Task 1.1b – Exploratory definition of the end-users’ requirements

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Summary

The aim of this task was to get preliminary orientations from end-users prior to any major involvement in the SUIT project tasks that may eventually affect the rest of the work. The task has been achieved by collecting empirical data through qualitative field research (interviews, focus groups, Delphi method). We should note that we limited the scope of the task to the Wallonian Region, as the institutional partner of the SUIT project and whose role is to represent the project’s end-users. As such, the results may not be considered as representative of all the European end-users. The interviewed end-users are both from the regional and local authorities dealing with town planning, cultural heritage and environment.

The report gathers the interviewed actors’ needs and requirements as expressed through their reactions, suggestions, experiences, knowledge and methodologies, ideas which appeared interesting within the framework of the SUIT project. This report is the result of a short-time task and so does not cover all conceivable issues.

The main needs and requirements identified among the interviewees concern the cultural heritage definition and identification, the cultural heritage approaches and management instruments, the competent authorities or stakeholders to be involved and the public consultation methods to be used when dealing with cultural heritage. They require consultation methodologies both for the various experts and public, and they also need dynamic management instruments to better suit a particular context, to integrate the cultural heritage concerns into the wider ones of the town planning, and to allow the consideration of the non-legally protected cultural heritage.

The interviewees generally welcomed the EIA and SEA procedures, as a way to objectify and argue the issues surrounding cultural heritage.
## Content list

1.0. **OVERVIEW** ................................................................................................................................. 4

1.1. **INTERVIEWED ACTORS** ........................................................................................................... 4

1.2. **METHODOLOGY : NATURAL FIELD INTERVIEWS, FOCUS GROUPS AND DELPHI METHODS** ....... 5

2.0. **BRIEF SUMMARY OF THE MAIN RESULTS** .............................................................................. 7

3.0. **ENTIRE RESULTS** ....................................................................................................................... 8

3.1. **THE DEFINITION OF CULTURAL HERITAGE** ............................................................................ 8

3.2. **THE IDENTIFICATION OF CULTURAL HERITAGE** ..................................................................... 9

3.3. **THE APPROACHES TOWARDS CULTURAL HERITAGE** ............................................................. 11

3.4. **CULTURAL HERITAGE MANAGEMENT INSTRUMENTS** .............................................................. 13

3.5. **COMPETENT AUTHORITIES AND EXPERTS FOR THE CULTURAL HERITAGE MANAGEMENT** ..... 17

3.6. **PUBLIC CONSULTATION** .......................................................................................................... 18

4.0. **REACTIONS TO THE EIA AND SEA PROCEDURES** .............................................................. 21

5.0. **FINAL OUTCOMES FOR THE SUIT PROJECT** ........................................................................... 23
1.0. Overview

1.1. Interviewed actors

We limited the scope of interviewed actors to the Wallonian Region, as the institutional partner of the SUIT project, representing the end-users of the project. As such, the results may not be considered as representative of all the European end-users. Nevertheless, it seems that in the UK for example, end-users are confronted with very similar needs and requirements\(^1\). Perhaps other Member States will recognize similar concerns. However, we tried to remain as generic as possible in our analyses, in order to avoid any over emphasis on the Wallonian situation.

We classified the interviewed actors into two main categories: the local authorities and the higher levels of stakeholders. The stakeholders were then divided into three sub-categories of competence in respect of the SUIT project: people dealing with cultural heritage, urban planning, and environmental/sustainable development. Even if the SUIT project’s results are intended to be mainly dedicated to the local authorities considered as “end-users”, we enlarged the meaning of those terms to include all those stakeholders who have a recognised responsibility in the legal procedures leading to consent decision for plans or particular projects dealing with cultural heritage.

### Interviewed actors

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<thead>
<tr>
<th>Local level</th>
<th>Urban planning</th>
<th>Cultural heritage</th>
<th>Environment</th>
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<tbody>
<tr>
<td>Municipality n°1</td>
<td>u1, u1’, u1”, u1”’</td>
<td>c1</td>
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<td>Municipality n°2</td>
<td>u2, u2’, u2”’</td>
<td>c2, c2’</td>
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<td>Municipality n°4</td>
<td>u4, u4’</td>
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<td>Municipality n°5 (“decentralised” *)</td>
<td>-</td>
<td>C5, c5’, c5”’</td>
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<table>
<thead>
<tr>
<th>Regional/provincial level</th>
<th>U</th>
<th>C</th>
<th>E</th>
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<tr>
<td>Civil officers</td>
<td>U1, U2, U3</td>
<td>C1, C2, C3, C4</td>
<td>E1, E2, E3</td>
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<tr>
<td>EA authorized practitioners</td>
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<td>E4, E5, E6</td>
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In the Wallonian Region, the regional authorities and experts are in charge of the cultural heritage legal designation and protection, and are the competent authority for the development consent decisions when dealing with this legally protected cultural heritage.

