between Historic England and English Heritage Trust. The Chief Executive said that EHT's brand refresh was a bigger exercise but that some differentiation between the two organisations was needed. The Director of Communications & Public Engagement explained that her team were working with EHT colleagues and sharing information with one another.
- 8.7 In other points, Commissioners noted that HE had to have a brand that could operate business to business and business to consumer, but it did need to be clear about what it wanted each of those audiences to think, to feel and to do. It was also suggested that an audience strategy would be needed alongside the new branding to make the best use of the change.

8.8 Commission NOTED the report and CONSIDERED the proposed creative brand concept and visual identity.

9 Planning for the 2024/25 Spending Review

- 9.1 In the absence of the Development Director, the Chief Executive spoke to the report on the 2024/25 spending review. He explained that the planning for the spending review was running in parallel with HE's post-election planning.
- 9.2 The Chief Executive said that work on the spending review was being carried out within a framework set by DCMS. Management is planning for a several possible scenarios and the Chief Executive took Commission through them.
- 9.3 The Executive Team was preparing a response to DCMS which explained what action HE would have to take in the event of each of these scenarios being realised. HE would be setting out how to build on its contribution to economic growth. It would be important to make clear to the Department that Historic England had been through significant expenditure reductions already.
- 9.4 Commissioners discussed the approach, the various scenarios and the impact each could have on HE's work. Commission noted there was a growing financial problem resulting from the annual two per cent uplift in the HE budget, which was well below both price and wage inflation. This was already having an impact on staff morale. Commissioners also noted the importance of building capacity in the heritage sector but that could not be done cost free. Heritage had much to contribute to economic growth.
- 9.5 Commission noted that that was clear evidence of the positive economic and social impact of local heritage projects, for example, the renovation of Wentworth Woodhouse. It will be important to put this evidence before ministers and show the value of HE becoming the development agency for the heritage sector. This would include

heritage's contribution to expanding regional tourism. Commission noted that HE disburses approximately one-fifth of the resources that the National Lottery Heritage Fund is able to disburse.

9.6 Commission NOTED the report and COMMENTED on the proposed strategy and approach, the three baseline scenarios, the proposal that Historic England should be the heritage sector development agency, the potential additional bids and the draft key messages.

10 HE-EHT Shared Services Agreement

- 10.1 The Director of Corporate Services updated Commission on the progress of the negotiations between Historic England and English Heritage trust on the fourth Shared Services Agreement between them. The Director said the negotiations had gone well and it was hoped the new agreement would be signed over the summer. It would last for three years but by mutual agreement could be renewed for up to nine years. The agreement was important to both organisations as it generated economies of scale.
- 10.2 One issue was the difficulty of maintaining the current commercial insurance for both parties. It was likely that the parties would have to self-insure in future because of the reluctance of the commercial market to cover the risks involved. Historic England was familiar with the self-insurance concept as arm's-length bodies do not normally have insurance – the existing Shared Services Agreement had been an exception.
- 10.3 The Director requested that Commission agree that approval of the new Agreement be delegated jointly to the Chairs of the Audit & Risk Committee, the Business & Finance Committee and of the Shared Services Oversight Board as it would be difficult to call committee meetings over the summer holiday period.
- 10.4 Commission discussed the update and the change to the insurance position. It was noted that the Chairs of committees would need an estimate of the risks of proceeding without commercial insurance before approval.
- 10.5 Commission agreed to the resolution delegating authority to approve the new Agreement to Chairs of the Audit & Risk Committee, the Business & Finance Committee and of the Shared Services Oversight Board.

10.6 Commission NOTED the UPDATE on the negotiations and APPROVED the recommended approval process set out in the report.

11 EHT Property Licence Renewal

- 11.1 The General Counsel & Corporate Secretary updated Commission on the progress of the licence renewal negotiations. The General Counsel explained that the intention was to complete negotiations before the 4 July 2024; this had been agreed by the Department. A detailed report would be produced before seeking approval.
- 11.2 The General Counsel explained that there was the requirement in the current licence for English Heritage Trust to apply public procurement rules. There was no longer any need for it to follow these rules and EHT wished to dispense with what is a burdensome requirement. If there was a delay in signing the new licence EHT had requested that a

Deed of Variation be agreed to enable it to drop the requirement in the current licence before the new Procurement Act comes into force in October 2024.

- 11.3 The General Counsel explained that Commission was being asked to agree that approval of the new licence be delegated to the Chair of HE, the Chair of the Audit & Risk Committee, and the Chair of the Business & Finance Committee. It was also being asked to agree that a separate Deed of Variation could be entered into if required.
- 11.4 Commission discussed the licence renewal negotiations. It agreed to the resolution delegating authority for approval and to a Deed of Variation being entered into if required.

11.5 **Commission NOTED the update on the EHT Licence Renewal negotiations, APPROVED the delegation of the final agreement to Chair of the Commission, the Chair of the Audit & Risk Committee and the Chair of the Business & Finance Committee. Commission APPROVED a Deed of Variation being entered into with EHT if required.**

12 Historic England Committee minutes and updates

- 12.1 Commission noted the minutes and oral updates from recent sub-committee meetings.
- 12.2 The Chair of the Historic England Advisory Committee spoke to the annual report of the committee. She noted that an important issue was creeping development - the gradual, piecemeal development that erodes historic settings. Climate change was another recurring theme. Finally, tall buildings and overscale developments were also a key concern, this year in Manchester, Bournemouth and Derby. But there were many examples of where Historic England's advice had made a big and positive difference and the regional teams should be thanked for that.
- 12.3 The Chair of the Remuneration & Appointments Committee said that his Committee had specifically asked that the exceptional work of the Human Resources Director be highlighted to Commission. He also noted the difficult issues around pay facing Historic England and the need to resume recruitment of Commissioners immediately after the general election.

- 12.4 **Commission noted the minutes from:**
- a **the 27 February 2024 meeting of the Audit & Risk Assurance Committee;**
 - b **the 27 February meeting of the Business & Finance Committee;**
 - c **the 1 May 2024 Historic Estate Conservation;**
 - d **the 25 April 2024 Historic England Advisory Committee (*and Annual Report*);**
 - e **the 25 April 2024 meeting of the London Advisory Committee (*and Annual Report*);**
 - f **the 9 May meeting of the Remuneration & Appointments Committee.**

13 Casework Report

- 13.1 Commission received its regular update on Historic England's business critical casework and recent and forthcoming planning developments.

13.2 **Commission noted the Casework Report.**

14 Closed Session

14.1 Commission held a closed session.

**Nick Kent
September 2024**