



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: HISTORIC ENGLAND SUMMARY

Non-qualifying Regulatory Provisions
(NQRP)



Regulator: Historic England

Business Impact Target Reporting Period Covered: 9 June 2017 to 20 June 2018

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below de minimis (measures with an EANDCB below +/- £5 million)	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as concerning EU Withdrawal Bill operability measures	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Pro-competition	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.
Casework	<p>Issued Section 42 Licences for geophysical surveys of scheduled monuments, including the use of metal detectors.</p> <p>Casework advice of various kinds to local planning authorities, owners, and developers as follows:</p> <ul style="list-style-type: none"> • Acting as a statutory consultee under the Planning (Listed Building and Conservation Areas) Act 1990 for various strands of planning and listed building consent applications made to local planning authorities. • Acting as a consultee under the Ancient Monuments and Archaeological Areas Act 1979 on applications for scheduled monument consent made to the Department of Culture, Media and Sport, before the Secretary of State grants consent. <p>Being consulted by DCMS under the 1990 Act on all applications for the listing of buildings as buildings with special architectural and historic importance, and under the 1979 Act on all</p>

Excluded Category*	Summary of measure(s), including any impact data where available**
	applications for scheduling of ancient monuments of national importance.
Education, communications and promotion	Provided advice for applicants and owners to help them carry out works in appropriate ways, including issuing Good Practice Advice documents, published with assistance of the Historic Environment Forum, and Historic England Advice notes which are generated by Historic England.
Activity related to policy development	Historic England is the statutory advisor to the Secretaries of State for Culture, Media and Sport and Communities and Local Government and gives policy advice on all matters relating to the historic environment to both departments.
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.

* For full, legal definitions of these exclusion categories, please see <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-20/HCWS776/>

** Complete the summary box as ‘Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.’ where this is appropriate.

List of Regulatory Powers

- 1 Historic England has a power to prosecute offences under the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990. It is rare for these powers to be used and HE has only initiated one prosecution since 8 June 2017.
- 2 Historic England may apply for an injunction to prevent any such breaches of the law. Again this power is hardly ever used and it has not been used since 8 June 2017.
- 3 In Greater London only, Historic England has the power to direct local planning authorities to refuse listed building consent. This power is effectively in abeyance and it has not been used since 8 June 2017.
- 4 It also has certain powers to execute works and compulsorily acquire listed buildings at risk in Greater London. Again this power has not been used since 8 June 2017.
- 5 Historic England has some limited powers of entry onto land for the purposes of compiling records. Again rarely used and not since 8 June 2017.

List of Licencing Regimes

- 6 Section 42 Licences for geophysical surveys of scheduled monuments, including the use of metal detectors.