* For the non-decentralised authorities, the regional authorities (represented by delegates for each province) are responsible for the development consent decisions. A municipality may become “decentralised” when it has a comprehensive planning system including local structure plan and development plans, as well as a committee with public representatives. The local authorities then become responsible for the development consent decisions. BUT, it is not true when a development proposal is contrary to the local plan, and where legally protected cultural heritage is concerned. Those situations are not rare, so the decision often comes back to the hands of the regional authorities.

The reason for expanding on this point is that although the general trend in the Wallonian Region is to give increasing independence to the municipalities, control from the higher levels of authorities sometimes remains very strong. It is particularly true when one speaks about cultural heritage. The local authorities are considered to have limited cultural heritage expertise and their power is thereby very limited, at least in the case of legally protected cultural heritage. It was thus interesting to examine the interactions, collaborations or tensions between the different levels of authorities, facing and comparing their points of view.

Anonymity has been guaranteed to all interviewees in order to encourage a more free expression of opinions. Nevertheless, each interviewee has been designated by a code letter allowing us to identify if he is from local level (small letters) or higher level (capitals), and if he is concerned with cultural heritage (c or C), urban planning (u or U) or environment (e or E), in order to allow the identification of main trends according to those characteristics.

1.2. Methodology: natural field interviews, focus groups and Delphi methods

The identification of the end-users requirements has been realised through qualitative field methods. We used the following methods, according to the different end-users’ categories described in the previous section:

- At the regional/provincial level, we opted for the organisation of individual qualitative field interviews with the main civil officers responsible for town planning, cultural heritage and environment. Actually, it rapidly appeared impossible to organise meetings such as focus groups in the time frame of the task because of the lack of availability of the regional/provincial level’s actors. Nevertheless we tried to complete those individual interviews by organising an E-mail Delphi discussion among the previously interviewed actors, in order to confront their different points of view, but despite several reminders, we obtained no answers. So finally, in all, we interviewed 10 civil officers and 3 EIA practitioners authorised by the regional authorities.

- At the local level, we first organised “Natural field interviews”, which are interviews of groups of civil servants. Those groups were to be spontaneously created within the municipalities in order to meet us. We actually called the municipality first in order to explain, in a few words, the aim of the interview and to ask them to organise a date and form a group of relevant civil servants. The size of the groups varied between 2 and 5 people and we interviewed 5 groups. These interviews were completed through organising a focus group to which all the people, who we had already met within the municipality, were invited. Unfortunately, we had a lot of last minute withdrawals so that only two municipalities were finally represented during the focus group (c1, u1’, u1’’, u1’’’; u2, c2’). One of these municipalities was over represented in relation to the other, resulting in a strong imbalance in the discussion, which was very difficult to manage for the coordinator of the debate.

So finally, for the two levels of authorities, the major source of relevant information has been the field interviews.

These interviews, both at local and higher levels, have been conducted within a very free framework based on the EIA and SEA directives’ requirements in relation to urban cultural heritage. We started the interview with a short explanation about the SUIT project and the EIA and SEA directives’ requirements. Next we asked the interviewees to put those requirements into their daily working context for cultural heritage management. By
comparing the directives’ requirements and their actual working conditions, we wanted them to identify needs, requirements and possible difficulties for the application of the European directives to the cultural heritage framework. Rapidly, “key” issues appeared as recurrent or sensible throughout the numerous organised interviews. The recurring themes of the interviews were as follows:

- By explaining that the European directives require the consideration of positive and negative effects on “material assets and the cultural heritage”, the interviewees pointed out the difficulties of:
  The definition of cultural heritage
  The identification of cultural heritage
  Approaches towards cultural heritage - which needs to involve consideration of what are positive or negative effects upon it.

- When explained that the European directives require special attention be given to the “areas classified or protected under Member States’ legislation”, the “densely populated areas”, and the “landscapes of historical, cultural or archaeological significance”, the interviewees discussed the relevance of:
  The cultural heritage management instruments

- When explained that the European directives require an earlier consultation of all the “authorities likely to be concerned by the project by reason of their specific environmental responsibilities” (authorities responsible for the Environment; Cultural Heritage, Landscape, Town planning,…) but also NGO’s, experts or still local community, the interviewees always discussed the following:
  Competent authorities and experts for the C.H. management
  Public consultation

These identified needs and requirements for the different issues outlined above are synthesised in the second section of this report and described in further detail in the third section.

To close the interviews we asked the interviewees for their impressions about the European Directives and their consequences for cultural heritage management. These impressions are gathered in the fourth section.

The fifth section concludes by providing some possible developments and influences for the subsequent tasks of the SUIT project.
2.0. Brief summary of the main results

The main requirements expressed by the interviewees can be summarised as follows:

- To understand what is considered as “cultural heritage” by the European Directives. Their first requirement is to expand upon the definition of the terms “cultural heritage” and not to limit it to only cultural heritage which is legally protected or listed in experts’ inventories. According to most of the interviewees, the definition of cultural heritage should be multiple by integrating both experts and lay people points of view, modular by referring to various geographical and political levels, and never definitive as it is an evolving notion.

- To know how the cultural heritage should be identified on the field, on the basis of a previous definition for cultural heritage. They ask for more transparency in this procedure. Their requirements are thus to have indications as to who are the competent stakeholders for the practical cultural heritage identification, and according to which criteria, indicators or methodology should it be identified.

