

HISTORIC ENVIRONMENT (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Miscellaneous

Section 35 – Historic environment records

223. **Section 35** places a duty on the Welsh Ministers to compile and keep up to date a historic environment record for each local authority area in Wales.
224. Historic environment records are critical sources of information for those making decisions about the sustainable management of the historic environment. That information is an important starting point for management processes, conservation, fieldwork and research, and public engagement and outreach relating to the historic environment. It forms the basis for archaeological and other heritage management advice provided to local planning authorities. Without such information, the essential advice that informs, for example, the assessment of the impact on the historic environment of development proposals, would be brought into question.
225. Subsection (2) sets out the range of information that must be provided in a historic environment record. Paragraphs (a) to (d) require details of those historic assets that are statutorily protected or registered under the 1979 or 1990 Acts to be included. Paragraphs (e), (f) and (g) require the inclusion of details of conflict sites, historic landscapes and world heritage sites.
226. Paragraph (h) requires the inclusion of details of every other area, site or place considered to be of local historic, archaeological or architectural interest by the local authority or the Welsh Ministers. These may include details of historic assets that local communities have identified as being of local significance.
227. Paragraph (i) requires the incorporation of information about the way in which the historic, archaeological or architectural development of an area has contributed to its present character. This information may be obtained from ongoing urban and rural characterisation programmes and processes such as conservation area appraisals. These area-based studies explain how the historic environment contributes to the distinctive local/regional character of an area and how this character can be conserved for the future.
228. Paragraph (k) requires historic environment records to provide a means of accessing details of every historic place name in a local planning authority's area that has been included in the list compiled and maintained by the Welsh Ministers under section 34.
229. Subsections (3) to (8) define the different terms used in subsection (2) to describe what a historic environment record must contain.
230. Subsections (9) and (10) enable the Welsh Ministers to amend, by regulations, the categories of information that must be contained in a historic environment record. The Welsh Ministers must consult local authorities and any other persons whom they consider appropriate before making the regulations.