

**Committee Name and Date of Committee Meeting**

Cabinet – 19 July 2021

**Report Title**

Heritage at Risk Strategy and Register

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

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**Ward(s) Affected**

All wards

**Report Summary**

Rotherham has a rich and varied historic environment with a diverse collection of heritage assets. As in all local authorities, the condition of these valuable assets varies greatly.

Cabinet approval is sought for the adoption of a Heritage at Risk Strategy which provides a clear, consistent and effective plan for heritage assets. The Strategy sets out the actions which the Council will take to reduce the number of assets at risk and achieve the repair and restoration of assets which would otherwise be lost. Wherever possible the Council will work with the owners of heritage assets; however, the strategy also identifies actions which may be taken where this cannot be achieved.

Approval is also sought for the current Heritage at Risk Register, which identifies assets which are at risk of further deterioration and loss. The Register will be kept updated and forms the basis for identifying and prioritising where actions and resources should be targeted.

**Recommendations**

1. Subject to the completion of a 6-week period of consultation with key stakeholders that Cabinet approves the adoption of the Heritage at Risk Strategy at Appendix 4. Should any significant changes arise from the consultation these are to be reported back to Cabinet in due course.

2. Subject to the completion of a 6-week period of consultation with key stakeholders that Cabinet approves the current Heritage at Risk Register at Appendix 5 and notes that it will be subject to future updates. Should any significant changes arise from the consultation these are to be reported back to Cabinet in due course.
3. That Cabinet approves delegation to the Strategic Director for Regeneration and Environment, in consultation with the Cabinet Member for Jobs and the Local Economy, to update the Risk Register as and when new buildings become at risk or works to remove the risk have been undertaken.
4. That Cabinet approves the use of the Heritage at Risk Register to inform prioritising actions and resources to address the potential deterioration and loss of heritage assets.

### **List of Appendices Included**

- Appendix 1 Equality Part A – Screening
- Appendix 2 Equality Part B – Analysis
- Appendix 3 Carbon Impact Assessment
- Appendix 4 Heritage at Risk Strategy 2021
- Appendix 5 Heritage at Risk Register 2021

### **Background Papers**

National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Heritage at Risk Register

<https://historicengland.org.uk/advice/heritage-at-risk/search-register/>

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

### **Council Approval Required**

No

### **Exempt from the Press and Public**

No

## **Heritage at Risk Strategy and Register**

### **1. Background**

- 1.1 Rotherham has a rich and varied historic environment with a diverse collection of heritage assets including 530 Listed Buildings, 28 Conservation Areas, 37 Scheduled Ancient Monuments and 5 Historic Parks and Gardens, all of which are designated nationally. In terms of listed buildings, 10% of these are high grade (i.e. Grade I and II\*) as compared to the national average of 8%. As in all local authorities, the condition of these valuable assets varies considerably.
- 1.2 The Government expects local authorities to set a good example in terms of their management of historic assets, and national planning policy states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk.
- 1.3 The Council is already required to report to Historic England on the condition and management of Grade I and II\* Listed Buildings, Conservation Areas, Scheduled Ancient Monuments and Registered Parks and Gardens within the borough. This information is collated and published nationally and regionally. It is used by English Heritage and other bodies to help allocate funding for heritage assets. In addition, Historic England advises that every local authority create its own heritage at risk strategy and register.

### **2. Key Issues**

- 2.1 To ensure that the local stock of heritage assets is being appropriately managed and safeguarded, condition surveys have been undertaken of all heritage assets within the borough, including all Listed Buildings, Scheduled Ancient Monuments and Conservation Areas. This has been undertaken in accordance with nationally set criteria produced by Historic England, allowing for continuity between the national and local registers. Where heritage assets have been identified as being at risk, the survey provides an understanding of the issues facing the asset. This information provides a sound basis to determine the most appropriate action or intervention.
- 2.2 The surveys also looked in detail at both Listed Buildings lost and those that have been restored and saved. In all cases, key lessons learned have been noted for future reference to inform decision making in the future. Notable examples of success are the Three Cranes, the Cutlers Arms, Rawmarsh Rectory, Boston Castle, the George Wright Building, Dinnington Cross, Firbeck West Lodge and Firbeck Hall.