- How to approach the cultural heritage. There is a need for dissemination and information exchange mechanisms to highlight cultural heritage concerns and what is exactly understood by the terms “integrated conservation” and by “active conservation”. Their requirements are that possible different approaches are considered and that a flexible approach be adopted in particular contexts. They require a management framework with indicators helping them to make appropriate decisions. Perhaps the construction of a ‘references database’ which would gather interesting experiences or examples could help.

- To introduce or make use of appropriate cultural heritage management instruments. The existing ones are often severely criticized for their lack of dynamic and modular character. Their requirements are mainly to make use of instruments which would facilitate a better integration of cultural heritage concerns within the wider framework of town planning. According to most of the interviewees, such instruments could greatly facilitate the debate and dialogue.

- To expand the number of authorities responsible for the cultural heritage. They often deplore the lack of transparency and collaboration between the experts in charge of cultural heritage within the local authorities. Their requirements are to allow a better integration of the interventions of the various stakeholders when dealing with cultural heritage, whether or not it is legally protected. It seems there is a need for dialogue mechanisms and structures which would allow the building of a common culture shared by stakeholders when dealing with cultural heritage. It is probable that consensus building methods such as the Delphi method could help satisfy some of those requirements.

- To introduce or make available public consultation instruments and methodologies. They want to know which role the public should have, and whether or not this role should be constant, and what methods should be used. There is also a great desire for assistance in respect of integrating the results of consultation exercises into the decision-making process and the need to define clear “rules of the game” in order to guarantee the success of the consultation and its acceptability by the citizens.

The comments from the interviewees concerning the EIA and SEA procedures is mostly positive. They consider that those procedures could help them to enter into discussions with the other stakeholders and they mostly agree with the spirit of the SEA procedure to perform impacts assessments at a higher level than the project one.
3.0. Entire results

3.1. The definition of Cultural heritage

As the European EIA and SEA directives require the consideration of the effects of particular projects or plans on the “cultural heritage”, the first question that all the interviewed actors ask is, “what do the terms “cultural heritage” mean in the framework of the directives?” Which elements of the cultural heritage must be taken into consideration? They readily express their opinions concerning this question.

• At regional and provincial levels, the interviewees stress the fact that cultural heritage is an evolving notion, which has actually been significantly widened during recent decades, and requires thinking about the medium and long term. Furthermore, the interviewees – mainly the ones concerned with town planning and environment - notice that the terms “cultural heritage” have different meanings from person to person: an inhabitant, a historian or an urban planner all have different concepts of what constitutes the cultural heritage.

“The cultural heritage is widened to include the immaterial: this may be a procession path, a pattern, or still the name of a street” (U2) … “More and more sets, “minor” elements, social history paths, are considered as cultural heritage” (E5) … “We must not neglect the non listed elements that belong to the surrounding population and that should be taken into consideration into the Impact Assessments … we must be sensitive about public affection for the cultural heritage, particularly since the citizens do not accept anymore this attitude, which leads to several recourse notably at the European Commission. Furthermore, cultural heritage brings a certain quality of life for the inhabitants, and we should not damage a quality of life for which they have sometimes paid a lot. A definition of cultural heritage should be recommended by the European Commission but in such a way that it can be specific to each Member-State” (E1)

• At the local level, the people questioned also stress that more than one definition of the cultural heritage exists.

They readily distinguish between the definition of the « experts », the public authorities, and that of the lay people or cultural heritage users, which is perhaps more spontaneous and “intuitive”.

Some of them give a preferential role to the experts and authorities to define what is the cultural heritage. One of the focus group’s participants quoted this citation: “Nothing genial may emerge from the vulgar”.

Others recognise that there may be some legitimacy to a lay definition by users. Most of the interviewed municipal civil servants actually notice the existence of several built or non-built elements recognised as cultural heritage by the local community even if not designated legally. For most of the participants, this “local” cultural heritage should be taken into consideration within the framework of the implementation of the European Directives. Some of the interviewees indeed noticed a true local cultural heritage conscience among the citizens, - usually revealed by an unexpected public protest in the face of a demolition proposal.

“When the municipalities merged, a small municipality was included in a bigger one. Following this, the authorities decided to demolish the ancient town house
that both they and the cultural heritage experts considered as being without any interest or value. But they had great problems with the inhabitants. They were very angry because for them it was like loosing a second time their identity! This house was a symbolic part of the local history”. (c2)

The definition of cultural heritage at the local level also appears wider than the “classical” one: the interviewees appear more concerned with the quality of public spaces and townscapes than with the intrinsic historical value of individual elements. Their definition seems to be more sensitive and mainly based on the visual perception of the urban landscape from the public spaces.

“The local cultural heritage is not only constituted of exceptional buildings, it may be sets of buildings, landmarks, urban silhouettes, a vegetal openness between two buildings, repetitive elements providing a strong character to a street, particular trees, strong elements in the landscape like the roofs’ colour, and so on” (u2’) … “There are lots of people interested in the preservation of the cultural heritage of the municipality, but they mainly mention landscaped elements” (c5)

Nevertheless, we should note that we met only one civil servant in charge of the environment, which seems to mean that cultural heritage is still not considered as an integral part of the environment in the municipalities.

