



CITY AND COUNTY OF SWANSEA

DINAS A SIR ABERTAWE

Councillor June Burtonshaw
Cabinet Member for Place

Please ask for:
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Overview & Scrutiny

Councillor Nick Bradley
Cabinet Member for Regeneration

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Date
Dyddiad:

25th March 2014

Dear Councillors Burtonshaw and Bradley,

Historic Buildings Scrutiny Working Group – 3 February 2014

It was agreed by the Scrutiny Programme Committee some months ago that a working group should be established, so that Scrutiny Councillors could discuss the maintenance of historic buildings in Swansea, powers and responsibilities. This was born out of some concern about the state of repair of such buildings in Swansea. A meeting was subsequently held on 3rd February 2014.

The Working Group would like to pass on their thanks to the lead officers who attended, namely Geoff Bacon (Corporate Strategic Manager), Stephen Smith (Architect Urban Designer, Planning Department) and Ryan Thomas (Development, Conservation & Design Manager). This letter reflects the main issues discussed together with our views. We will also be sharing these views with the Scrutiny Programme Committee.

A report was prepared by Stephen Smith and this was presented to the Working Group prior to the meeting. This report outlined the following key themes:

- There are 515 buildings/ structures of special architectural or historic interest (collectively referred to as 'listed buildings') in the City and County of Swansea. These buildings and structures have been listed by Cadw at various times on behalf of the Welsh Government.
- Not all historic buildings are listed, but some are protected in other ways.

OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU

CITY AND COUNTY OF SWANSEA / DINAS A SIR ABERTAWE

CIVIC CENTRE, SWANSEA, SA1 3SN / CANOLFAN DDINESIG, ABERTAWE, SA1 3SN

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- The vast majority of listed buildings are in beneficial use and are well maintained. However this is not the case in all instances because the owners of listed buildings are under no legal obligation to maintain their property in a good state of repair, even though it is in their interests to do so.
- Listed buildings at risk are an issue across Wales. Typically listed buildings at risk have issues of vacancy, under-use, neglect and structural disrepair.
- A total of 48 listed buildings are now known to be at risk in the City and County of Swansea (9.12%) as opposed to 40 buildings in 2008. This is contrary to the national situation which shows a slight reduction in the numbers of listed buildings at risk to 9% (2700 buildings) in recent years. The majority of these buildings at risk in the City and County of Swansea are industrial buildings, chapels and ancillary structures. This mirrors the national picture as identified by Cadw.
- Of the 48 listed buildings at risk, 23 are owned by the Council and the rest are privately owned. For the full details listed buildings currently considered to be at risk, please see the Listed Building at Risk Register at appendix 1.

The following paragraphs cover the particular issues that we discussed in more detail.

Background information:

It was noted that when a building is listed the whole structure is protected, not just the façade, as is often believed. In order to 'list' a building, an analysis of the building must take place and a decision is then made as to what should remain in place. Subsequently, any unauthorised change to the listed building will be considered a criminal offence. However, although the neglect of a building can be dangerous, there is currently no legal requirement to maintain a listed building.

We were informed that regulations were revised in 1990. Powers to tackle protected buildings have been imposed by National Legislation, but the problem ultimately is the cost of maintaining listed buildings. At present those given priority are buildings which are considered to be of importance. It was noted that listed buildings are rarely seen as a priority, unless there are health and safety implications.

Grants for the upkeep of Listed Buildings are available from the Welsh Government. However, the Council is often not allowed to apply for these grants. The Council tries to involve third parties (individuals, charities, user groups, etc.) who can apply for these grants. The Council is also currently training 80 apprentices who can work on historic buildings in future. We were advised that the Council has reached the limits of potential borrowing, although exceptions would be made and priority given when appropriate.

We were informed that de-listing can be a problem, especially in relation to selling a property, as changes cannot be made to the property. We were advised that this is not always the case, as sometimes a 'significant level of change' may be authorised. Also, if a building is rebuilt, its listing will remain the same. Sometimes a building is demolished for structural reasons, which Building Control monitor. Unauthorised changes, although a criminal offence, are agreed if they are in the interest of public safety. However the owner would be required to explain and justify any changes. Additionally, if a listed building is considered to be structurally sound, an application for demolition would not generally be authorised. The building structure and the intention of use will be considered by Cadw and then a decision will be made, and in these cases, Cadw usually agrees with the recommendation made by the Council. There is a procedure in place so that buildings are looked at, but little seems to have been done in the interest of public protection.

