

English Devolution and Community Empowerment Bill – Briefing

About the Heritage Alliance

The Heritage Alliance is the national umbrella body for heritage; a charity bringing together over 200 organisations to support and champion our sector. The Heritage Alliance sits on the Government's Heritage Council, and on the heritage sector's Historic Environment Forum. Our Planning and Devolution Bills task & finish group has fed into this briefing

Summary

The Heritage Alliance welcomes the English Devolution and Community Empowerment Bill as a significant opportunity to increase the power of heritage to drive growth, local regeneration and pride of place across England.

We particularly welcome provisions for a new Community Right to Buy, which will empower community groups who wish to purchase assets such as historic buildings, as well as duties for mayors to produce Local Growth Plans, which have the potential to leverage heritage assets as economic opportunities, support placemaking and boost specialist heritage skills. Where embedded effectively into strategic plans, such as Spatial Development Strategies and Local Growth Plans, heritage can support government to meet its objectives around housing, growth, skills and net zero.

The radical reorganisation of local government to enable devolution could and should occasion long-overdue enhancement of the capacity and influence of local government heritage services. But the potential of heritage to play its part will not be realised unless heritage expertise and services emerge strengthened and are protected during the inevitably disruptive process of implementation.

Successful implementation of the Bill will depend on decisions made by the relevant strategic and local authorities about the position, resourcing and remit of heritage teams and thus the Alliance's focus is as much on implementation of the Bill as on its provisions.

We stand ready to work with government and new local government structure at all levels to ensure heritage plays its full part in delivering the government's ambitious agenda.

Welcome provisions and opportunities

Part 1: Strategic Authorities

This part of the Bill outlines the areas of competence that Strategic Authorities will have, as well as setting out the structure, functions and constitutional arrangements of combined authorities and combined county authorities.

Provisions to enable mayors to appoint commissioners across several briefs are welcome (Clause 9) and provide a significant opportunity to embed heritage within a number of areas of competence, including but not limited to skills and employment; housing and strategic planning; economic development and regeneration; the environment and climate change; and

health and wellbeing. We would welcome consideration of heritage commissioners, to champion the contribution of heritage in both rural and urban spaces.

The empowerment of authorities to raise funds via precepts, levies and borrowing is also welcome (e.g. Clause 11), and if leveraged appropriately could be utilised to support heritage functions.

Heritage considerations could be further supported through the inclusion of Protected Landscapes as non-constituent voting members within the governance structure of Strategic Authorities where, for instance, the conservation and enhancement of heritage is part of the statutory function of National Park Authorities.

Part 2: Functions of strategic authorities and mayors

This part of the Bill expands powers of strategic authorities for planning, economic development and local functions.

The planning powers in the Bill offer potential for more strategic, heritage-informed development, provided adequate expertise and resources are in place. We see opportunities for heritage to be embedded at the design stage of Spatial Development Strategies; better integration of Historic Environment Records (HERs) into strategic planning, including by implementing for the relevant provision of the 2023 Levelling Up and Regeneration Act; as well as heritage-led master planning and placemaking that creates distinctive, locally valued places that create civic pride and optimism rather than alienating "anywhere towns". Likewise, development management is more efficient when heritage considerations are addressed early.

While we support enhanced strategic decision-making, the mayoral powers for planning applications and development orders (e.g. Clause 32) require appropriate safeguards to ensure special regard to heritage and that impact assessments remain robust. Local knowledge and specialist expertise must also inform strategic decisions, whilst it is important that community voice in heritage matters is not diminished. Equally, statutory consultations with heritage bodies must be maintained.

Clause 38 requires mayoral strategic authorities to produce Local Growth Plans. We see opportunities for heritage through the development of these plans, for supporting SMEs and high street renewal through adaptive reuse of historic buildings, as well as local placemaking. Further, Local Growth Plans can leverage heritage assets as economic opportunities, and if integrated properly with Local Skills Improvement Plans can support heritage skills and crafts. Within both Local Growth Plans and Local Skills Improvement Plans, Mayors should also consider how heritage can help to deliver net zero and contribute to the "green workforce" – as well as support specialist skills – given the demand for green construction techniques, such as those required for retrofit of historic buildings.¹ Emerging economic models, such as the Cultural Heritage Capital Framework, should also be factored into the development of these plans.

¹ [Driving growth and widening opportunities, Skills England](#) (Sep, 2024)

Clause 40 extends local authority tourism promotion powers to strategic authorities.

