



## ENGLISH HERITAGE

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25 March 2010

Dear Sir or Madam

### **WATERWAYS FOR EVERYONE: CONSULTATION ON THE GOVERNMENT'S STRATEGY FOR THE INLAND WATERWAYS OF ENGLAND AND WALES**

Thank you for the opportunity to respond to the DEFRA consultation on the Government's strategy for the inland waterways of England and Wales. I am responding on behalf of English Heritage as Senior Transport Advisor. I can confirm that the information submitted is not confidential.

#### **English Heritage's role**

English Heritage is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport, with our funding agreement signed by CLG and DEFRA. We work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment, broaden public access to England's cultural heritage, and increase people's understanding and appreciation of the past.

We are the UK Government's statutory adviser and a statutory consultee on all aspects of the historic environment and its heritage assets. This includes archaeology on land and under water, historic buildings sites and areas, designated landscapes and the historic elements of the wider landscape.

#### **General position**

English Heritage welcomes the way in which cultural heritage is treated in this strategy document, which links well with its recent work with British Waterways, for example in piloting Heritage Partnership Agreements and on promoting high-quality waterside development.

Our responses to the consultation questions and some detailed drafting points are attached to this letter as an Appendix.

Yours sincerely,

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Senior Transport Adviser

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## Appendix: consultation questions: English Heritage response

*Q7. Do you agree that the unique cultural heritage associated with inland waterways provides a key benefit to those who use and visit waterways? How can these resources be used to further enhance and encourage use of the waterways?*

Yes. Creative planning and high quality design is essential in successfully incorporating the historic environment into modern waterside developments to retain an attractive historic setting for all users. Bringing canalside buildings back into use not only sustains their historic fabric, but makes attractive waterside locations for business, leisure and living, and stimulates activity that provides informal supervision for areas that in some places have become remote and prey to anti-social behaviour. Examples are featured in the joint British Waterways/English Heritage publication 'England's Historic Waterways: a working heritage'<sup>1</sup> (2009).

*Q8. Do you consider the protection of the natural and built heritage to be one of the waterway authorities' primary tasks?*

Yes. England's waterway heritage is an important national asset representing a unique record of industrial architecture, archaeology and engineering structures. It is also an important component of regional and local distinctiveness. While the network as a whole is of enormous historic significance, activities in particular locations are best done in association with local authorities, local groups and societies, to encourage a sense of local 'ownership' of the canalised areas.

*Q9. What area of waterway heritage do you consider most under threat?*

We are concerned that some historic weir, locks and other 'in channel structures' are under threat from insensitive modification or complete removal during works carried in order to achieve targets for improving the ecological status of water bodies set by the EU Water Framework Directive, and are in discussions with the Environment Agency about this. Our aim is to develop a screening protocol for categorising structures as low/medium/high risk with respect to their historic sensitivity and for indicating when engagement with local authorities or English Heritage should take place to discuss appropriate mitigation.

Historic in-channel structures can also be threatened by modification or removal carried out to improve navigation safety, as occurred in relation to nine paddle and rymer weirs on the river Thames last year.

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<sup>1</sup> <http://www.britishwaterways.co.uk/our-work/delivering-public-benefit/heritage>

Wherever removal or modification of an historic weir (or any other in-channel structure) is proposed, discussion of the options with English Heritage or local authority historic environment professional should be undertaken at the initial stages of the project to ensure the fabric and setting of the heritage asset is not unnecessarily compromised. While some of these structures are already identifiable through being designated as nationally important through listing or scheduling, others will also have historic significance. Until the categorisation referred to above has been carried out, each case should be assessed individually before works take place.

*Q22. What scope is there for enhanced partnership working to improve the resources available to protect and enhance the benefits delivered by inland waterways?*

Since 2004 British Waterways has been actively engaged with English Heritage and the local planning authorities in a number of locations to formulate pilot Heritage Partnership Agreement (HPA) projects. HPAs are management agreements to facilitate and enable the medium-long term management of historic assets by mutual agreement between relevant parties, and can in some circumstances offer a degree of prior agreement for certain defined activities. Now that a number of agreements are in place, there is momentum to roll them out more widely across the canal network. They promise to yield significant benefits in terms of better relations, improved communication, transparency, and ensuring work programmes are carried out in a timely manner.

