

Cabinet – 1st November 2006

Report of the Director of the Urban Environment

Dudley Town Centre Conservation Area Management Plan

Purpose of Report

1. To seek the approval of Cabinet to a Conservation Area Management Plan for Dudley Town Centre

Background

2. A report of the Director of the Urban Environment was presented to the Cabinet on the 13 September 2006 which sought approvals to enable the preparation and delivery of a Stage 2 bid to the Heritage Lottery Fund (HLF) for a proposed Townscape Heritage Initiative (THI) for Dudley Town Centre.
3. Cabinet approved the recommendations of the report and officers are proceeding with the preparation of the Stage 2 bid for THI monies to the HLF. It is intended that the bid will be submitted to the HLF in November 2006.
4. A key element of the THI project and its Stage 2 bid is the preparation of a Conservation Area Management Plan (CAMP) for Dudley Town Centre. This will provide the basis for the effective management and implementation of both the Conservation Area and the THI scheme and therefore sets out the measures that need to be put into practice by the Council to ensure that the benefits of the scheme are maintained.
5. In addition to it being a requirement of the HLF, a local authority's performance in designating Conservation Areas, defining their special architectural or historic interest through up-to-date character appraisals, and publishing management proposals for the area is now the subject of a three part heritage 'Best Value Performance Indicator' (BV 219). The purpose of BV 219 is to monitor local authorities' performance in relation to Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and BV 219c requires local planning authorities to draw up and publish management strategies for their Conservation Areas in the form of Conservation Area Management Plans.

6. The Council will be required as a condition of the HLF grant for the THI to formally adopt the Dudley Town Centre CAMP, to review it every 5 years and to ensure that it is put into practice for at least 10 years after the THI scheme has ended. The HLF expects local authorities to achieve this by making full use of best practice in conservation management.
7. The draft Dudley Town Centre CAMP was prepared by the Council's consultants The Conservation Studio in close liaison with an officer project team. During September 2006 town centre stakeholders were consulted on the draft CAMP. A report was also presented to Development Control Committee on 4 September 2006 which sought the views of the Committee on the content of the draft document. Copies of the draft CAMP were placed in the Members Room in advance of the meeting of Development Control Committee. It was minuted that Members of the Development Control Committee "welcomed the Dudley Town Centre CAMP and hoped that this would encourage more innovative and imaginative schemes to be submitted for consideration in the future" and the Committee resolved that the information contained in the draft Dudley Town Centre CAMP be received and noted.
8. The final version of the Dudley Town Centre CAMP is available in the Members Room together with a diagram illustrating the proposed relationship of the THI Partnership to the Dudley Community Partnership and a list of stakeholders who were invited to a presentation on the THI and CAMP proposals on the 12th October, 2006.

The CAMP comprises four principal stages:

- understanding the area;
 - establishing the policy and resources context;
 - action-orientated analysis; and
 - commitment and review.
9. Members will note that a significant section of the Dudley Town Centre CAMP is devoted to existing planning enforcement policies, standards and guidance in order to determine the potential for refinement and to ensure that full use is made of all the opportunities provided by planning legislation. The HLF expects local authorities to make full use of the statutory powers available to them to ensure that conservation policies are put into practice. The Dudley Town Centre CAMP has assessed the existing enforcement procedures and the conclusion has been reached that improvement needs to be made to the operation of the current system.
 10. Currently, in addition to the powers reserved to the Development Control Committee, the Director of the Urban Environment and the Director of Law and Property have various delegated powers under the Council's Constitution to operate enforcement procedures and Members of Development Control Committee will be consulted in due course on any proposed changes to the existing scheme of delegation.
 11. In summary, the Dudley Town Centre CAMP provides:
 - the basis for the proactive management of the Conservation Area through planning policy, decisions and enforcement;
 - fulfilment of the Council's statutory duty in regard to s.71 of the Planning (Listed Buildings & Conservation Areas) Act 1990;
 - the basis for meeting Best Value target BV219c;

- a mid to long term strategy, initially for the 5 years of the THI and beyond; and
 - a clear illustration of the Council's commitment to our funding partners for the future implementation of the THI.
12. It is a requirement of the HLF that implementation of the THI scheme is overseen by a THI Partnership which must be in place before the Stage 2 bid is submitted to the HLF, in this case by the end of November 2006. The THI Partnership must be made up of organisations that represent local stakeholders.
13. Having assessed the options available, officers consider it most appropriate that the THI Partnership should form a sub-group of the Economic Development Regeneration Partnership (EDRP), which operates as one of the thematic groups of Dudley Community Partnership, the Local Strategic Partnership. This proposal follows the remit of the EDRP to support town centre vitality and the presence of a number of town centre stakeholders on the EDRP whose presence would benefit the THI Partnership
14. The terms of reference of the THI Partnership are expected to include the following:
- to review THI scheme progress against targets;
 - to monitor progress of individual projects;
 - to monitor and review implementation of the Training Plan;
 - to ensure effective links with other ongoing regeneration initiatives/ strategies within Dudley Town Centre
 - to monitor progress of other THI projects and conservation initiatives in other parts of the Country and to discuss examples of best practice.
 - to champion the transformation of Dudley as defined in the emerging Black Country Study.
15. The proposed relationship of the THI partnership to the Dudley Community Partnership and its thematic groups has been considered and as part of the consultation exercise for the CAMP referred to in paragraph 7, a number of stakeholders who might participate in the THI Partnership were invited to a presentation on the THI and CAMP proposals on the 12th October 2006. At this event wide support was given to the proposals.
16. No formal responses have been received in respect of the consultation exercise referred to in paragraph 7, however, a number of those present at the event referred to in paragraph 15 made observations which are recorded in the documents placed in the Members' Room.
17. It is proposed that the EDRP formally establish the THI Partnership at its November meeting.

Finance

18. There will be no additional cost to the Council as a result of the adoption of the Conservation Area Action Plan, which will enable the effective application of existing enforcement powers

Law

19. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to formulate and publish proposals for the preservation and enhancement of their conservation areas

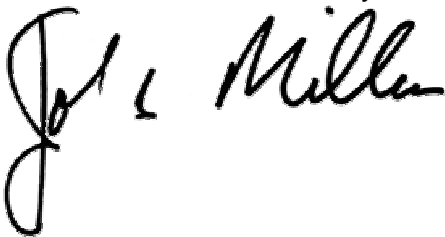
Equality Impact

20. All work undertaken in connection with the preparation of a bid to the HLF for Townscape Heritage Initiative monies in Dudley Town Centre Conservation Area been carried out in accordance with the Council's Equality and Diversity Policy, the Dudley Council Consultation Toolkit and draft Statement of Community Involvement, and with particular consideration for the views of children and young people.

Recommendation

21. It is recommended that;

- (a) The Cabinet approve the adoption of the Dudley Town Centre Conservation Area Management Plan and support its proactive implementation throughout the lifetime of the THI and beyond;
- (b) The Cabinet supports the proactive application of the Council's planning powers as set out in the Dudley CAMP and supported by Development Control Committee (4 September 2006) to ensure the effective ongoing management of the Dudley Town Centre Conservation Area.



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List of Background Papers

1. Report of the Director of the Urban Environment to the meeting of Cabinet on 13 September 2006 entitled 'Economic Regeneration Activities'.
2. Report of the Director of the Urban Environment to the meeting of Development Control Committee on 4 September 2006 entitled 'Heritage Lottery Townscape Initiative (THI) in the Dudley Town Centre Conservation Area – Conservation Management Plan Consultation'.

