

## General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

e-mail: [Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745 or  
0303 123 1113

Website: <https://ico.org.uk/>

## Consultation Response Form

Your name: Elinor Weekley

Organisation (if applicable): Royal Society of Architects in Wales (RSAW)

E-mail / telephone number: [rsaw@riba.org](mailto:rsaw@riba.org) / 02920 228 987

Your address: Studio 111, The Creative Quarter, Morgan Arcade, Cardiff, CF10 1AF

Type (please select one from the following)	Individual	
	Business	
	Local planning authority	
	Archaeological trust	
	Government agency/Other public sector body	
	Professional body	X
	Interest group	
	Voluntary sector (community group, volunteer group, self-help group, cooperative enterprise, not-for-profit organisation)	
	Other group not listed above	

**Q1:** The draft guidance, heritage partnership agreements in Wales, is intended to help owners and consenting authorities to set up and manage heritage partnership agreements. The main guidance relating to setting up an agreement appears in section 3. Is there sufficient detail here to support the creation of a heritage partnership agreement?

Yes  No

If not, how could it be improved?

We feel there should be a requirement for a masterplanning assessment of the significance of a site and the impact of the proposals, with clear references made to any relevant conservation plans and heritage impact assessments.

We would also encourage clarity on whose responsibility it would be to maintain and update an agreement over the duration of its existence.

We feel there should be greater clarity when stipulating who is involved in an agreement.

We would also like to see explicit references in the guidance document made to the significant library of authoritative guidance publications relating to Conservation Plans.

Finally, we feel it is imperative for accredited conservation professionals to be involved in such agreements.

**Q2:** The consultation and publicity arrangements for heritage partnership agreements are set out in:

- regulations 5 to 7 and 9 of the draft Listed Buildings (Heritage Partnership Agreements) (Wales) Regulations 2021
- regulations 4 to 5 of the draft Scheduled Monuments (Heritage Partnership Agreements) (Wales) Regulations 2021
- section 4 of the draft guidance, heritage partnership agreements in Wales

Are these arrangements clear and workable?

Yes  No

If not, how can they be improved?

We feel it would be advantageous to users if there was an emphasis on linking previous and relevant guidance documents from the draft guidance document. This would ensure users could easily refer to relevant guidance documents which are often readable and helpful in understanding legislation.

**Q3:** It is intended that minor alterations to heritage partnership agreements will not trigger the publicity and consultation requirements specified in:

- regulation 5 of the draft Listed Buildings (Heritage Partnership Agreements) (Wales) Regulations 2021
- regulation 4 of the draft Scheduled Monuments (Heritage Partnership Agreements) (Wales) Regulations 2021

The draft guidance, heritage partnership agreements in Wales, expands on these requirements in paragraph 3.10. Can you provide examples of changes that you believe heritage partnership agreements should be able to accommodate without requiring full publicity and consultation?

We feel that there needs to be a sensible balance between necessary bureaucracy and too much state control. If an accredited professional is involved working with the conservation officer then further consultation for minor alterations should not be necessary.

**Q4:** Section 7 of the draft guidance, heritage partnership agreements in Wales, provides a template for a heritage partnership agreement. Do you think this template will be helpful?

Yes  No

If not, how could it be improved?

At 'Impact' we would question why this doesn't stipulate a 'heritage impact assessment.'

**Q5:** The regulatory impact assessment in annex D analyses the costs and benefits of the proposed heritage partnership agreement regulations. Do you have other information or evidence that would be useful to add to this assessment?

Nothing to add.

**Q6:** The draft integrated impact assessment in annex E considers the impact of the proposed heritage partnership agreement regulations in a number of spheres. Do you have other information or evidence that would be useful to add to this assessment?

'Contested heritage' is the only omission we considered. Protests in the UK over the last year have highlighted the need to think about elements of our collective past and whether some of the physical commemorations should be reconsidered (e.g. statues of slave owners).

**Question A:** We are under a duty to consider the effects of our policy decisions on

the Welsh language, under the requirements of the Welsh Language (Wales) Measure 2011.

We would like to know your views on the effects that the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

It is worth noting that public bodies entering into HPAs may be bound by Welsh Language Act and it would then be their responsibility to ensure a bilingual service is available.

**Question B:** Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language.

**Question C:** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

We feel there should be greater consideration of future climate change adaptation requirements.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: