dcms

department for
culture, media
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Historic Environment Records (HERs)

Draft Guidance for Local Authorities in England

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Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

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Section 1: Introduction

1. The historic environment is a rich and diverse part of our cultural heritage. By providing a tangible link with our past and an inspiration for our folklore it contributes to local character and sense of place, influences how we identify ourselves as individuals and communities, shapes our relationship with nature and the spiritual world, and enhances our quality of life. However, it is also a fragile, vulnerable, non-renewable and finite resource.

2. In *Heritage Protection for the 21st Century*, Government signalled its intention to help secure effective stewardship of the historic environment by placing local authorities under a statutory duty to maintain or have access to a Historic Environment Record (HER).

3. HERs are information services that provide access to comprehensive and dynamic resources relating to the historic environment of their locality for public benefit and use. They are the direct descendents of the network of Sites and Monuments Records (SMRs) which were created in the 1970s in response to the lack of archaeological information available to owners, developers and planners, and the consequent loss of archaeological remains through urban and rural development.

4. Today HERs are unique repositories of – and signposts to – information relating to landscapes, buildings, sites and finds spanning more than 700,000 years of human activity. Their content complements and enriches the collections of museums, archives, local studies libraries and local history centres, and underpins the work of local authority 'historic environment services'.

5. In particular, HERs can be used to:

   - advance knowledge and understanding of the historic environment[1];

   - improve its protection[2];

   - support its conservation, management and enhancement[3];

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[1] By contributing to the formulation and implementation of research frameworks, and by stimulating and adding value to local history / archaeology projects.

[2] By informing the designation of Registered Heritage Assets, Conservation Areas, National Parks, Areas of Outstanding Natural Beauty, Heritage Coasts and World Heritage Sites.

[3] Through the provision of baseline and monitoring data for historic environment action plans, conservation plans / statements, management plans, heritage partnership agreements, heritage at risk strategies and 'state of the environment' reports.

- inform strategic policies and decision-making relating to spatial planning, development control[4] and land management[5];

- streamline planning processes[6];

- support heritage-led regeneration, environmental improvement and cultural tourism initiatives;

- contribute to education and social inclusion; and

- promote public participation in the exploration, appreciation and enjoyment of local heritage.

6. The specification for statutory Historic Environment Records that is set out in this guidance has been developed with regard to the provisions of the [Heritage Protection Bill 200?], but also takes account of the development trajectory of existing HERs, and of heritage data management in general.

7. It is intended to provide those responsible for stewardship of the historic environment – and for the delivery of sustainable development and the creation of sustainable communities – with access to an evidence base that not only informs their understanding of the significance of individual 'heritage assets' and their landscape context, but also of the cultural dimension of landscape as a whole. It also seeks to empower local communities by broadening their awareness of, and access to, these resources, including by positioning HERs as an integral part of corporate approaches to e-government.

8. Such aims are consistent with the aspirations of The Convention for the Protection of the Architectural Heritage of Europe, The European Convention on the Protection of the Archaeological Heritage, and The European Landscape Convention.

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4 Including statutory undertakings and ecclesiastical development.

5 Including agri-environment and forestry schemes.

6 By facilitating informed pre-application / pre-determination assessment, evaluation and mitigation of the potential environmental impacts associated with proposals necessitating [Development Consent Orders], Planning Permissions, Heritage Asset Consents, [Licences for Geophysical and Metal-Detector Surveys] or Hedgerow Removal Notices – and by helping to satisfy statutory requirements for the preparation of environmental statements in accordance with Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) Directives, and for the application of Sustainability Appraisal.

Section 2: Statutory HERs

9. There are currently more than 80 Historic Environment Records in England. Most are maintained on a discretionary basis[7] by single tier and county councils and by National Park Authorities (NPAs), but there are several examples of sub-regional services, and some of HERs maintained by district councils. In addition, English Heritage maintains an HER for Greater London and a maritime record for territorial waters adjacent to England (as part of the National Monuments Record). Together, these Records provide complete geographic coverage of England, but vary in the range and quality of services offered to their users.