Perhaps it would be useful to encounter and interview citizens and residents, as well as the people working in the city or visiting the city. What are the elements they would like to see preserved for the next generations of inhabitants, workers or visitors. Of which elements are they proud. Perhaps there are elements that merit recognition as cultural heritage only because of the importance placed on them by the citizens. Or should we consider that cultural heritage is only defined from cultural heritage “experts” point of view?

Interviewing citizens was beyond the remit of this task but, clarifying those questions could reveal very important issues for the screening and scoping stages of the EIA and SEA procedures, especially since the European directives consider the cultural heritage as a part of the “environment”, in which participation and access to information is already well established.

3.2. The identification of Cultural heritage

Once a cultural heritage definition is accepted, the next question posed is, “who are the stakeholders who must take part to the field identification of the cultural heritage? How is this identification carried out? Which methodology should be used?

• At the regional and provincial level, which is also the expert’s level, although most people recognised the need to consider the citizens’ sentiment, it is felt that the identification of the legally protected cultural heritage, even if it is broadened in meaning, continues to be only the responsibility of cultural heritage “experts” (historians, architects,…) and the final decision about protection is the responsibility of the regional politicians.

“A new inventory of the architectural heritage is currently being put together by several experts, in which we increasingly take into consideration vernacular
• At the local level, some interviewees deplore the lack of transparency of the regional authorities and cultural heritage experts when identifying what is of cultural value. This identification should be clearly explained and justified to the public.

“Frequently, two similar houses situated in the same street are not treated in the same way: one of them is legally protected and the other one is not. This is the kind of thing that people do not understand and perceive as unfair and inequitable!” (u3’)

Local efforts have been undertaken by some municipalities in order to identify the missing tier of cultural heritage, unrecognised at the regional level but of major importance at the municipality’s level or local level. The stakeholders identified to look into these issues are the “experts”, the local authorities and the local community. The methodology to be used strongly differs from one municipality to another.

One of the local authorities voluntarily took charge of this task by asking a multidisciplinary team composed of historians, architects and urban planners, to make a field survey of several urban quarters with the aim of identifying the major local cultural heritage, both built and landscaped. The municipality would like to use an innovative instrument to refine this local cultural heritage identification by integrating the local community into the process. In fact a local level inventory will be set up. It will consist of an open list which will evolve over time, in which everybody (civil servants or residents) may designate cultural heritage elements he or she would like to see preserved. This list will be updated regularly, after passing through filtering mechanisms to ensure that the proposed elements are not designated through poor motives (for example, designating the entrance of neighbour’s property to annoy him).

“This flexible list for the municipal cultural heritage is an idea for a working group including inhabitants (residents) and local history lovers and constituted for a district’s project. Very good ideas sometimes emerge from these groups of citizens”. (u2) “Until now, the population has not been included in cultural heritage identification, but we have been regularly received complaints by mail about ruining some interesting elements” (c2) … “Local history lovers and inhabitants of the quarters could help us identify fine elements that an administration could not know. It could be an excellent method!” (u2’)

Another municipality also tried to identify the locally recognised cultural heritage but obtained less encouraging results. The civil officers organised an isolated public consultation via questionnaires distributed through the local newspapers. The questions asked were “which are the deserted sites which could be rehabilitated”, “which are the sites and buildings you consider as social cultural heritage”, “name 3 sites or buildings that you consider as a priority to conserve and restore”. The civil servants were disappointed by the few answers they received. Additionally, the citizens mostly referred to major symbolic elements which were already well known and protected. It was observed that the reason for this low response rate could have been due to inappropriate questions or methods. The civil officers obviously need assistance with methodologies when dealing with public participation.
“We thought we could learn something but the consultation did not bring any interesting information”. (e3) … “We are wondering who to consult, what are the questions to be asked, which media to use, how to interpret the results, and finally how to measure the results”. (e3)

Concerning how best to integrate the various stakeholders, mentioned above, into the cultural heritage identification process, the local civil servants seem to have a common element to their answers. The great majority think that the local authorities and public should be consulted on the basis of a first analysis and identification performed by cultural heritage “experts”.

“There is no universal rule to identifying cultural heritage but a first survey should be done by experts and then the local authorities and the public should give advice in order to refine the first analysis” (c2)

So we may wonder why the existing designation and identification procedures still integrate local authorities and communities so poorly. Are the cultural heritage experts the only stakeholders able to perform this identification ? Since the definition of the cultural heritage is recognised as being multiple and modular, why should cultural heritage identification should be left to the sole experts ?

This question is of major importance for the screening and scoping stages of the EIA and SEA procedures when dealing with impact assessment on cultural heritage. The identification of the baseline conditions and of the cultural heritage likely to be affected by a project or plan, should be guided by relevant methodologies, criteria, and should include all stakeholders likely to be concerned by the effects on the cultural heritage.