HPAs are designed to assist sensitive and efficient management of complex heritage estates within a single ownership. Though delay in the passage of the Heritage Protection Bill through Parliament has meant that at present they have no statutory power, non-statutory HPAs can, nonetheless, play a useful role in assisting good management of the varied and complex heritage estates of the inland waterways.

Although HPAs can be applied to sites of any size, dispersed sites of a single or similar asset type, like those on canal networks, where single ownership applies, are likely to benefit most from an HPA. HPAs for dispersed locations can be beneficial in bringing together different local authorities to develop a consistent approach to the conservation and management of heritage assets.

*Q23. What activity should be undertaken to monitor the benefits delivered by the inland waterways over the coming years?*

We would like to see consistent identification and monitoring of heritage assets across the waterways, regardless of their ownership, in the form of regular audits to identify these assets and report on their condition. These could be facilitated through Heritage Partnership Agreements (see above) between English Heritage, local authorities and owners.

## English Heritage: detailed drafting points

Para 1.6, bullet point 3: include a further sub-point:

*- the role of heritage assets and the historic environment in promoting quality of place*

Para 6.3: Add a final sentence to acknowledge that many features of the waterside historic environment are not designated sites:

*In addition, there are numerous other historic structures and archaeological remains which contribute to the significance of the historic waterways and their setting, and which need to be conserved alongside designated heritage assets such as listed buildings and structures.*

Para 6.7: we would like to re-phrase as the current opening wording ('heritage also needs to be relevant for the future') might imply that heritage without an obvious role can therefore be dispensed with. We suggest:

*Whilst great care needs to be taken in converting redundant historic buildings to new uses, sympathetic development is also highly important for successful waterside regeneration. Examples of successful waterside developments featuring historic assets which have been redeveloped using high quality design are set out in the joint British Waterways/English Heritage publication 'England's Historic Waterways: a working heritage'<sup>2</sup> (2009) and authoritative guidance is available from: ....*

The final two lines of para 6.7 can then be deleted as the guidance is referred to in the paragraph.

Para 6.9: Note that the Government's Statement on the Historic Environment for England 2010<sup>3</sup> was published by DCMS on 23 March 2010.

Para 6.10: in the second sentence please insert '*According to British Waterways figures*' before '*there remain 35 'at risk' structures...*' and change the last part to (inserts underlined):

*Care still needs to be taken to ensure that the approach to conservation is consistent around the country regardless of ownership, that heritage assets are identified and their condition assessed in regular audits, and that the heritage value of waterways is recognised and enhanced through waterside regeneration schemes. One way forward may be the more extensive adoption of Heritage Partnership Agreements between owners, local authorities and English Heritage, designed to assist sensitive and efficient management of complex heritage estates within a single ownership and successfully piloted with British Waterways since 2004.*

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<sup>2</sup> <http://www.britishwaterways.co.uk/our-work/delivering-public-benefit/heritage>

<sup>3</sup> [http://www.culture.gov.uk/reference\\_library/publications/6763.aspx](http://www.culture.gov.uk/reference_library/publications/6763.aspx)

Para 6.11: this should be moved to be the next para after 6.7, and updated to reflect the latest position (NB the draft PPS15 has now been published by DCLG as PPS5<sup>4</sup>):

*In England Planning Policy Guidance Notes 15 (on the historic built environment) and 16 (on archaeological remains) have been merged into a single Planning Policy Statement, PPS5 (Planning for the Historic Environment), published on 23 March 2010, which sets out the Government's planning policies on the conservation of the historic environment.*

After para 11.6: we suggest a new para on Heritage Partnership Agreements:

*As an example, since 2004 British Waterways has been actively engaged with English Heritage and various local planning authorities to formulate pilot Heritage Partnership Agreement projects, which have the potential to be rolled out more widely across the canal network. Heritage Partnership Agreements are designed to assist sensitive and efficient management of complex heritage estates within a single ownership. They are management agreements to facilitate and enable the medium-long term management of historic assets by mutual agreement between relevant parties, and can in some circumstances offer a degree of prior agreement for certain defined activities. They promise to yield significant benefits in terms of better relations, improved communication, transparency, and less chance of unnecessary delays to works programmes. For example, dispersed sites of a single or similar asset type (an example might be historic overbridges on the canal network) could benefit through a Heritage Partnership Agreement bringing together different local authorities to develop a consistent approach to the conservation and management of that type of heritage assets.*

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<sup>4</sup> <http://www.communities.gov.uk/publications/planningandbuilding/pps5>

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