#### **Heritage at Risk Strategy**

- 2.3 The Heritage at Risk Strategy (Appendix 4) aims to reduce the number of heritage assets that are 'at risk' or vulnerable of becoming so and achieve the repair and restoration of assets which would otherwise be lost. It sets out how this will be achieved through:

- Monitoring of assets on the Heritage at Risk Register.
- Working with owners of heritage assets at risk to secure improvements.
- The use of statutory powers, where appropriate, to secure improvements.

The assets at highest risk will be addressed first.

- 2.4 There is no single reason why a heritage asset becomes 'at risk', and owners are under no statutory obligation to maintain them in good repair, although it is usually in their interests to do so. Therefore, in the first instance the Council will work with owners to find viable options to ensure the future of their heritage assets.
- 2.5 Where owners are failing to take appropriate steps there are a number of options which the Council can pursue, and the authority can take action itself to secure repair if it becomes evident that an asset is being allowed to deteriorate. Ultimately, as a last resort, the Council has the power to acquire the property by compulsory purchase to secure necessary repairs.
- 2.6 As well as the priority cases, the Assistant Conservation Officer is actively involved with many of the other vulnerable buildings, seeking routine maintenance and repairs to prevent further decline and involving owners in discussions to ensure their building's long term survival.

### **Heritage at Risk Register**

- 2.7 The outcome of the condition surveys is the Heritage at Risk Register (Appendix 5). It identifies that as at December 2020, there are currently considered to be at risk:
- 47 Listed Buildings of which two are classified Grade I and three Grade II\* (the remaining 42 are Grade II)
  - 7 Scheduled Ancient Monuments
  - 3 Conservation Areas

This equates to just under 10% of the borough's Listed Building stock, 19% of the Scheduled Ancient Monuments and 11% of the Conservation Areas.

- 2.8 Geographically, the heritage assets at risk are spread throughout the borough although most buildings at risk are in the main urban area of Rotherham. Potentially all wards could be affected in future as the circumstances of any heritage asset could change over time.
- 2.9 Most of the heritage assets, and in particular buildings, are in private ownership (56%). The remaining 44% of assets are owned by a mixture of statutory bodies, trusts, religious organisations and the Council (7% owned by the Council). Discussion has taken place and is ongoing with Asset Management regarding these assets.

### **3. Options considered and recommended proposal**

- 3.1 **Option 1** To adopt the Heritage at Risk Strategy and note the results as set out in the report and Heritage at Risk Register for reducing the number of heritage assets at risk. This is the recommended option as it sets out a clear and transparent basis on which to base future actions and decisions.
- 3.2 **Option 2** To amend the proposed strategy for reducing the number of heritage assets at risk.
- 3.3 **Option 3** To reject the proposed strategy for reducing the number of heritage assets at risk.
- 3.4 Option 1 is the recommended option.

### **4. Consultation on proposal**

- 4.1 There is no legislative requirement to undertake consultation on a Heritage at Risk Strategy or Register; however, in preparing these documents the Council has sought feedback from Historic England who are supportive of Rotherham addressing this issue.
- 4.2 Should Cabinet approve both documents (the Heritage at Risk Strategy and the Register) it is proposed to publish them for a period of 6 weeks, along with engagement with key stakeholders (for example the Rotherham Civic Society). Should any significant changes be needed following the consultation, the documents would come back to Cabinet for consideration; however if there any no significant or material changes needed then the documents will be adopted.
- 4.3 In taking the Heritage at Risk Strategy forward, it is intended that all owners of those buildings identified as being at risk will be approached directly to address the problems and issues identified. In most cases, contact is already well established.
- 4.4 Discussions have taken place with the Asset Management Service regarding the Council owned assets which are identified as being at risk (none of which have been identified as critical), and potential implications arising from the Heritage at Risk Strategy. No principle concerns have been raised as a result of these discussions, and dialogue with Asset Management will continue.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Subject to approval by Cabinet, the Heritage at Risk Strategy and Register will be published on the Council's website and the strategy implemented. Should any future action raise financial or legal implications for the Council, then further advice will be sought as appropriate and the Cabinet Member for Jobs and the Local Economy kept informed.
- 5.2 To achieve consistency with the Council's document style, minor changes to numbering, formatting and images may be made prior to publication of the

