



Eich cyf/Your ref
Ein cyf/Our ref
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15 October 2015

Dear Meri,

Historic Environment Records

I am very grateful for your contribution to the recent call for evidence by the CELG committee, which is responsible for the scrutiny of the Historic Environment (Wales) Bill. I note that on the 1st October you replied to a request from the Committee specifically enquiring about the language requirements for the historic environment records (HERs). You will be aware that the Committee has now published its report and I note that one of their recommendations is: 'to clarify whether the requirements on local authorities to comply with standards under the Welsh Language Measure 2011 will apply to the provision of HERs'. I understand that my officials have been endeavouring to arrange a meeting with your office in recent months to discuss this matter and that a meeting date has now been set for the 29th of October. I don't wish to pre-empt the outcome of that meeting, but I thought it might be helpful if I made a number of observations relating to the nature of the HERs and the intended purpose of the provisions.

The HERs are a critical source of historic and archival information to support the management of the historic environment, in particular through the planning process, and also to raise public awareness, participation and enjoyment of Wales' outstanding heritage. Further details of what the HERs are and the intention of the provisions is provided in the annex to this letter. The current estimate is that there are over 150,000 historic records that have been generated over the last 40 years. This information exists in a combination of digital, map-based and archival form and includes location and descriptive text and signposts to other sources of information. These are effectively historical records and archives.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

In recent years the Archaeological Trusts have developed online access to key elements of the HER data through a web-presence, *Archwilio*. Much of the information that has been collected historically has been presented through this website. The on-line provision of this information includes some searchable fields that are relatively brief – just a few words. But the entries also contain descriptive information that has been collected over many years and can be of considerable length.

Throughout the United Kingdom there have been calls to provide a more secure future for historic environment records, especially in the current climate of financial pressures on local authorities. A number of organisations (for example the Council for British Archaeology and the Chartered Institute for Archaeologists) have commended Wales for taking a major lead in moving towards the provision of statutory status for these records. I believe that this initiative, along with other provisions in the Bill, will place Wales at the forefront of the protection and management of the historic environment.

I am also aware of the importance of complying with the Welsh Standards Regulations (No. 1) 2015 unless a specific exemption has been agreed with your office. With this in mind I am aware that the standards, that you draw attention to in your letter, relating to the public display of information (standards 38-39) and to websites and services online (Standards 52-57) could apply, at least in part, to the HERs.

We recognise the importance of providing a bilingual HER service and I have asked my officials to discuss with your office how this might best be achieved. For example, a critical element of the HERs is the provision of assistance and advice with retrieving and understanding information contained in the record. If the Local Authorities chose to discharge their responsibilities through the Archaeological Trusts, I have been informed that the Trusts are confident that they can all deliver this service bilingually. However, we are also keen to discuss what is proportionate and achievable in relation to the historic and archival material contained with the HERs, and made available through *Archwilio*, both those already in existence and those that will be created in the future.

I note that your letter to the Committee also makes reference to the inclusion within the HERs of information on place names in Wales – using, where relevant, both their Welsh and English forms. A similar recommendation was made by the Committee, and I have instructed my officials to consider how such a requirement could be incorporated as an amendment to the relevant section of the Bill and how information on historic place names can be accessed through the HERs.

I am sending a copy of this letter to Christine Chapman, AM, the Chair of the Communities, Equality and Local Government Committee.

Yours sincerely



Ken Skates AC / AM

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

Annex

Historic environment records in Wales

Background

1. Historic environment records ('HERs') store and provide access to systematically organised information about the historic environment and specific historic assets in a given area. They are critical sources of information for those making decisions about the sustainable management of the historic environment. The information they contain is an important starting point for management processes, conservation, fieldwork and research, and public engagement and outreach relating to the historic environment. They form the basis on which archaeological and other heritage management advice is provided to local planning authorities. Without this information, the essential advice that informs, for example, the assessment of the impact on the historic environment of development proposals will be brought into question.