3.3. The approaches towards Cultural heritage

Once some cultural heritage has been identified, another usual question is what to do with this cultural heritage, which interventions may or may not be allowed, what are our conservation intentions and requirements for it ? This subject of discussion appears to be more controversial than the two previous ones, and seems to differ from one individual to another. The points of view of local actors and regional/provincial actors may not be distinguished as well as in the previous sections.

Concerning the way to “tackle” the identified cultural heritage, the regional and provincial actors seem to agree on the theoretical principle of “integrated conservation” which encourages cultural heritage conservation through the allocation of a new function for the heritage elements. This principle from the Council of Europe is often mentioned: “The reallocation of cultural heritage allows conserving it” (U2).

At the local level, they also seem to agree with this theoretical principle although several people first understood the terms “integrated conservation” as the respect for the spirit and style of an original building and its aesthetic integration in the environment. In any event, after explanation, they also agreed with the principle.

“Sure that the intervention on a cultural heritage element must be integrated in its environment! The intervention must take into account the style and spirit of the surrounding buildings!” (c2) … “We always consider a cultural heritage building
in its context in order to determine which actions are acceptable or not!” (u2) … “The urban social, economic and cultural life of a city must not be based solely on its cultural heritage and tourists, in case it leads to a kind of dead town like Bruges or Aigues-Mortes. A city must also live through its commercial and other endogenous activities. And we must take care to avoid constraints which will force those endogenous activities to decentralise” (c1)

Nevertheless it seems that the cultural heritage “jargon” does not reach all the local stakeholders, or at least is not understood in the same way by all stakeholders. Therefore, there is probably a need to organise dissemination and information exchange mechanisms dealing with cultural heritage concerns, in order to clarify the vocabulary used.

Concerning the “active conservation” principle, things seem to become more arduous and important contradictions appear between the different actors of both levels. When concrete situations are mentioned, some people become more reticent and seem to return to this more active approach. They seem to consider the conservation of cultural heritage only as a purpose in itself and not as a development resource. Although they agree that a building could adopt a new function, they consider that the “interests” of the building has priority over its function. Usually, they doubt about the private investors’ ability to allow this conservation and favour keeping as much as possible of the cultural heritage in the experts and public authorities’ hands, by giving it a public function wherever possible.

“The cultural heritage is the entirety of acts made by human beings that we must save, with an important contemplative attitude … . The decisions belong to the politicians who have conceived the designation and protection … and the decisions in restoration matters must be taken by the cultural heritage experts … more financial means should be given because without them, the best ideas can do nothing” (C1) … “Of course the cultural heritage needs an actual function, but this new function may not degrade the cultural heritage element. This function must respect it and not alter its character!” (u2)

Nevertheless several actors also consider the cultural heritage both as a purpose and as a resource for socio-economic development and so agree that sometimes “sacrifices” should be made in favour of this development. Besides, it often allows the cultural heritage to carry on living and evolving. This second way of thinking is certainly intellectually more delicate and may lead to intricate questions and debates, but the majority of the actors seem to recommend it. Some local civil servants “confess” they accept that they have to compromise their requirements for the conservation of the cultural heritage in certain situations.

“The cultural heritage has a value of art but also of use (economic dimension). The cultural heritage must remain a development tool by keeping a possible actual function for the society. The actions to be undertaken on it must not be only restricting but also stimulating, so we must accept to lose some parts in order to better conserve it (surgical “strikes”) … The finality of the cultural heritage must not be only aesthetic and contemplative but also humanizing and socialising” (C3) … “At the time, some things must disappear, the “use of intensive medication” on certain monuments becomes absurd and nevertheless it is still politically incorrect to admit that something should be demolished” (U3) … “We had the case of a listed building in which a private developer was very interested and for which the regional authorities and cultural heritage experts had such excessive
requirements for this given situation that the developer renounced it’s the project. They had too rigid a position and did not take into account the “opportunity” of the situation, which often leads to ruining buildings !”. (u3’) … “We take into account the fact that a certain developer is or not the only one able to rehabilitate a damaged building for example, and we adapt our requirements as a consequence. Of course we do not speak like this face to the developers !” (u2’) … “The only thing which is unacceptable is that the rehabilitation will not damage the cultural heritage element. But otherwise, we must accept adapting our requirements. By demanding too much, you obtain nothing ! The only thing to know is what are the acceptable limits …” (u3’)

With regard to a possible framework which could help to identify the acceptable or non acceptable evolutions of the cultural heritage, there is no concrete answer. Actually, no agreement seems to exist as to the circumstances which favour function in the preservation, or at least no civil officer wants to be drawn on this matter. They only mention that it requires a “case-by-case examination” and lots of “good sense”!

“The different possible approaches must be subject to debate in each particular situation, for example with working groups including historians, experts, inhabitants” (u2’’)

Some references to other experiences, decision-making help and the use of scenarios could probably help in identifying the appropriate approach to adopt. Actually we notice lots of contradictions among the discussions of the interviewees concerning the appropriate approach for the cultural heritage, according to the concrete situations which were mentioned, the state of degradation of the considered cultural heritage, the “opportunity” of the situation and so on.