10. The [Heritage Protection Bill 200?] builds on these foundations by:

    - outside London – placing NPAs under a duty to create an HER for their administrative area and keep it up to date, and by placing single tier and county[8] councils under a comparable duty for those parts of their administrative area that are not within the boundaries of a National Park[9]; and

    - in London – placing English Heritage under a duty to create an HER for Greater London and keep it up to date (unless London borough councils and the Corporation of London make arrangements for its upkeep by another party).

11. This guidance sets out how Government expects these duties to be discharged. It is intended to be read alongside complementary guidelines and improvement tools that will be developed by English Heritage in partnership with local authorities and the historic environment sector. It does not seek to address related aspects of historic environment information management by local planning authorities, such as the systematic documentation of business processes – including pre-application discussions, consent applications and enforcement actions – in back office systems, or the deposition of

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[7] SMRs (the predecessors of HERs) are referred to in The Environment Act 1995, The Town and Country Planning (General Permitted Development) Order (GPDO) 1995, and The Hedgerow Regulations 1997.

[8] While statutory duties relating to HERs apply only to upper tier authorities in areas of two-tier local government, it is anticipated that these will be progressed in partnership with lower tier authorities.

[9] As with other functions, an HER authority is free to make arrangements with another local authority (or other service provider) for the maintenance of an HER for its area. For example, a single tier council or NPA might reach agreement with a neighbouring county or single tier council for that authority to maintain an HER covering the area of both authorities. Conversely, it may be desirable for a county council to reach agreement with one of the district councils in its area for the district council to maintain an HER for that part of its area while it continues to maintain an HER for the remainder – particularly if this reflects the current model of service provision.

associated records in a public archive. Nor is it aimed at HERs developed by major landowners such as Defence Estates or the National Trust.

12. Throughout the remainder of this guidance, references to *'HER authorities'* are to single tier and county councils, NPAs and English Heritage.

Section 3: Creating an HER and keeping it up to date

3.1 Management

Plans and policies

13. In order to effectively manage their Historic Environment Record, HER authorities will need to ensure that relevant plans and policies are developed, agreed and regularly reviewed. In line with good business practice, these should include: a forward plan; a recording policy; a disposals policy; an access policy; an information systems policy; a disaster plan; and a succession plan.

Staff

14. HER authorities should employ dedicated curatorial staff to create their Record and keep it up to date, and to communicate effectively with the diverse audiences that use it.

15. Staffing provision and structure will need to be capable of achieving the level of service required for delivering an adequately resourced and maintained HER, but should include personnel with the qualifications and experience appropriate for compiling, curating, interpreting and mediating access to an extended range of historic environment information resources.

Training and Continuing Professional Development (CPD)

16. Maintaining the skills of HER staff is essential if they are to provide high quality information and advisory services. They should therefore have access to relevant CPD.

Infrastructure

Office space

17. Sufficient space will be required to allow the effective daily operation of the HER, including provision for public access, and for the storage of non-digital resources.

Hardware

18. An appropriately networked computer system will be required, together with equipment capable of supporting the HER database, associated Geographic Information System (GIS) software and any linked files. The speed and reliability of these systems will be of particular importance where access to the HER is provided remotely. Robust data storage and security procedures should also be implemented.

Software

19. A database system that is compliant with current national heritage data standards will be required, as will a GIS that is capable of displaying and querying data from the database, and of linking with other digital objects such as images and research data. All software should have clear and up-to-date system documentation, particularly where it is bespoke.

Intranet

20. The content of an HER should be accessible to staff in the local planning authorities it covers through relevant Intranet systems.

Monitoring and assessing performance

21. In order to ensure that their Record continues to improve and become more efficient, HER authorities are encouraged to undertake regular self-assessment of their service provision. English Heritage will publish (and regularly update) a template to support this process, and will work with local authorities to identify related performance measures.

22. Local authorities choosing to outsource the creation and updating of their HER to a third party are advised to:

- consult English Heritage at an early stage (together with their potential service provider); and

- ensure through the initial agreement, and by regular monitoring, that their chosen service provider fully meets the expected standards.