Heritage plays a key role in driving tourism and creating employment through heritage-led regeneration. However, we caution against only recognising and providing for heritage in this space alone. The value of heritage extends beyond tourism and the DCMS portfolio, and into housing and Spatial Development Strategies, economic development and regeneration, environment and climate change, transport, and community health and wellbeing.

Part 3: Other measures about local government and PCCs

This part of the Bill covers local government reorganisation (two-tier to unitary, and introduction of an ‘effective neighbourhood governance’ duty) and Community Right to Buy.

The enhanced Community Right to Buy provisions (Clause 60) represent a major and welcome opportunity for communities to save and revitalise valued heritage assets.

Combined with the duty for effective neighbourhood governance (Clause 58), this could significantly strengthen local stewardship of heritage. This clause also positions heritage at the forefront of addressing contemporary concerns and challenges around housing provision and community infrastructure through the potential to repurpose and reuse historic buildings for social purpose (e.g. social housing, community spaces).

We welcome the extended definition of ACVs to include assets that were historically of importance to the community but nonetheless recommend clarity in Schedule 27 on whether this incorporates *cultural* value.

For heritage, the success of devolution will depend fundamentally on having sufficient specialist staff and resources at all levels, and so we urge that:

- Strategic and local authorities collectively maintain or enhance current local authority heritage services;
- Government considers guidance to strategic and local authorities about the division and location of planning powers and responsibilities;
- Government provides clarity about where heritage responsibilities lie, for example maintaining Historic Environment Records (HERs) (Heritage Alliance members are working on good practice guidance);
- Clear benchmarking of capacity and performance be established; and
- Transition support be provided to maintain expertise and prevent service disruption during restructuring.

The translation of national policy into local delivery and opportunity will depend on close working and integration between government and Arms Length Bodies (ALBs), such as Historic England and Natural England.

Key asks for heritage

1. **Ensure skilled heritage services emerge strengthened from reorganisation and even better able to support sustainable development and growth**

2. **Ensure adequate transition funding** to maintain heritage services during reorganisation and build capacity in new structures
3. **Establish heritage representation** in strategic authority governance, potentially through heritage commissioners
4. **Require heritage considerations** in Local Growth Plans and Spatial Development Strategies
5. **Clarify statutory responsibilities** for Historic Environment Records and heritage services by implementing the relevant provisions of the Levelling-Up and Regeneration Act 2023
6. **Maintain and strengthen** the strategic advisory role of Historic England
7. **Provide guidance** on heritage considerations in mayoral planning powers
8. **Support early engagement** with heritage sector during implementation

How We Can Help

The Heritage Alliance is eager to support successful implementation by supporting communities in using new powers to protect valued assets, sharing best practice from successful heritage-growth partnerships and contributing specialist knowledge during the transition period. We would like to discuss with and support government with the following goals:

1. Establishing a sounder understanding of what heritage is and what it can do to deliver government's agenda at national, strategic and local tiers
2. Ensuring sufficient numbers and expertise of heritage staff at central government, strategic and local levels, with good working relationships between the three, so that strategy and delivery are informed and aligned
3. Ensuring clarity about where responsibilities lie (e.g. such as establishing where the statutory duty lies for maintaining Historic Environment Records (HERs))
4. Gaining access to the support, encouragement and resources referred to in the White Paper (e.g. sharing evidence of demonstrated success of Local Skills Improvement Plans)
5. Building on the demonstrated success of Historic England and local government in using heritage as a catalyst for growth
6. Addressing some policy and guidance mismatches to ensure effective delivery of Funding for Warm Homes, Public Sector Decarbonisation, Heritage Action Zones, Local Nature Recovery Strategies and other natural environment initiatives, etc
7. Ensuring the necessary and overdue legislative and policy amendments the heritage sector needs to deliver government's vision effectively – where they fit into the reform programme for and architecture of the National Planning Policy Framework, National Development Management Plans, National Strategic Infrastructure Plans etc

Please see [*our paper on the English Devolution white paper*](#) for more detail.

This Bill presents an important opportunity to embed heritage at the heart of local growth and community empowerment. The Heritage Alliance stands ready to work with Parliament, government, and strategic authorities to ensure these reforms unlock heritage's full potential as an enabler of prosperity, sustainability, and community pride.

We urge MPs to support the Bill while ensuring the amendments and resources necessary for heritage to play its full part in this ambitious programme of reform. With proper safeguards and support, heritage can be the golden thread that connects communities' past with their prosperous future.