We learned that the Council has a responsibility to generally improve the appearance of listed buildings. We discussed the powers associated with Section 215 Notice, which relates to the relevant section of the Town and Country Planning Act 1990. It allows Local Planning Authorities to take action against owners whose property or land is adversely affecting the amenity of an area. One problem pointed out to us concerned cases of non-compliance by a private owner when the council requires work to be carried out. In these cases, the Council must carry out the work itself, and raise a charge on the building. However, when urgent work is required, for example due to a building being considered to be dangerous, but discretionary powers may be invoked under Section 215.

Some of our members expressed concern in relation to listed buildings which are found in rural areas on the outskirts of Swansea. It was also suggested that the Lottery Fund possess a considerable sum of money under 'Heritage' which could be put to better use. We heard about bids for some projects, whereby any amount contributed by the local authority is matched.

We discussed the role and involvement of Cadw. Anyone can make an application to Cadw for a structure to be listed. We agreed that there is a role for community groups to make more use of this possibility – a number of examples from Pontardawe were mentioned in this respect

The current economic climate makes the preservation of historic buildings more difficult. We were informed that this position is unlikely to change and that the key to a long term solution is likely to be in obtaining grants and similar sources of funding.

Although a lot of restorative work has taken place, we are now left with the remnants of the most difficult buildings, which continue to deteriorate. Cadw recognises this as a National issue. Due to the current lack of funding available, efforts can only be focused on keeping these building standing, with a view to repairing and refurbishing at a future date.

We discussed the importance of public awareness and collaboration and we agree that there should be better community involvement. There is money available in the way of grants, but this needs to be accessed by local organisations and individuals.

Issues identified:

- There is no money available for the Council for the maintenance of historic buildings. Buildings are dealt with in a piecemeal fashion, often in response to a structure becoming dangerous;
- It is not a legal offence to neglect an historic building, and this allows the Council to fall back on a stage of neglect;
- There are powers in place which cannot be used because the Council does not have funds in place to respond to instances of non-compliance by owners;;
- There is over reliance on grant money, but the Council cannot access this directly. Property owners are often unaware of the money available to them;
- The current plan focuses primarily on central Swansea and little consideration is given to buildings in rural areas;
- There are many buildings in urgent need of repair;
- The cost of repair is often much higher if carried out by the Council, than when sourced elsewhere;
- Currently there is little community involvement with decision making in respect of listed buildings.

In summary we recommend the following to you:

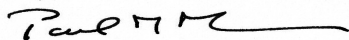
- Town Councils, Community Councils and other community groups might be more involved with decision making where historic buildings are concerned. Community involvement should be encouraged. Many community groups seem keen, but have little direction. The Council could provide links and advise, and help community groups access funding which the Council itself cannot apply for.
- Town Councils and Community Councils should be asked to ensure that they know which buildings in their area are listed;
- There should be a pooling of knowledge between County Councils, Town Councils and Community Councils. Collective resources, pressure groups and organisations such as Swansea Civic Society could assist in taking projects forward;
- The Council should look for 'quick wins' with a push on private projects;
- A training day for local councillors should be arranged, to make councillors aware of the ways of obtaining funding, who to contact, what to do, etc. They can then share this information in their wards;
- The Council needs to make more of historic buildings when it is promoting the cultural heritage of Swansea.
- There should be a focus on awareness raising; Local people, including This

- schools, should become more involved;
- Committee felt that there was considerable scope for Historic Buildings to be supported by voluntary groups. Schools and children might get involved in this, as could the various Historical Societies. Such groups have access to funds that Swansea Council does not have access to. However, there is scope for the Council to facilitate bids for funding. Council should also help owners to apply for grants to maintain historic buildings that are in private hands.
 - Committee felt that Historic Buildings held considerable scope for generating employment opportunities. Council should encourage people to develop these opportunities. Council should also consider developing a small specialist work-force with skills in building restoration as part of its apprenticeship programme.
 - Committee felt that the sums available for the preservation of historic buildings in the Council's care were too small to be realistic. Council should give consideration to increasing this budget as and when the economic climate improves. Council should also look at making more effective use of the Section 2.1.5 legislation;
 - There should be better promotion of listed buildings, with Swansea heritage events;
 - It was quite clear to us that there is a problem in respect of the maintenance budget and a lack of available funds for listed buildings.

The Panel also recognised that there are a number of local authority non-listed buildings in serious need of repair. We recommend that the Scrutiny Committee includes this issue in its forward program.

We are grateful for the information and advice provided to us by the officers and look forward to receiving your reply. It would be helpful if you could respond by 25th April 2014, so that we can present our letter and your response to the Scrutiny Programme Committee.

Yours sincerely,



COUNCILLOR PAUL MEARA

Convener, Historic Buildings Scrutiny Working Group

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