23. In London, Borough Councils and the Corporation of London are encouraged to engage with English Heritage, which currently manages an HER for Greater London as part of the Greater London Archaeological Advisory Service, over its maintenance and continuing development.

3.2 Information content and coverage

Temporal limits

24. There should be no temporal limits on the information recorded in an HER: it should include data relating to all periods, from the earliest human activity[10] to the present day.

Geographic limits

25. These will usually be defined by the administrative boundaries (whether terrestrial, inter-tidal or marine) of the local authority(s) that an HER covers.

26. In the case of coastal local authorities, seaward extension of an HER's geographic coverage beyond these limits (for example, to record the impact on cultural heritage of coastal erosion or rises in sea levels as a consequence of current *and past* climate change) is likely to enhance their contribution to the processes of Integrated Coastal Zone Management and marine planning, as well as providing a more complete picture of their area's past. However, such decisions will continue to be at the discretion of individual authorities.

Information content

27. The content of an HER should be documented in a professionally maintained and indexed dataset held on an appropriate digital information system in textual, graphic and spatial formats, as appropriate.

28. As a minimum, this should include information about all:

- registered heritage assets;

- locally designated heritage assets;

- heritage assets with archaeological interest that are neither 'registered' nor 'locally designated'[11];

- findspots; and

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10 Including '*sites of early human activity without structure*' – sites that include, but are not limited to: places where people temporarily, but often repeatedly, dwelt; places where people exploited natural resources; places where people deliberately or accidentally deposited cultural material; and places which preserve a clear record of how the environment has directly influenced or been altered by human activity.

11 Including assets that are known to have been demolished or destroyed or which are known only from antiquarian sources, as well as assets that do not meet the criteria for 'registration' or 'local designation' or which have yet to be formally assessed by the relevant designating authority.

- investigations of the archaeological, architectural, historic or artistic interest of a place or landscape[12].

29. It should also include the product of:

- the National Mapping Programme (NMP); and all

- historic characterisation studies, conservation area appraisals and historic area assessments.

Compliance with national data standards

30. The information content of an HER should be compliant with current national data standards. Presently these are defined in *MIDAS Heritage: The UK Historic Data Standard* (2007), however English Heritage is in the process of producing the *MIDAS Heritage Compliance Profile for English Historic Environment Records* ('the Compliance Profile'). Once agreed, this will supersede *MIDAS Heritage* as the national data standard for English HERs[13].

31. Effective searching (and cross-searching) of an HER relies upon the quality of the data indexing and the existence of good spatial data and mapping. Most HER information systems support indexing using standardised terminologies built into the system software. *INSCRIPTION* is the definitive source of information about the national terminology standards that are recommended for use in conjunction with *MIDAS Heritage*.

Interoperability with related datasets

32. HERs should be capable of providing, and of receiving and incorporating, digital data in formats designed to assist the exchange of data between information systems. In particular, they should be interoperable with the corporate GIS systems and back office planning systems of the local planning authorities they cover.

Reference collections

33. Original archives should be deposited with an appropriate repository (for example, a museum, record office or digital archive). However, it may still be desirable for an HER to

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12 Including desk-based assessments, field evaluations, excavations, archaeological watching briefs, environmental assessments and the recording of standing buildings.

13 The 'Compliance Profile' will specify the appropriate documentation of heritage assets, including related activities (such as investigations, casework and management) and information sources (which may include links to other heritage and environmental databases, as well as references to archives and bibliographies), plus supporting information (spatial, temporal and associations with persons and organisations). It will also address the documentation of landscape-level datasets (such as those arising from 'historic characterisation' and the NMP).

hold substantial collections of reference materials or sources that supplement the digital information contained in its database – particularly if these form a valuable part of the services it provides to the public and would be difficult to replace[14].

Maintaining the currency of HER content

34. HERs require active management if they are to properly reflect the changing nature of the historic environment and our understanding of its significance. HER authorities will need to ensure that their Record is kept up-to-date with accurate information, including:

- new discoveries and interpretations;

- new and amended designations;

- latest research and publications;

- new investigations; and

- significant changes to the heritage assets recorded within it.