documents. In addition, Tables 1 to 3 and Figure 7 in the Heritage at Risk Register list the wards that heritage assets fall within. These show the wards at the time of preparing the register but will be amended prior to publication of the register to reflect the new wards that came into effect in May 2021.

## **6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

- 6.1 The cost of producing the Heritage at Risk Strategy and Register, the maintenance of the Register and monitoring of the Strategy is carried out by resources in the Directorate of Regeneration and Environment from existing approved budgets. No additional revenue costs are required.
- 6.2 There are capital finance implications to preserving and maintaining Heritage Assets at Risk. Those that are owned by the Council are surveyed on a periodic basis. Where investment is critically needed a proposal for inclusion in programme budgets is developed and implemented where funds allow. Wider investment is the responsibility of the asset owner. Advice on grant funding is a part of the Asset Management role when working in consultation with other asset owners.
- 6.3 Procurement are satisfied with this approach as there are no costs to be factored in at this stage. There may be some costs if the Council needs to take any action, if so, a further decision will be required from Members and this will be on a case by case basis. Any chargeable goods or services required by the Council should be sought in accordance with section 52 of the financial and procurement procedure rules.

## **7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

- 7.1 There are no direct legal implications arising from the recommendations within this report.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct Human Resource implications arising from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 Heritage is the result of interaction between people and their environment and is as much about people as it is about places. Therefore, any strategy that helps preserve historic assets for the enjoyment of all communities in Rotherham will have positive implications for children, young people and vulnerable adults, giving them an enhanced sense of history and place.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 Completed Equalities screening and analysis forms are attached as Appendices 1 and 2. There are no identified implications for any specific protected characteristic group.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 Climate change poses a significant threat to environments, individuals, communities, and economies on local, national, and international scales. In recognition of this the Council has aimed to be net carbon neutral as an organisation by 2030, and for Rotherham as a whole to achieve the same position by 2040.
- 11.2 The recommendations and proposals will contribute towards reducing CO2 emissions. The principle aim of the Heritage at Risk Strategy and Register is to improve the condition of the Borough's many heritage assets. While still respecting their obvious age, both the Planning and Building Regulations systems will be used to utilise modern building methods and materials (where appropriate) to help reduce carbon emissions.
- 11.3 Climate Change and the restoration of historic buildings are now inextricably linked, as local authorities should both respect the interest of the buildings and help combat climate change by the methods used in their restoration and improvement. Historic England, who are the government body responsible for the upkeep of heritage assets in England, are firmly committed to both these aims and produce supporting literature to guide local authorities, developers and owners. It is important that these two aims are not seen as mutually exclusive.

## **12. Implications for Partners**

- 12.1 There are no direct implications for partners unless they have responsibility for any of the heritage assets identified as being at risk. If this is the case, the Council will work positively with partners to address any issues that may arise.

## **13. Risks and Mitigation**

- 13.1 The production and publication of a Heritage at Risk Register and Strategy is essential for the Council to fulfil its obligations under national planning policy and to maintain its continuing, positive relationship with Historic England. Failure to endorse the documents would reduce transparency for future actions and decision making in dealing with heritage assets at risk.

## **14. Accountable Officers**

Simon Moss, Assistant Director – Planning, Regeneration and Transport  
Nigel Hancock, Head of Planning and Building Control

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	01/07/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	28/06/21
Head of Legal Services (Monitoring Officer)	Bal Nahal	28/06/21

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