

<b>DECISION-MAKER:</b>	CABINET		
<b>SUBJECT:</b>	HERITAGE PARTNERSHIP AGREEMENT WITH ENGLISH HERITAGE FOR WORKS TO THE CIVIC CENTRE		
<b>DATE OF DECISION:</b>	15 APRIL 2014		
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>
N/A

### **BRIEF SUMMARY**

To consider the report of the Cabinet Member for Resources seeking a delegation of authority for the Head of Planning, Transport and Sustainability to enter into a Heritage Partnership Agreement (HPA) with English Heritage. The HPA will remove the necessity to obtain Listed Building Consent for certain works on the Grade II\* Listed Civic Centre planned over the next five years, thus saving the Council the fees associated with preparing applications, and reducing time delays while applications are considered and approved.

### **RECOMMENDATIONS:**

- (i) To delegate authority to the Head of Planning, Transport and Sustainability, following consultation with the Head of Legal and Democratic Services, to enter into a five-year Heritage Partnership Agreement (HPA) with English Heritage in respect of the Southampton Civic Centre building.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. The HPA will achieve considerable savings over the five-year period both in terms of fees that would normally be required to prepare and submit Listed Building Consent applications, and by reducing the time lag between project inception and commencement of the works.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Not to enter an HPA. This would result in a continued requirement for Listed Building Consent Applications for works to the Civic, with related expenditure, uncertainty and delays

## **DETAIL (Including consultation carried out)**

3. In 2013 the Government passed the Enterprise and Regulatory Reform Act. The Act was aimed at reducing regulatory burdens on private enterprise. Section 60 (2) of Part 5 of the Act provided for an amendment to the Planning (Listed Buildings and Conservation Areas) Act 1990 by inserting a new provision (Section 26A) allowing for Local Planning Authorities to enter into HPAs to remove certain works from the control of the 1990 Act.
4. The secondary legislation required to enable this part of the Act will come into force on 6 April 2014. Although the precise details of this are currently out to consultation, it seems fairly clear that the HPAs will be time-limited (no more than five years) and that they will need to contain sufficient detail requiring programmed works over that period to satisfy both English Heritage and the Secretary of State for Culture Media and Sport that the HPA is viable and robust.
5. Heritage Partnership Agreements, once entered into, would be capable of relating to one or more listed buildings, or parts of listed buildings, and may specify works that do not require consent or provide for works to be carried out whilst dealing with public access, maintenance and funding. The agreement would run with the land, subject to any terms and any new regulations made by the Secretary of State. Secondary legislation will set out the requirements for consultation and publicity for agreements prior to them being made or varied and may specify in more detail additional criteria that must be satisfied and any specific terms that must be included in agreements and not to be avoided.
6. Submission of a programme of works will not equate to a commitment to carrying out those works within the five years. Thus entering into an HPA will not carry a financial commitment, it will simply enable the Council to carry out exempted works as need arises and resources become available.
7. Examples of what could be covered by an HPA are:
  - Replacement of the copper roofs
  - Replacement of the asphalt roofs
  - Erection of additional photovoltaic arrays on the flat roofs
  - Replacement / upgrading of the original boilers
  - Anti-skateboarding measures
  - External signage
  - Conversion of office space to storage
  - Reconfiguration of existing office space (removal of walls, partitions etc).
8. The HPA would cover all areas of Medium-Low Heritage Merit (as defined in the adopted Civic Centre Conservation Management Plan) within the Civic buildings and its environs. Most works (excluding repairs and maintenance) in areas of High Heritage Merit would still require Listed Building Consent. It will also set out the standards which will be expected of contractors working on or in the Civic, and the monitoring procedures that will ensure these standards are met.

9. As part of both the ASAP and Sea City projects detailed method statements for intrusive works were prepared to support the respective Listed Building Consent applications. These are still valid and it is intended to append them to the final HPA to give additional comfort that any works will be carried out to previously consented standards.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

10. Officer time needed to form and agree the HPA is included in the existing Planning, Transport and Sustainability revenue account. There is the potential to achieve significant capital savings over the five year period of the HPA.

### **Property/Other**

11. There are no Property or other implications

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

12. The Enterprise and Regulatory Reform Act 2013 and the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended provide the statutory powers to enter into an HPA.

### **Other Legal Implications:**

13. There are no other legal implications at this stage, but further legal advice should be sought in the event that secondary legislation, once in force, alters the essence of the scheme or introduces unanticipated obligations on partners to the HPA.

## **POLICY FRAMEWORK IMPLICATIONS**

14. The proposals comply with the Policy framework

**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bargate
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	None
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**Documents In Members' Rooms**

1.	None
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**Equality Impact Assessment**

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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