35. Such information will come from a variety of sources, ranging from chance finds by members of the public[15] and unexpected discoveries by property owners, developers and land managers to systematic investigations undertaken as part of national surveys, university-led research, developer-funded fieldwork, community projects or private research.

36. By ensuring that information about heritage assets and the wider historic environment that is generated as part of the planning process is copied to the relevant HER, planning authorities – including those not subject to the duty to create a Record and keep it up to date – will also be significant contributors to these information flows.

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14 Such as copies of local books, journals, publications, investigation reports (including unpublished 'grey literature'), historic maps and photographs (including aerial photographs).

15 Including finds reported via the Portable Antiquities Scheme (PAS).

Section 4: Providing public access to an HER

37. The information held in Historic Environment Records should, with few exceptions, be in the public domain and HER authorities should be proactive in promoting access to it.

38. Consequently, both conventional and on-line content will need to be fit-for-purpose and may require mediation and interpretation, especially when services are provided to the general public.

39. Given the role of HERs in local, sub-regional, regional and national contexts, they should be fully incorporated as part of the web services of their host authority. Relevant content should also be made accessible through the Heritage Gateway, and through this – potentially – portals such as the Planning Portal.

4.1 Satisfying user needs

40. Users of HERs will typically include developers, planning / environmental consultants, statutory undertakers, property owners, land managers, farmers, academic researchers, local societies, amateur historians / archaeologists, teachers, students and interested members of the public – as well as historic environment professionals working in the public, private and voluntary sectors.

41. Each user is likely to have specific needs, requiring different levels of support and with varying deadlines to be met. HER staff should be capable of delivering an effective service to all users, while also managing other demands on their time. Ideally, a specified response time should be set for enquiries and this should be viewed as a maximum response time.

4.2 Reaching new audiences

42. HER authorities should develop an outreach programme that advocates their Record and promotes its wider use. This is essential for:

- identifying and targeting new audiences for the HER;

- retaining and encouraging its existing users;

- creating opportunities for the participation of local communities in its maintenance and enhancement; and

- developing synergies with outreach delivered by other heritage and environmental services.

4.3 Restrictions on access to information

43. HER authorities will need to satisfy themselves that plans and policies relating to their Record are compliant with:

- The Disability Discrimination Act 1995;

- The Data Protection Act 1998;

- The Freedom of Information Act 2000; and

- The Environmental Information Regulations 2004.

4.4 Copyright

44. They should also satisfy themselves that their Record is compliant with United Kingdom copyright law.

45. As a general rule, copyright in relation to the content of an HER – particularly the intellectual property in indexes, core fields of information and mapped depictions of heritage assets – should be protected by the authority which hosts or commissions it.

46. In practice, content will come from a wide variety of sources. Those contributing information should be advised that it will be in the public domain and HER authorities may wish to consider negotiating deposit licences. They may also wish to consider granting commercial licences for use of their own material.

4.5 Fee charging

47. Public access to an HER should be provided free of charge. However, HER authorities may choose to impose fees to recover the costs of services that require and consume their resources, such as:

- the reproduction and supply of copies of information held in their HER;

- the production of reports based on analyses of HER content; and

- the provision of a priority service by HER staff.

48. Fee charging policies will need to comply with HM Treasury guidance on *Managing Public Money* and should be set out in a Record's access policy (together with any other terms and conditions of use, including copyright and licensing arrangements).

Glossary

Findspot: the location of an artefact or ecofact which may be indicative of the presence of a heritage asset with archaeological interest.

Geographic Information System (GIS): a computer system capable of capturing, storing, analysing and displaying geographically referenced information.

Heritage asset: a place with archaeological, architectural, historic or artistic interest.

The Heritage Gateway: an Internet portal maintained by English Heritage which provides cross-searchable access to a wide range of local and national historic environment datasets, both statutory and non-statutory.

The Heritage Register for England: maintained by English Heritage, the 'Register' contains designation records for all Registered Heritage Assets in England (and in territorial waters adjacent to England) – including assets previously designated as Scheduled Monuments, Listed Buildings, Registered Parks & Gardens, Registered Battlefields and Protected Wreck Sites, as well as World Heritage Sites. It is accessible via the Heritage Gateway.

