

CHESHIRE EAST COUNCIL

REPORT TO: Sustainable Communities Scrutiny Committee

Date of Meeting:

Report of: David Hallam, Principal Conservation and Design Officer

Subject/Title: Cheshire East Heritage Crime Initiative

Portfolio Holder: Rachel Bailey

1.0 Report Summary

- 1.1 Heritage Crime is defined in this report as “any offence which harms the value of England’s heritage assets and their settings to this and future generations”. It is important for the general wellbeing of our Borough and particularly for the security of its built heritage that we have an effective system in place to tackle heritage crime. This report sets out in summary how this is proposed to be achieved. This report seeks endorsement of the officer’s recommendations to Cabinet with regard to setting in place the Heritage Crime Initiative (HCI) as set out below.

2.0 Recommendation

- 2.1 That the Sustainable Communities Scrutiny Committee endorses the officer recommendation that Cabinet approves the following:
- Implementation of the Heritage Crime Initiative within Cheshire East in accordance with the Delivery Framework in Appendix 1
 - Cheshire East becoming a member of ARCH and a co-signatory to the Memorandum of Understanding with English Heritage, Cheshire Police, the Crown Prosecution Service and other associated organisations.

3.0 Reasons for Recommendation

- 3.1 At present Cheshire East has no formal initiative in place and is not a signatory to the Memorandum of Understanding (MoU).
- 3.2 Cheshire East’s response to Heritage Crime and agreement to enter into the Heritage Crime Initiative needs to be approved by Cabinet, given the cross authority obligations and resources necessary to implement it effectively. The resources envisaged are:
- £1000 from within the existing Heritage and Design Team budget to help promote and deliver the Heritage Crime Initiative
 - Approximately 300 person hours from within the Heritage and Design Team to lead, manage and help deliver the initiative from now until the final stage in the action plan (this is an estimate based on discussions with Cheshire West and Chester).

- 3.3 In order to be effective, the HCI also needs a high profile within Cheshire East Council and support from members, senior officers and those staff directly involved in its implementation.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including

Health

- 6.1 A quality environment is recognised as contributory factor to health and wellbeing. The historic built environment is an important contributory element to the high quality rural and urban environments of Cheshire East.

Carbon reduction

- 6.2 None

Prosperity

- 6.3 The historic built environment contributes directly and indirectly to the economy and prosperity of Cheshire East. An indication of its value is provided at paragraph 10.7 of this report.
- 6.4 Reducing heritage crime will reduce the maintenance costs and vulnerability of heritage buildings in both public and private ownership. The average estimated repair costs arising from the schedule of Heritage Crime Incidents (Appendix 2) is circa. £8,900 ranging from £3000 to £22,500. The high profile arson incident at Peckforton Castle resulted in a repair bill of £6.3 million.

7.0 Financial Implications

- 7.1 The Heritage Crime Initiative will require resources to enable its implementation. This will entail staff time to get the initiative up and running and a modest budget to assist in implementing the initiative (such as publicity, awareness raising events, materials etc.). These are estimated as:
- 300 hours of officer time (within the Heritage and Design Team – other officer time will be required in addition to this from other teams/Directorates)
 - £1000 from the existing Heritage and Design Team budget
- 7.2 The lead in the Cheshire area is being taken by Cheshire West and Chester and we intend to work collaboratively with them in order to achieve Best Value.

8.0 Legal implications (authorised by the Borough Solicitor)

- 8.1 The Memorandum of Understanding would commit the Council to investigating, enforcing and where appropriate prosecuting incidents of Heritage Crime within Cheshire East Council's remit and subject to its established policies and standing orders with regard to enforcement proceedings. Enforcement action will be reported to Members on a case by case basis.
- 8.2 The Memorandum and the partnership approach of the Initiative would also necessitate, that Council staff support other agencies in their prosecution of heritage crime incidents via other criminal proceedings/legislation, for example in providing heritage impact statements in cases brought by the Police to court. However, the number of such incidents is likely to be limited and purely to support for the lead prosecuting agencies (estimated at no more than 10 incidents per year).

9.0 Risk Management

- 9.1 The risks associated with implementing the Heritage Crime Initiative are considered to be minimal given that this is a national initiative, as outlined above. Risks would include:

Nature of Risk	Severity	Probability	Risk	Mitigation required
Underestimate of resources needed to fully implement the initiative	2	2	4	none
Potentially abortive work and incurred costs in cases of unsuccessful enforcement action/prosecution	3	2	6	Ensure protocol in place and reporting/agreement prior to formal action to minimise risk of unsuccessful cases.
Potential for adverse publicity from aggrieved parties	3	1	3	none

10.0 Background

- 10.1 Heritage Crime presently has a high national profile. A recent research report 'The extent of crime and antisocial behaviour facing designated heritage assets' led by Newcastle University highlights the extent of the problem across the country. This report is available as Background Paper 1.
- 10.2 In response to the growing national concern about the impact of and effectiveness of protection against heritage crime, the Alliance to Reduce Crime against Heritage (ARCH) was established. This is an alliance of organisations, operating at the national and local level to set in place procedures to prevent, detect, report and prosecute heritage crime through a co-ordinated response. Key partners are English Heritage, the Police, the Crown Prosecution Service and participating Local Authorities.
- 10.3 A national Memorandum of Understanding (MoU) has been prepared which sets out the requirements and commitments of each partner in respect to working collaboratively and which organisations will lead particular investigations and proceedings. Local Authorities are primarily responsible for unlawful works in relation to Listed Buildings and Conservation Areas. This is available as background Paper 2.

