
CONSERVATION REVIEW GROUP

**Responsible Cabinet Member –Councillor D.A. Lyonette
Responsible Director – John Buxton, Director of Development and Environment**

Purpose of Report

1. To report the Environment Scrutiny Committee's recommendations in relation to the establishment of a Conservation Policy within the Borough.

Information and Analysis

2. The Environment Scrutiny Committee at its meeting on 21st August, 2003 established a Review Group to investigate the need for a Conservation Policy within the Borough of Darlington.
3. The detailed findings of the Group are outlined in the attached report (**Appendix 1**).
4. The Environment Scrutiny Committee at its meeting on 30th September, 2004, accepted and endorsed the recommendations of the Review Group and agreed to forward the following recommendations to Cabinet:-
 - (a) There is a need for a corporate commitment to Conservation Policy and for that commitment to be communicated across the Authority.
 - (b) The Review Group feels strongly that staffing requirements need to be met at the right level.
 - (c) Character appraisals of all the Borough's Conservation Areas need to be carried out as a priority.
 - (d) The Council should pursue Article 4 powers in Conservation Areas, to give greater control over minor forms of development which can harm their character or appearance.
 - (e) Conservation grant schemes operated by other Local Authorities should be fully investigated with a view to adopting appropriate schemes in Darlington.
 - (f) Communication with the public needs to be enhanced, by both conventional and electronic means, recognising that partnership with the community is important to the realisation of our aims.

- (g) In order to ensure that the aims are achieved, regular monitoring and review of the conservation of the historic environment, particularly the Council's own heritage assets, is essential.
- (h) The Council should appoint Historic Environment Champions both at Member and Officer level.

Director's Comments

- 5. Although the Report provides a useful assessment of the conservation issues facing the Council, its generally negative conclusions/recommendations fail to reflect many positive achievements, or the range of local policies currently in place. For example, the Council has consistently taken a strong approach to high quality appropriate design through planning control, which is clearly evident in what has been built in the Borough. Similarly, the recent appointment for the Town Centre Pedestrian Heart Scheme of designers with a leading reputation for design in historic areas, underlines the commitment to conservation in development projects. Corporate recognition of the Design Champion role was set out in the Cultural Strategy and will be pursued through the proposed appointment of an Urban Design Officer.
- 6. My comments regarding Report Recommendations (a)-(h) are as follows:
 - (a) Notwithstanding the comments above, it is accepted that the recruitment of specialist staff, including a design officer and conservation officer, will enable the Design Champion role, set out in the Cultural Strategy – ie giving consistent design advice for work undertaken by all Council departments – to be fulfilled. These posts are expected to be advertised within the next few weeks. Stronger communications within and between departments will result.
 - (b) Various attempts have been made to recruit specialist urban design and conservation staff in recent years, but there has been a lack of suitable candidates at the required Principal Officer level. The Department is about to begin the recruitment process again and if the posts remain unfilled, attempts will be made to train up staff from a more junior level.
 - (c) This recommendation is agreed, but will be dependent on recruitment of new staff to resource in-house.
 - (d) Article 4 Direction powers should only be introduced where appropriate (since Government advice is not to use Directions to increase the nationally set definition of what requires planning permission unless there is clear justification) and may arise from the Conservation Area Appraisals or grant schemes such as HERS.
 - (e) The Council already has a Grant Scheme in place for the Northgate Conservation Area (HERS), and a bid has been made to English Heritage for further funds when that Scheme ends (March 2005). The Council has had other schemes in the past, and will consider future opportunities to provide grants as they arise.
 - (f) There is an important role for the Council in terms of informing the local community about the local historic environment. It is accepted that more use should be made of

the Council's Website and through leaflets, to promote the policies, and work of the Council and, to raise awareness of the issues.

- (g) The quality of the historic environment has been added to the list of Best Value Targets set by ODPM, to be measured from next year. The Council will monitor its performance against the relevant indicators, which will include the management of its own heritage assets. The Asset Management Plan will contribute to this monitoring process.
- (h) This recommendation is agreed, but it is best done jointly with the Design Champion also being advocated by CABE and One NorthEast. It will be necessary to have the relevant staff in place (see (b) above) fully to pursue the 'Champion' approach. At a Member level, responsibilities for these matters fall within the Regeneration and Planning Cabinet Portfolio and the Champion roles would best be added to that Portfolio. A separate report on this agenda implements this recommendation.

Legal Implications

- 7. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

- 8. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

- 9. The issues contained within this report do not represent change to Council policy or the Council's policy framework

Decision Deadline

- 10. For the purpose of the 'call-in' procedure this does not represent an urgent matter

Recommendation

- 11. It is recommended that :-
 - (a) The recommendations of the Environment Scrutiny Committee be noted.
 - (b) The comments of Cabinet be referred back to the Environment Scrutiny Committee.

- (c) Upon receipt of Cabinet's comments Environment Scrutiny will ask Officer's to draw up an Action Plan for consideration.

Reasons

12. The recommendations are supported to enable the views of Cabinet to be sought and referred back to the Environment Scrutiny Committee.

**John Buxton,
Director of Development and Environment**

Background Papers

There were no background papers used other than those referred to in the report.

Karen Graves : Extension 2291
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