An “active conservation” approach should probably include different levels of requirements and the adaptation of those requirements according to various parameters defining the situation. Those parameters could of course include the value of the cultural heritage considered or its rarity, but also the opportunity to benefit from funds to conserve it, its state of degradation and likely forthcoming damages, the stakeholders involved and concerned with the cultural heritage considered, and so on. It so appears that EIA or SEA procedures could certainly help by considering and integrating both the cultural heritage and the socio-economic concerns.

The problem of the cultural heritage approach is important for the EIA and SEA procedures as the choice of such an approach is also the choice of what will be considered as an adverse effect or not. The choice of a cultural heritage approach could therefore be important also for the identification of the relevant alternatives to be considered.

Finally it proves difficult to know what the people exactly understand by terms like “preserving”, “respect for the character”, “damage to a cultural heritage element by an intervention”, and so on. There is probably some glossary work to do but it would be, without doubt, a controversial instrument.

3.4. Cultural heritage management instruments
There are a number of legal instruments available, which would allow the chosen approach to be applied on site – both at the level of an individual element and at the level of an entire area. There are three kinds: those concerned with the protection of the cultural heritage, those concerned with urban planning, and the active intervention instruments.

Both regional/provincial and local interviewees made a critical review of the existing management and conservation instruments. They deplore that the existing legal instruments dedicated to the cultural heritage management only allow legally protected cultural heritage to be considered, and are inadequate in respect of non-protected cultural heritage elements and, in particular, elements other than the buildings or sets of buildings.

When speaking of heritage management, the experts from the regional/provincial level focussed on the legal instruments, mainly those dedicated to the cultural heritage conservation, such as “designation”, “protection areas” and “protected areas”. The actors from the local level mentioned both legal and informal instruments, both those dedicated to cultural heritage or to wider concerns such as town planning.

The cultural heritage protection instruments

At the regional/provincial level, although certain people think the designation is overused, the designation and associated legal protection measures are not questioned. Nevertheless, it is admitted that those instruments only allow consideration of a small part of the cultural heritage.

“Problems may occur when a developer is interested in an element “of cultural heritage interest” although - not protected through designation or inscription on a cultural heritage inventory. Then we may be faced with local interest groups wanting to preserve the element” (E3)

Concerning the protection areas defined around the listed buildings or monuments in order to preserve them, their reactions are more mixed. Although those areas are recommended in several legislative texts or international charts and are widely used by Member-States, the interviewees seem to agree on the fact they are not really appropriate.

“Unfortunately they do not have a true legal statute: they only exist through the monument they “protect”. Their aim is to preserve intact certain characteristics of its environment but not to be subject to active conservation processes. In addition, they are defined only on perspective criteria (view points, vista over the monument or from the monument) during any monument designation procedure. But in France they are more often being replaced by the ZPPAU (zones de protection du patrimoine architectural et urbain) which are a much more interesting instrument defined not only on the basis of visual criteria but also on the basis of conviviality, historic, aesthetic and ethnic criteria. They allow both the requirements of the cultural heritage protection, the field reality and the cultural context to be taken into account.” (C3)

According to the regional/provincial interviewees these protection areas will progressively disappear because more and more sets of buildings and sites are integrated into the protected cultural heritage.
“More and more groups of buildings or districts are integrated into the cultural heritage and we must concentrate on the search for more appropriate instruments allowing a better management of this “new” cultural heritage” (ES).

At the local level, the questioned people notice that certain conservation rules, specific to the listed buildings or groups of buildings, are perceived only as constraints by the owners or likely owners and this has lead to a break in their development and integration into the urban socio-economic network. Too many strict rules lead to excessive costs of works and to some segregation of the social and economic functions within towns.

“Even from the point of view of the listed buildings, these overly strict rules appear counter-productive. They impose important technical constraints and a long and complex procedure. Furthermore, although it is required, this is not a guarantee to benefit from grants. This heavy procedure often leads to some denying of responsibility from the owner and a paradoxical damaging of the listed building” (u1’). “The conservation of a building, even listed, should be considered in its environment and not as an isolated piece” (u2) … “Those inheriting a listed building must be very courageous” (u2’’) … “To settle in a listed buildings, you must have solid backs! As a consequence, that is mainly the banks or luxurious shops!” (u3’)

The legally “protected areas” are considered a more interesting instrument both by the regional/provincial and local interlocutors, because of their own existence and legal status which allow the establishment of urban conservation strategies at the area level.