Historic characterisation: the process and product of defining the overall historic character of a place or landscape in terms of its present-day archaeological and architectural identity so that the principles of sustainable development can be applied. GIS-based Historic Landscape Characterisation and its urban equivalents is currently the most prevalent of these approaches, but Historic Environment Characterisation extends these principles by combining assessments of archaeological, architectural and historic landscape character, while Historic Seascape Characterisation applies them to the marine historic environment.

Historic environment: all aspects of the environment resulting from the interaction between people and their surroundings through time, including all surviving physical remains of past human activity, whether visible, buried or submerged.

INSCRIPTION: a collection of wordlists and thesauri developed by various heritage bodies, both national and regional, that are recommended for use in conjunction with *MIDAS Heritage*. *INSCRIPTION* is maintained by the Forum on Information Standards in Heritage (FISH).

Investigation: any activity that is undertaken with the explicit intention of gathering information about, and understanding of, a defined part of the historic environment, and the creation of an information source to record that information and understanding.

Landscape: the European Landscape Convention defines landscape as 'an area, as perceived by people, whose character is the result of the action and interaction of natural and / or human factors'. This definition covers natural, rural, urban and peri-urban areas, includes land, inland water and marine areas, and concerns everyday or degraded landscapes as well as those that might be considered outstanding. 'Historic landscape' is defined both by people's perceptions of the evidence of past human activities in the present landscape, and by the places where those activities can be understood in the landscape today.

Locally designated heritage asset: a place determined by a Local Planning Authority to be of *'special local'* archaeological, architectural, historic or artistic interest under the provisions of the [Heritage Protection Bill 200?]

MIDAS Heritage: a United Kingdom data standard for information about the historic environment. It states what information should be recorded to support effective sharing and long-term preservation of the knowledge of the historic environment. *MIDAS Heritage* has been developed and agreed by representatives involved in the recording of the historic environment in the UK, working together as the Forum on Information Standards in Heritage (FISH).

Place: any part of the historic environment, of any size, that has a distinctive identity perceived by people.

Registered heritage asset: a place afforded statutory protection through inclusion in the Heritage Register for England maintained by English Heritage under the provisions of the [Heritage Protection Bill 200?] on the basis of its *special* archaeological, architectural, historic or artistic interest.

Sources of further information

Practical guidance on creating and maintaining HERs may be found in:

- *Informing the Future of the Past: Guidelines for Historic Environment Records* (English Heritage, Historic Scotland, RCAHMS, RCAHMW, ALGAO UK & ADS): http://www.ifp-plus.info

Other references include:

- The Council of Europe: http://conventions.coe.int
  – *The Convention for the Protection of the Architectural Heritage of Europe* (1985)
  – *The European Convention on the Protection of the Archaeological Heritage* (1992)
  – *The European Landscape Convention* (2000)

- The Forum on Information Standard in Heritage: http://www.fish-forum.info

- *Guidance on Inventory and Documentation of the Cultural Heritage* (Council of Europe, 2001)

- *Heritage Protection for the 21st Century* (DCMS, 2007): http://www.culture.gov.uk

- The Heritage Gateway: http://www.heritagegateway.org.uk

- Historic Environment Local Management: http://www.helm.org.uk

- *Managing Public Money* (HM Treasury, 2007): http://www.hm-treasury.gov.uk

- MIDAS Heritage: http://www.english-heritage.org.uk/

- The Office of Public Sector Information: http://www.opsi.gov.uk
  – *The Disability Discrimination Act 1995*
  – *The Data Protection Act 1998*
  – *The Freedom of Information Act 2000*
  – *The Environmental Information Regulations 2004*
  – *[The Heritage Protection Bill 200?]*

- The Planning Portal: http://www.planningportal.gov.uk/
  – *PPS1 (Delivering Sustainable Development)*
  – PPG15 (Planning and the Historic Environment)
  – PPG16 (Archaeology and Planning)