

Heritage Agreements Procedure

Schedule 17 Table 1 and Table 2

Presentation

- What are Heritage Agreements?
- Table 1 Heritage Agreements
- Table 2 Heritage Agreements
- Procedure for Developing & Agreeing Heritage Agreements

What are Heritage Agreements?

- Schedule 17 Heritage Agreements prepared as condition of disapplication of listed building consent
- SoS for Transport enters into undertakings requiring a nominated undertaker to enter into Heritage Agreements with local authorities and Historic England (where appropriate)
- Model agreements (issued to H-SG) based on those used for Crossrail

What are Heritage Agreements?

- **Heritage Agreement** identifies the broad intent of the project and the nature of the works
- **Heritage Method Statement** provides the details specified in the agreement
- For each local authority area identified in Sch. 17:
 - 1 Heritage Agreement for listed buildings and works specified in Table 1 ; and/ or
 - 1 Heritage Agreement for more general protection works for listed buildings in Table 2

Table 1 Heritage Agreements

- Schedule 17 Table 1: Buildings authorised to be demolished, altered or extended
- 19 buildings identified (including monuments to be relocated)
- Column (3) of Table 1 identifies nature of work if not full demolition
- Works of a type that would usually require listed building consent

Table 1 Heritage Agreements

- 3 main components to Heritage Agreement
 - a) Terms of the agreement
 - b) Schedule 1
 - c) Schedule 2

a) and c) will be standard text in all cases

b) Different for each Heritage Agreement

Table 1 Heritage Agreements

a) Terms of the agreement

Legal framework and parameters, including:

- timeframes
- procedures for agreeing amendments or in the event of dispute
- agreement for all parties to co-operate in an efficient and timely manner

Table 1 Heritage Agreements

b) Schedule 1

Part 1 works specification

- what is the project proposing

Part 2 Method statement details

- Identify those parts of the works specification for which a method statement is required and what the statement should contain

Part 3 Historical context of the building

- and specifically the parts affected

Table 1 Heritage Agreements

c) Schedule 2

- Lists the types of information required in a submission under the agreement
- Provides a guide as to appropriate level of detail in submissions (will vary depending on nature of works and the asset affected. Discussed with LA prior to submission)

Table 2 Heritage Agreements

- Schedule 17 Table 2: buildings authorised to be altered or extended for heritage or monitoring purposes
- As with Table 1 Agreements, include:
 - Requirement to submit details of works for approval
 - Timescales for approval
 - Procedures for approval of submissions, emergency works, amending works specification, in the event of dispute
 - Agreement to cooperate

Table 2 Heritage Agreements

- No building/ proposal specific text within the Heritage Agreement document itself
- Simply require the submission of details of the works that are proposed to protect the significance of the building from the effects of the works

Procedure for Developing & Agreeing Heritage Agreements

- Heritage Specialist meets with LA/ HE
- Heritage Specialist drafts Heritage Agreement
- Relevant LA and HE notified that draft HAs will be submitted for consideration and agreement (*1 month in advance*)
- HS2 Ltd internal & legal review of draft HA
- Draft HA submitted to LA and HE (if within their remit) for consideration (*3 weeks*)
- LA and HE respond with agreement or comments

Procedure for Developing & Agreeing Heritage Agreements

- Additional meetings with LA and/ or HE if required to finalise wording
- If agreement not reached after 3 weeks, any outstanding issues discussed with HS2 Legal Team (*2 weeks*)
- HS2 Legal Team reissue Heritage Agreements for LA/ HE consideration & agreement (*3 weeks to agree*)
- Heritage Agreements signed by all relevant parties

Procedure for Developing & Agreeing Heritage Agreements

- Please note: at this stage it is the **form and content of the Heritage Agreement** that is under discussion, not the detailed information that will constitute the submission for approval under the Agreement
- The nominated undertaker will also liaise with the local authority and Historic England in due course during the preparation of the methodology for the works