“The protected ancient centres are more a town-planning intention than a cultural heritage protection” (U2) … “The protected areas in France are called “secteurs sauvegardés”. The creation of such an area is a heavy operation but it includes the establishment of an interesting plan called “plan de sauvegarde et de mise en valeur” (PSMV) which fixes the urban development and conservation rules for each parcel and for the public spaces. It is a more precise and more constraining document (1/500) than a land-use plan. The PSMV indicates for example the buildings or parts of buildings to be conserved or allowed to be demolished” (C3)… “The protected areas allow the conservation of the dimensions of the public spaces, the urban pattern, the materials, the rhythms and so on. For each of these designated areas, an “architectural heritage commission” is constituted from local history lovers and inhabitants. This commission gives advice on each intervention into the perimeter” (u2’)

The urban planning instruments

These instruments have not been mentioned at the regional/provincial level but have frequently been at the local level. The civil servants manage the local cultural heritage thanks to them and particularly the local plans. The procedure of establishing a local plan and its requirements (baseline surveys, public consultation, …) more or less enable the identification and management of cultural heritage elements as urban characteristics and urban landscapes. One of the comments made by the civil servants is also that baseline surveys with landscape analysis and identification of the characteristics to be conserved provides useful data when arguing with developers. It facilitates the dialogue since the developers are informed beforehand of the “intentions” of the district or municipality.
“The conservation of another cultural heritage other than the legally protected one, recognised at the local level, may be ensured by rudimentary instruments such as certain local plans. The required baseline surveys and public consultation procedures do not allow the consideration of certain detailed elements unknown by the civil servants but well known by local residents but only some other elements, mainly landscaped, may be treated. Their identification may lead to the definition of a particular area subject to specific and appropriate prescriptions. These are established in order to conserve some of the elements without breaking the evolution of the built heritage. They are very general and flexible and emphasis is placed on respect for the spirit of the cultural heritage and on the need for dialogue within the urban administration.” (u2)

Problems are nevertheless mentioned with this instrument, such as its lack of dynamism. It is very difficult to make it evolve because any little change requires the whole onerous adoption procedure.

“These instruments are not dynamic enough! They do not consider the field context and evolve with it” (c5’). “The regional requirements for the regulation plans are that all the prescriptions must be closed and tiered up. So the local dynamic cultural heritage list we wanted to set up goes against the rigidity of the local plans! The legal procedure for establishing these local plans is also too rigid: we cannot change a single line without restarting all the decision-making procedures!” (u2’)

The active intervention instruments
The European FEDER funds are perceived as structural funds promoting cultural tourism and thus the creation of employment, investments, management systems and modernisation of the cultural services.

The urban revitalization operations are considered interesting by the regional/provincial actors since their aim is to develop a project at the quarter’s level, taking into account cultural, social and economic issues, and integrating various stakeholders including the population, through organising working meetings with residents. At the local level, the civil servants mainly approve but some of them have more mixed reactions.

“The revitalization operations give back an identity to underprivileged districts. This could be a more sociological approach for the cultural heritage” (E5) … “The revitalization operations are interesting operations where all the parameters intervene” (U3) … “The revitalisation operations allow the imposition of morphological and functional prescriptions (percentage of offices, housing, shops, etc) established in close collaboration with resident’s working groups. The local authorities first purchase the whole district in order to impose these controls into the elements of the district and then they try to sell the buildings to private investors. For each of these private investments, the local authorities receive funds from the regional bodies. But this kind of operation is very onerous on the local authorities. Besides it is not so easy to find private people interested in renovating those buildings” (c2) … “The consultation procedure is too onerous
and anyway establishing “a priori” intentions does not work since we see that people transform their buildings without any planning permission!” (u1)

So finally the question of the instruments remains open. With regard to the non legally protected cultural heritage, which instruments should be used to manage it and which statutes and level of protection should be given to its detailed elements? Are the classical town planning instruments sufficient? And should funding be considered? But perhaps the existing instruments dedicated to the management of the legally protected cultural heritage should also be called into question?

In any case, the EIA and SEA procedures could be a way to consider every identified cultural heritage element in a more flexible way, adapted to each specific situation.

3.5. Competent authorities and experts for the cultural heritage management

With regard to the competent authorities and experts to be integrated into the decision-making process when dealing with cultural heritage, (including the choice of an appropriate approach and management instrument), it is considered that there are still important gaps.

Although previously the regional/provincial interviewees only mentioned the instruments dedicated to the cultural heritage protection, they notice and deplore, along with the local interviewees, the general lack of co-ordination between the town planning/land use administration and the cultural heritage one, and therefore the poor integration of cultural heritage concerns into town planning.

“We must find appropriate instruments ensuring that each intervention will be coherent with the surrounding context. This context is not necessarily exceptional but it has acertain morphology and certain characteristics … We must find rules to integrate interventions in all kinds of environments, ensure a good relationship between a particular project and its environment. Better links should exist between cultural heritage and town planning concerns, and these should be decompartmentalized” (E5) …

Furthermore both regional/provincial and local interviewees deplore the lack of vertical collaboration and communication between the different levels of authorities resulting in the enormous gap which exists between the regional and experts’ requirements and those of the local authorities - when dealing with cultural heritage. The local authorities also deplore that they have no indication from the regional cultural heritage “experts” as to what is a positive or negative effect from their point of view, meaning that they can not give advice to an architect or proponent.

