

Draft Response

Dear

Rhydymwyn Valley Site

You wrote on 14th February asking for an update on the proposed meeting between government officials regarding the Valley site planned for 27th February 2012.

Defra officials met representatives from Welsh Government (Environmental Policy), Countryside Council for Wales, CADW and Flintshire Council (Development, Planning and Conservation) on 27th February.

The purpose of the meeting, initiated by Defra, was to discuss and hopefully agree at a strategic level how the works contained within the Historic Buildings Report might be implemented within the statutory and regulatory framework covering both building and environmental conservation. It has been recognised that the works of building conservation may be constrained by wildlife, ecology and landscape protection measures applicable to the site and the species which have established themselves on the site over the past 10 years. The meeting did not discuss specific buildings or the survey report and recommendations.

The discussion was informative and very constructive. It became clear that whilst there were potential constraints due to the impact of protected species, the move to preserve the buildings could potentially support essential wildlife conservation by protecting the habitat established amongst the existing structures. It was also noted that a key feature of the site was the unique environment created by managed public access, and that was in itself beneficial to the nature conservation and preserving the historic archaeology.

The meeting reached broad agreement to explore the following principal actions:

1. A joint plan would be agreed which sought to meet the essential works necessary to preserve the building in strict compliance with current legislation having regard to the full legislative framework impacting on the site.
2. The representative bodies would identify the legislative framework across building and natural environment applicable to the site to provide a full picture of the regulatory landscape.

3. A summary of building maintenance measures and recommendations would be considered by the representative bodies that would then identify the regulation which would require or constrain the implementation of works.
4. To consider a plan which extends beyond the immediate conservation pressures, to include landscape management issues within the schedule landscape of the site and not exclusively linked to retained buildings.

It was also agreed in principle that as far as it was possible within the legislative framework these immediate actions would provide a "quick wins" action plan for maintenance.

The meeting also considered whether it would be possible to incorporate the opportunity to enhance the community benefit through further exploitation of the site. It was agreed that in the first instance addressing the immediate statutory requirements took precedence over future enhancement of community access, as this presented an additional set of challenges to balancing the interests of building preservation and nature conservation.

The representatives also recognised that there was a collective responsibility to create a framework to support building conservation in the context of the clear value of the site as a protected habitat.

It was also agreed that the implementation of specific work activities would need detailed collective input and collaboration in the development of work schedules, method statements, supervision and timing of works. These measures would be developed at an operational level as work was cleared to proceed under the overarching plan.

The group agreed that they would pursue the agreed actions and meet again in approximately two months to review progress, whilst working closely on day to day issues. An example of this day to day work was collective agreement to contribute to a revision of the Bat protocol for the site, which provides guidance on how buildings will be managed, maintained and accessed without adversely impacting on the protected bat species resident in a number of the buildings.

I am encouraged that there is a commitment amongst the public bodies to address these issues in a collaborative and professional manner having proper regard for the conservation issues arising. What has become clear is that there is huge potential for conflict between building conservation and nature conservation policy; therefore it is essential that the partners work jointly to agree strategic objectives to achieve the optimum outcome.

Yours

[REDACTED]

From:

Sent:

[REDACTED]
25 April 2012 14:13

To:

Cc:

Subject:

[REDACTED]
Re: Rhydymwyn - Legislation Framework

Attachments:

[REDACTED]
Task Matrix v1 March 2012.xlsx

[REDACTED]

The buildings which are listed are subject to the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

The PMT report indicates which these are. Subject to my agreement as conservation officer representing the planning authority that the works are repairs or maintenance, no consent under that legislation will be required. I have previously advised that most of the works proposed by Purcell Miller Triton are maintenance or repair and that they do not require consent. This authority would positively welcome them because in the absence of adequate maintenance to date, the historic buildings are at risk.

At our meeting it was agreed that the works which need to be done now are not contentious and that they are in the interests of all parties.

Clearance of the gutters and drain pipes; repairs to the roofs; removal of self seeded trees and bushes within let's agree 1.5 metres of the walls of the listed buildings, and any other maintenance to the buildings identified in the PMT report is in the interests both of the historic fabric and the nature conservation. Protecting the buildings also protects the habitat of the endangered species. Through this exchange of e mails, others will correct me if I have missed something.

I cannot speak in detail for the nature conservation perspective, but here the issues to be resolved before commencement of works need to be agreed between yourselves and the responsible bodies. There is a requirement for example to avoid certain works at certain times to avoid disturbance to protected species and to ensure the use of any materials is within the law.

I would suggest that you invite the nature conservation interests to state what these issues are in order that you can take them into account when preparing a schedule of works. This technical discussion is best undertaken on a bilateral basis rather than in a round table format.

Following that, I recommend that you prepare a schedule of works and circulate this prior to our next meeting. The meeting will then have a clear purpose and outcome which will be to sign off a programme and a timetable for the works.

Beyond these basic maintenance measures, the nature conservation and heritage organisations which are interested in the site may have other aspirations and these will need to be assessed on a case by case basis. However we agreed to separate those aspirations off from the real need to act now on maintenance and I would hope that by our next meeting there will be a plan in place for all to agree on.

Best regards

[REDACTED]
[REDACTED] / Swyddog Cadwraeth a Dylunio Planning / Cynllunio Environment Directorate /
Cyfarwyddiaeth yr Amgylchedd Flintshire County Council / Cyngor Sir y Fflint County Hall / Neuadd y Sir
Mold / Yr Wyddgrug CH7 6NF
[REDACTED]

To

CC

Fax to

Subject

Rhydymwyn - Legislation Framework

Further to the meeting in Newtown, please find attached the list of works from the Purcell's report, with columns added to identify the relevant legislation relating to Ecology & Conservation.

The definitions under the column “Category of Task” are:

B – Backlog maintenance (e.g. structural issue which requires repair)

IMP – Improvement (e.g. slight modification to guttering to prevent future blocking)

STC – Short Term Cyclical (e.g. gutter clearance)

LTC – Long Term Cyclical. (e.g. re-decoration)

We are seeking to arrange a date for the next meeting in mid May & would be grateful to receive the completed schedule by 14 May.

Regards

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Defra Estates
Foss House, Kings Pool
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<<Task Matrix v1 March 2012.xlsx>>

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Deallir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

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[REDACTED]

From: [REDACTED]

Sent: 25 April 2012 14:09

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Rhydymwyn - Legislation Framework

[REDACTED]

I think it would be helpful if a tranche of this work could be scheduled for as soon as feasible, to be done under EPS licence. This would demonstrate that there are appropriate procedures in place that can (and should) be followed in order to do things on the site. We would then be in a much stronger position to take a robust stance with proposals that seek to circumvent or work outside the legislative requirements.

regards

[REDACTED]

[REDACTED]

Llywodraeth Cymru - Welsh Government
Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3UR

[REDACTED]

From: [REDACTED]

Sent: 23 April 2012 16:13

To: [REDACTED]

Cc: [REDACTED]

Subject: Rhydymwyn - Legislation Framework

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