

1. Do you agree that the duration of a Listed Building Heritage Partnership Agreement should be left to the discretion of individual local planning authorities?

- **Yes**
- No
- Don't Know

If no, should the maximum duration of the Agreement be set at three, five or ten years? Can you briefly summarise the reasons for your answer.

2. Do you agree that local planning authorities should only consult English Heritage on the proposed grant of listed building consent included in draft Listed Building Heritage Partnership Agreements where they cover Grade I and II\* listed buildings?

- Yes
- **No**
- Don't Know

If no, what do you think would be appropriate and why?

**In general this should be the case, but there are instances where Grade II assets might benefit from the added value of EH advice particularly where these are large and complex assets or groupings of assets and the impact of changes could be high.**

3. Do you agree that local planning authorities should only be required to specifically notify known owners of the listed building who are not party to the Agreement of the proposed listed building consent, with any further notification being left to the local authority's discretion?

Note: owners also include any tenants with not less than seven years of a term certain remaining unexpired.

- **Yes**
- No
- Don't Know

If no, please explain why?

4. Do you have any other comments on the draft regulations for Listed Building Heritage Partnership Agreements?

**While the duration of an HPA should be not be set in legislation, the Alliance's view is that guidance should recommend that the norm should be for a duration of between 5-10 years. The actual length of the agreement will depend on the characteristics of the asset. Where minimal changes are anticipated the duration might be for as long as 15 years. Where there is the risk of greater impact and more change, then the duration should be nearer 5 years, with provision for regular review.**

**Guidance will also be needed on recommended terms and provisions to be included in an HPA.**

5. Do you agree that local planning authorities should only consult English Heritage on draft Local Listed Building Consent Orders where they cover Grade I and II\* listed buildings?

- Yes
- **No**
- Don't Know

If no, what do you think would be appropriate and why?

**In general this should be the case, but there are instances where Grade II assets might benefit from the added value of EH advice particularly where these are large assets or groupings of assets and the cumulative impact of small changes could be high.**

6. Should local planning authorities only be required to notify known owners of listed buildings of the draft Local Listed Building Consent Order? The need for any further notification would be at the local authority's discretion.

Note: owners also include any tenants with not less than seven years of a term certain remaining unexpired.

- **Yes**
- No
- Don't Know

If no, who else should be notified as a minimum requirement and why?

7. Do you agree that the duration of a Local Listed Building Consent Order should be left to the discretion of individual local planning authorities?

- **Yes**
- No
- Don't Know

If no, should the maximum duration of an Order be set at three, five or ten years? Can you briefly summarise the reasons for your answer.

8. Do you have any other comments on the draft regulations for Local Listed Building Consent Orders?

**Guidance should be provided on the recommended duration of local consent orders. There is evidently an advantage in their being longer than the 5 year durations of listed building consent, so 10 years is probably appropriate in most cases.**

9. It is proposed that Certificates of Lawfulness of Proposed Works should be determined by the local planning authority within six weeks. Do you agree?
- **Yes**
  - No
  - Don't Know

If no, what alternative timescale would you propose and why?

10. The procedures that are being developed for Certificates of Lawfulness of Proposed Works are intended to be 'light touch' to avoid creating any unnecessary burdens while still ensuring an appropriate level of protection for listed buildings. Do you agree that the regulations are sufficiently 'light touch'?
- **Yes**
  - No
  - Don't Know

If not, how and why should they be amended?

11. Do you have any other comments on the draft regulations for Certificates of Lawfulness of Proposed Works?

## **No**

12. Do you consider that this new system of Certificates of Lawfulness of Proposed Works will encourage applications from people who would otherwise have, correctly, not applied for listed building consent and gone ahead with the proposed works?
- **Yes**
  - No
  - Don't Know

If yes, what steps might be taken to address this point and how might they be helpful?

13. Are there any other steps that could be taken to provide greater certainty about when listed building consent is or is not required? For example, improved guidance?

**Guidance in this area has been difficult to provide in the past because all heritage assets are different. So even where sites are similar, there may well be sufficient differences as to make guidance potentially misleading.**

**The information requirements must be less than for listed building consent, otherwise the key objective in having these certificates is lost. Guidance is required on the level of information provided to ensure the approach is both light touch and proportionate.**

14. Do you have any comments on the proposed approach for making National Listed Building Consent Orders?

**The pilot order with the Canal and River Trust will give useful feedback on the proposed approach. It may be useful to carry out a small consultation with key stakeholders when the results of this pilot are available.**

15. Do you agree that the compensation procedures which there are powers to prescribe through regulations for National Listed Building Consent Orders should mirror those put in place for Local Listed Building Consent Orders?

- **Yes**
- No
- Don't Know

If no, please briefly explain why.

16. Please provide:

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Whether your views are personal or represent a body, organisation or authority. In the case of the latter please provide their name and your position within the organisation

Whether you wish your response to remain confidential  
Not confidential

Please send your completed form by email to:

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