

Notice of Non-key Executive Decision

Subject Heading:	Consultation on criteria for the Local Heritage List
Decision Maker:	Helen Oakerbee, Assistant Director of Planning and Public Protection
Cabinet Member:	Councillor Graham Williamson, Development and Regeneration
SLT Lead:	Neil Stubbings
Report Author and contact details:	Cara Collier Cara.collier@havering.gov.uk 01708434083
Policy context:	NPPF 2021 Havering Local Plan 2016-2031
Financial summary:	There are limited financial costs associated with the consultation on the Local List Criteria. Any costs will be met within existing budgets in the Planning Service.
Relevant OSC:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a non-key decision

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The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents (x)

Place - A great place to live, work and enjoy (x)

Resources - A well run Council that delivers for People and Place.
(x)

Part A – Report seeking decision

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DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval to commence public consultation on the draft criteria for the Local Heritage List.

What is a Local List?

Local heritage listing is intended to highlight heritage assets which are of local heritage interest in order to ensure that they are given due consideration when change is being proposed to the assets or the built environment in which they are located.

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites (NPPF, para 189).

A Local Heritage List is a means for communities and local planning authorities to identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, helping to ensure that planning policy and individual decisions on planning applications properly takes account of the desirability of their conservation. Whilst local listing provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is a material consideration when determining the outcome of a planning application.

Why do we need to review Havering's Local List?

The NPPF states that "Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future." (NPPF, para 192).

Policy 28 of our Local Plan also seeks to provide an appropriate level of protection to locally significant heritage assets and states that the council will identify, and maintain a local list of non-designated heritage assets that meet agreed selection criteria.

Havering's current Local List is out of date, with many entries dating back over 20 years. The current Local List is not based on agreed criteria.

To ensure that Havering's Local List is up to date it is proposed that new criteria is introduced against which all sites on the current Local List as well as any others put forward to the Council will be assessed against. The proposed criteria are set out in Appendix A.

Public Consultation

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In line with Historic England's Advice Note 7: *Local Heritage Listing*, it is recommended that the draft criteria is subject to public consultation prior to being adopted. It is important to undertake consultation at this stage so that the criteria is clear and agreed upon with the local community. There is also a commitment to public consultation on the draft criteria in the Local Plan: "*The proposed Local List criteria will be subject to public consultation. Development proposals affecting non-designated heritage assets will be dealt with in accordance with the NPPF.*" (para. 11.3.9).

It is proposed that consultation takes the form of online engagement, which will include a social media campaign, in line with the Council's Statement of Community Involvement. An online drop in session will be held with Havering officers and heritage specialists at Place Services enabling residents to ask any questions about the proposed criteria.

Next Steps

After consultation on the criteria takes place, the next stage will be to finalise and adopt the criteria.

All sites on the current list will then be assessed against the new criteria. This will ensure that the Local List is robust and evidenced.

In addition to reviewing the existing sites on the list, it is also proposed that a nominations period will be open to the public for two months starting in September. This will enable the local community to put forward additional sites to be considered against the criteria for potential inclusion on the Local List.

Recommendation

It is recommended that the draft criteria set out in Appendix A are published for consultation commencing in late June 2023 for six weeks.

AUTHORITY UNDER WHICH DECISION IS MADE

3.8.4 ASSISTANT DIRECTOR PLANNING

Planning

1. To deal with planning related matters in the following parts of the Constitution:
 - a) part 3 section 4: functions not to be the responsibility of the Executive;
 - b) part 3, section 5: local choice functions; and
 - c) part 3 section 6: proper officer functions,

STATEMENT OF THE REASONS FOR THE DECISION

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The NPPF states that “Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.” (NPPF, para 192)

The current Local Heritage List is out of date and is not based on agreed criteria. Consultation on draft criteria is the first step in ensuring that the Council has a robust and up-to-date Local List which will help to protect local heritage assets and will provide an evidence base for the Local Plan review.

OTHER OPTIONS CONSIDERED AND REJECTED

Do not consult – This option was rejected as the community needs to be involved in local heritage designations. Consultation on draft criteria is recommended by Historic England and will also accord with our SCI (2021).

Do nothing – this option was rejected as the local heritage list needs to be updated to help protect local heritage assets and to provide up-to-date heritage evidence for the Local Plan review, as required in the NPPF.

PRE-DECISION CONSULTATION

Councillor Williamson, the Lead Member for Development and Regeneration was briefed on the proposals on 15th June 2023 (via email) and 21st June 2023 (face to face meeting).

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Cara Collier

Designation: Planning Policy Officer

Signature: *C.E. Collier*

Date: 22-6-23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Local List is a non-statutory list of buildings compiled by the Council.

The National Planning Policy Framework states that “Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.”

The Government’s Planning Practice Guidance advises that plan making bodies such as local planning authorities should make up to date information on non-designated heritage assets accessible to the public. Local planning authorities are recommended to keep a local list of non-designated heritage assets to provide greater clarity and certainty for owners, developers and decision-makers.

FINANCIAL IMPLICATIONS AND RISKS

There are limited financial implications of the proposed decision. Consultation will be undertaken by the development planning team utilising online consultation methods at no cost. Limited costs could be incurred if we are required to print documents or provide documents in alternative forms to assist residents. These limited costs would be met within existing Planning Service Budgets.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There is no Human Resources implications of the proposed decision. Consultation will be undertaken by the development planning team, who have capacity to do so.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

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Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equalities Assessment is not considered necessary as there are no equalities and social inclusion implications arising directly from the consultation of the criteria for the Local Heritage List.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no environmental or climate change impacts from this decision. The recommendations made in this report do not appear to conflict with the Council's policy on Environmental and Climate implications.

BACKGROUND PAPERS

None

APPENDICIES

Appendix A

Havering Local Heritage List Draft Criteria

Open

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed 

Name: Helen Oakerbee

CMT Member title: Assistant Director of Planning and Public Protection

Date: 26 June 2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____