- 10.4 Cheshire West and Chester are already part of ARCH and have signed the Memorandum of Understanding with the other partners. Over the last year they have been setting in place a system for implementing the Heritage Crime Initiative, which has become recognised nationally as a model of good practice.
- 10.5 Incidents of heritage crime, both collectively and individually deprive the Cheshire East Community of aspects of the historic environment, to the detriment of its citizens and potentially to its local economy through the erosion of character and an adverse impact upon its image to residents and visitors.
- 10.6 Heritage crime is often unseen, but can impact significantly upon the historic fabric of heritage buildings, structures and places. For example, metal theft (usually lead from the roofs of churches) not only requires replacement but often leads to damage to masonry and roofing materials. This in turn can lead to significant repair costs, far outweighing the scrap value of the metal itself. Heritage Crime can be a significant burden for property owners and ultimately can lead to a situation where owners are either unable to secure insurance or the premiums are very high and unsustainable. The consequence is that it can lead, either directly or indirectly, to a threat to the long term future and wellbeing of the historic built environment.
- 10.6 The summary of reported incidents in Cheshire East up until March 2012 is presented in the table at Appendix 2.
- 10.7 Our Borough has a wealth of heritage assets that we rely upon to promote tourism, attract inward investment and regeneration and foster local feelings of pride in our area. It is estimated that heritage related tourism generates **£804 million** GVA (Gross value added) in the North West and **£225.8 million** GVA in Cheshire¹. Tatton Park, one of our key heritage assets drew in 852,000 visitors in 20011/12, which equates to £3,065,000 of heritage related revenue for that year.
- 10.8 Until recently, crimes against heritage assets were not necessarily classified as such. They were treated as individual unlawful activities and crimes and not grouped as crimes against our Heritage, which meant that the full extent of heritage crime was not appreciated and actions between agencies not co-ordinated.
- 10.9 The establishment of the Alliance to Reduce Crime against Heritage (ARCH) and the development of a Memorandum of Understanding at a national level involving the CPS, the Police and English Heritage and some local authorities has thrown into focus an approach that could be rolled out across the country as a means to more effectively prevent and tackle incidents of Heritage Crime.
- 10.10 The idea of the Memorandum and the wider HCI is to develop an agreed approach across the country in terms of recording crime, preventing it and in taking action against those responsible.

¹ The Economic Impact of Heritage in the North West, Final Report, April 2009 (NWDA)

- 10.11 Cheshire West and Chester Council is already a member of ARCH and are signatories to the Memorandum of Understanding. CW&C has spent the last year setting up the mechanism to implement the Heritage Crime Initiative in that part of Cheshire. The initiative is now up and running and is being refined and developed, through an agreed delivery plan.
- 10.12 It is the intention of the initiative, that communities, civic societies and heritage interest groups will become the eyes and ears on the ground – enabling the local community to be active in detecting and potentially preventing Heritage Crime. In CW&C's case, the HCI is tied into the Community Safety Partnership's Strategic Assessment.
- 10.13 Whilst Cheshire East is unlikely to have the resources to replicate the HCI as developed by CW&C, it is the intention that we develop an approach, tailored to East Cheshire, and based on the resources that are realistically available as outlined above.
- 10.14 The Delivery Plan and Timeline sets out the approach and an approximate timescale for delivering the HCI in Cheshire East. This is attached as Appendix 1.
- 10.15 Key Milestones in the Delivery Plan are:
- | | |
|--|-------------------|
| 1) Sign Memorandum of Understanding and join ARCH | Early June 2012 |
| 2) Establish the Key Individual Network (KIN) | By end July 2012 |
| 3) Undertake publicity/promotional and training events in accordance with the communication and training plan) | By mid Sept 2012 |
| 4) Officially launch the Cheshire East HCI | By early Dec 2012 |
| 5) Pilot community through LAP | By Spring 2013 |

11.0 Access to Information

The background papers relating to this report are:

Background Paper 1 – Research report - The extent of crime and antisocial behaviour facing designated heritage assets (Newcastle University)

Background Paper 2 – Memorandum of Understanding

These can be obtained by contacting:

Name: David Hallam

Designation: Principal Conservation and Design Officer

Tel No: *m: 07807 493787*

Email: david.hallam@cheshireeast.gov.uk