

From: Simon Jones, Corporate Director of Growth, Environment and Transport

To: Paul King, Cabinet Member for Environment, Coastal Regeneration

Subject: Heritage Conservation Strategy – revised following Executive Decision

Decision no: 26/00007

Key Decision: *It affects more than 2 Electoral Divisions*

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: Cranbrook, Elham Valley, Gravesham Rural, Herne Village and Sturry, Gravesham Rural, Margate, Sandwich, Sevenoaks Rural, Tenterden.

Is the decision eligible for call-in? Yes

Summary: This report presents a revised Heritage Conservation Strategy (Appendix 1) which has been updated following the Executive Decision 2nd August 2024 which stated:

1. KCC should seek to divest itself of the windmills it currently owns by a method that ensures that the windmills have a sustainable future in which they are appropriately cared for and maintained as community assets, and that
2. The Heritage Conservation Strategy is updated to this effect.

In addition, the Strategy has been updated to include provision for a statutory Historic Environment Record for Kent as set out in the Levelling Up and Regeneration Act 2023 and to take account of KCC's changed policy on climate change.

Recommendation(s):

The Cabinet Member for Environment, Coastal Regeneration & Special Projects is asked to agree the proposed decision as detailed in the attached Proposed Record of Decision document.

1. Introduction

- 1.1 This report presents the Environment and Transport Cabinet Committee with a revised Heritage Conservation Strategy (Appendix 1) following the Executive Decision 24/000068 on 2nd August 2024 which stated that 1) KCC should seek to divest itself of the windmills it currently owns by a method that ensures that the windmills have a sustainable future in which they are appropriately cared for and maintained as community assets, and further, that 2) the Heritage Conservation Strategy is updated to this effect.

- 1.2 The original Kent County Council Heritage Conservation Strategy was adopted in 2022 after it was discussed and endorsed by members at the Environment and Transport Cabinet Committee meeting on 17 March 2022. Preparation of the strategy was informed by a Member Working Group and public consultation was undertaken in late 2021.
- 1.3 The Executive Decision by KCC to divest itself of its eight historic windmills was taken on the basis that it would allow alternative ownership arrangements to be explored, with the aim of reducing KCC's long term financial obligations. For background, more detail on the decision is provided in Appendix 2.
- 1.4 In addition, the Strategy has been updated to include provision for a statutory Historic Environment Record for Kent as set out in the Levelling Up and Regeneration Act 2023 and to take account of KCC's changed policy on climate change.

2. Key Considerations

- 2.1 To implement the executive decision for KCC to divest its windmills, ensuring their sustainable future as community assets, while supporting volunteer groups and maintaining any mills that cannot be divested.
- 2.2 To ensure that the strategy is updated for new statutory requirements.
- 2.3 To reflect the change in KCC's approach to climate change which has shifted to focus on resilience and adaptation for heritage assets, updating objectives to address climate-related risks and future-proof conservation efforts.

3. How the Heritage Conservation Strategy has been updated to reflect the windmill policy changes.

- 3.1 The August 2024 decision required an update of the Heritage Conservation Strategy, published 2022, to reflect this change in policy (https://www.kent.gov.uk/data/assets/pdf_file/0019/205075/Heritage-Conservation-Strategy.pdf).

- 3.2 A new objective has been added to section 6 of the strategy, which is concerned with managing KCC-owned heritage assets:

Objective 6: KCC should seek to divest itself of the windmills it currently owns by a method that ensures that the windmills have a sustainable future in which they are appropriately cared for and maintained as community assets [also SA3].

- 3.3 If it is not possible to divest some of the windmills, KCC will need to continue to maintain and manage them in line with listed building and health and safety legislation and with the awareness that active mills tend to have reduced structural and maintenance problems. Consequently, the original objective that dealt with KCC's management of these assets has been retained with the slight amendment that this will only apply to the mills which remain in KCC ownership and management:

Objective 7: For any windmills remaining in KCC ownership and management, follow a management approach so that:

- i) Mills capable of milling flour (Drapers Mill, Margate, and Cranbrook Mill) remain able to do so.
- ii) The weatherproofing programme will be undertaken as needed on a rolling cycle.
- iii) Static mills will be returned to visual completeness subject to funding
- iv) Static mills will be made active wherever possible. [Also Strategic Aim 3].