Current position

2. There are currently four HERs in Wales, which had their origins in the Sites and Monuments Records established by the four Welsh archaeological trusts ('WATs') in the 1970s. Their creation was primarily prompted by a lack of archaeological information and the consequent loss of archaeological remains following development. Between them, the four HERs provide comprehensive coverage of the whole of Wales.
3. They are used to:
 - support strategic and local policies for conserving the historic environment;
 - provide information about historic assets that might be affected by planning applications and other development proposals;
 - inform heritage-led regeneration;
 - contribute to educational and lifelong learning activities;
 - support research; and
 - support and promote public participation and enjoyment of the historic environment.
4. The HERs complement the permanent archives held by local authorities and the RCAHMW by pulling together information about the historic environment and signposting in-depth resources elsewhere.
5. Over the last four decades the HERs have grown and collectively they now include over 150,000 historic and archive entries. They continue to grow with information on new sites and investigations being added and existing entries being expanded and enhanced. Each historic record entry includes locational and descriptive text and signposts to other sources of information and can take the form of paper documents, photographs, map and GIS based information as well as digital data.
6. At present, the four HERs in Wales are owned and managed by charitable HER trusts and they have no statutory status. The WATs, which are registered charities, maintain and provide public access to the HERs on behalf of the associated charitable trusts. The WATs provide development control advice on the impact of

planning proposals on the historic environment to the LPAs in their regions based on the information contained within the HERs. Members of the public may access the HERs in person, at the offices of the WATs, or through an online access system (*Archwilio*) and associated mobile phone App.

7. The principal funding for the management and enhancement of the HERs and the provision of public access is provided as grant aid to the WATs from the Welsh Ministers, either directly or via the RCAHMMW. Other contributions are received from the local authorities, commercially funded work, or the WATs' own charitable resources.
8. Elsewhere in the United Kingdom, the majority of HERs are owned and managed directly by the relevant local authority. However, in the absence of a statutory role or status for the HERs, many are vulnerable to local authority cuts. In Wales, local authorities obtain their archaeological advice from the WATs or, in a small number of cases, from their own officers. However, formal recognition of the HERs as the source of this advice by local authorities is, at best, patchy and the status of existing service level agreements between LPAs and the WATs is variable. This has led to calls for local authorities to be obliged to take formal 'ownership' of an HER that meets a recognised standard for the purposes of informing archaeological and other heritage management advice.

Purpose of the provisions

9. The provisions require every LPA in Wales to create and keep up to date an HER and to make arrangements for information on the historic environment to be recorded, stored and made publicly available. The provisions detail the range of information to be contained in each HER. This includes information on designated and registered historic assets, historic assets that are considered to be of local interest and details of any relevant investigations that have been carried out in the authority's area.
10. Each LPA is obliged to make its HER a publicly available resource, free of charge and supported by professional advice and assistance to interpret the information that it contains. However, the authority may impose reasonable charges to recover the costs of certain services associated with the HERs.
11. The provisions permit an LPA to delegate the creation and maintenance of its HER to another 'person' or provider. The expectation is that authorities are likely to wish to continue the current arrangements whereby the WATs and the associated HER charitable trusts discharge those functions. Grant aid for this arrangement will continue to be provided by the Welsh Ministers, either directly or indirectly. The authorities will be free to make alternative arrangements should they wish to do so. However, the Welsh Ministers will have to be satisfied that any such arrangements are appropriate and meet the standard required of an HER.
12. The provisions also allow for the Welsh Ministers to issue guidance, following consultation, on the creation and maintenance of HERs, arrangements for the discharge of those functions, the publication of HERs and the setting of fees.

Intended effect of the provisions

13. The provisions seek to secure the future of HERs in Wales so that authoritative information on the historic environment is recorded and stored in an effective way

and will be publicly available at a local level with appropriate professional interpretation and assistance for future reference, research and educational purposes. Henceforth, LPAs and other land managers will be able to base decisions that affect the historic environment of their area — strategic planning and development control decisions, for instance — on authoritative advice, information and evidence furnished by the HERs.