3.4 It is not considered appropriate for KCC itself to set up a trust to own and manage the windmills so the original objective to explore alternative funding mechanisms for the windmills, including setting up a charitable Trust, is removed.

3.5 Recognising that it will be vital for KCC's relationship with the volunteer windmill groups (essential to maintaining the mills and making them accessible for visitors and the local community) to be strengthened and that support will be provided to the mill groups and other interested parties during the divestment process, the objective which covered this is amended to:

Objective 8: KCC's relationship with the windmill volunteer groups will be strengthened and the groups and other interested parties will be supported through the divestment process [Also Strategic Aim 3].

4. Other amendments to the Heritage Conservation Strategy

4.1 KCC recognises that our changing climate will continue to affect the county's historic environment. The Council is no longer operating under a formal climate emergency declaration but remains committed to understanding and managing the risks posed by a changing climate. Our focus is therefore on resilience and adaptation, ensuring that heritage assets can withstand and respond to future environmental challenges. Strategic Aim 5 and objectives 21 and 22 have been amended to reflect this approach:

Strategic Aim 5 Contribute to KCC's action to address climate change and adaptation.

Objective 21: Work with partners to develop approaches that improve the resilience of heritage assets to climate-related impacts.

Objective 22: Assess, with partners, the vulnerability of Kent's historic environment to climate change and create an adaptation framework to guide future conservation efforts.

4.2 The Levelling-up and Regeneration Act 2023 (Article 212) requires the County Council as relevant authority to maintain the Historic Environment Record for its area. The legislative and policy background section of the Strategy has been updated to reflect this, and Objective 4 has been amended (see below) to include the requirement. Guidance detailing what the requirement will involve is expected in due course.

4.3 *Objective 4:* Continue to maintain and enhance the Kent HER, to meet the requirements of LUR Act 2023 and the NPPF and underpin decision-making in planning and development management [also Strategic Aim 2]

5. Options considered and dismissed, and associated risk

5.1 Not updating the Heritage Conservation Strategy was considered but rejected due to strong support from members and senior management and the need to align with the Executive Decision

6. Financial Implications

6.1 The cost of updating the strategy is limited to staff time and minor redesign of the final document. There would be a Revenue Contribution to Capital Outlay saving of up to £150k pa (plus service/Corporate Landlord costs of approximately £23k pa) once all assets are divested and once all arrangements are finalised.

7. Equalities implications

7.1 An Equality Impact Assessment (Appendix 3) has been prepared and is included in the Background Documents.

8. Governance

8.1 The Corporate Director of Growth, Environment and Transport, or another Officer as required by the Corporate Director will inherit the main delegations in this decision.

9. Conclusions

9.1 The Heritage Conservation Strategy has been updated firstly to reflect Executive Decision 24/000068 which stated that:

1. KCC should seek to divest itself of the windmills it currently owns by a method that ensures that the windmills have a sustainable future in which they are appropriately cared for and maintained as community assets, and that
2. The Heritage Conservation Strategy is updated to this effect.

9.2 Secondly, the Strategy has been updated to cover the requirement which is set out in the Levelling-up and Regeneration Act 2023 for KCC to maintain the Historic Environment Record for its area and thirdly to reflect KCC's changed position on a climate change emergency.

10. Recommendation

10.1 The Cabinet Member for Environment, Coastal Regeneration & Special Projects is asked to agree the proposed decision as detailed in the attached Record of Decision document.

11. Background Documents

- Appendix 1: Updated Heritage Conservation Strategy
- Appendix 2: Background information on Executive Decision 24/000068 – windmill divestment
- Appendix 3: Equality Impact Assessment

12. Contact details

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