“When a society feels concerned with the consideration of its cultural heritage, must it be addressed only through the competence of the minister in charge of the cultural heritage? Because with the increasing power given to the local authorities (decentralisation), all the town planning decisions are taken at the municipality level. The consideration of more sensible elements of the built heritage or of the relief could be done in the framework of local political management” (U3) … “Sometimes we have two similar buildings, where one is listed. They are subject to quite different constraints, and this leads to
incomprehension from the citizens !” (u3’)

“Since planning permissions for listed buildings depends on the regional authorities and cultural heritage experts advice, when the owner and architect of such a building ask us which intervention is authorised or not, we absolutely cannot give them any answer or advice! We have no previous information concerning the cultural heritage experts’ requirements” (u2’)

The general trend in Europe has been to favour greater independence for the municipalities. But some limits appear when dealing with legally protected heritage, for which the files automatically return to the regional authorities and cultural heritage experts. Furthermore, even for classical planning permissions, the civil servants do no perceive many differences since each time a project is contrary to a local plan, the file also returns to the higher level. Perhaps this situation is not specific to the Wallonian Region so it could be interesting to examine how it works in other Member States.

“Decentralization is a conditional freedom! The deviations or divergences are much more difficult to obtain than in non-decentralized municipalities because the regional authorities do not accept that we diverged from the frameworks and intentions we previously fixed. Nevertheless, it could be more judicious to allow us to deviate in certain cases!” (c5’)

Furthermore, although the regional/provincial authorities recommend integrating all kinds of stakeholders into cultural heritage management and promote successive meetings gathering developers, architects, art historians, archaeologists, and other cultural heritage experts, some civil servants consider they are unfortunately not involved in the decision-making.

“The important decisions when dealing with cultural heritage are taken outside of our administration. This disconnection is unhappy. We recognise that the cultural experts have a finer appreciation but they are not the only ones competent in cultural heritage management!” (u2)

It seems that there is still a lot of work to integrate the advice of the different levels of authorities and experts into the decision-making process. Perhaps the use of social techniques such as Delphi methods could help to reach a better consensus.

3.6. Public consultation

The public has to be considered as a true stakeholder when dealing with the environment and particularly with cultural heritage. The significance of the impacts on the cultural heritage can actually be quite subjective, changing from one person to another, or at least from one kind of stakeholder to another. Public consultation forms the basis of a separate chapter because it appears as a sensible and recurrent concern expressed by the interviewees.

At the regional/provincial level, according to the majority of the interviewed people, consultation remains a weak point. Advice from the population seems not to be integrated into the decision-making process (or at least that is what is perceived) and public consultation seems to still raise some problems for certain political representatives as well as to certain cultural heritage experts.
“The cultural heritage management is an experts’ affair!” (C1) … “The authorities do not like submitting their great ideas about the evolution of the city to public consultation, indeed this makes them feel that they are losing their privileges. As a consequence, even if a public consultation is organised, the resulting advice from the population is not necessarily taken into consideration” (E3)

At the local level, some of the interviewees are very favourable to public consultation. They consider that it still occurs too late in the procedure, when a project or plan is already completely fixed. They acknowledge the competence of the citizens and are interested to gather their opinions much earlier. As a consequence of the lack of legally required consultation, some of the municipalities already organise some informal consultation. But they are still doubtful about the consultation methods used and at which point the consultation should be carried out.

“The public consultation should allow the public who are not involved in decision making to express their opinions. This is still useful when technical or detailed choices have still not been made. Actually, all the opinions or ideas are good to know and any citizen or resident has the competence to give advice on aesthetic or architectural choices. This advice is important in the face of experts pretending to own THE good architectural solution in conservation matters. Furthermore, urban planning is the synthesis of several disciplines and concerns. For example we may not isolate the construction of a building from its impact on the built environment or on the pedestrian and traffic circulation for example … in this framework, the resident’s advice is necessary. They have users’ competence. Nevertheless, it is personal advice and my administration only considers as competent experts - experienced architects, engineers, art historians, and so on” (u1) … “It is unsuccessful to ask completely open questions to the public. The administration must make a first draft and then consult on this basis. So we see that consultation should occur not too early when nothing has been thought, but not also too late when everything is tiered up”. (u2’’)

Nevertheless they notice that the “ordinary” citizen does not respond as well to plans, which are too abstract according to them. They are more interested in particular projects closer to home and for some of them they react by constituting protection groups. According to them, working groups are a consultation mode to promote. They should include residents and local history lovers at the early stages of a plan or project.

“It is really difficult and disappointing to make the population pass over its private and personal interests and interest in global evolution. Nevertheless in the already structured protection or interest groups, or even the working groups constituted by the local authorities, there are more interesting reactions than in the “population” by itself … nevertheless the protection or interest groups are only constituted in reaction to some particular project and so they stay interested in a very small area. And it rarely leads to responsible and constructive action such as taking a lead or reflecting on their environment … they never act, they always react !” (u3’)

Other local interviewees are completely negative and are sure that whatever the consultation process, there will always be angry people and conflicts, so they consider that the usual
required methods such as public meetings, displaying information via public notices or inserts in the local press are quite sufficient. Some people, although agreeing on the merits of public consultation, refuse to consult the public about the major town planning options.

“The public must be consulted only on architectural options like the height of a building or its width, its style, its aesthetic integration in the environment and so on. But the town planning options must be decided by the politicians on the basis of experts’ detailed consultation. If the population do not agree with their choices, they may express their advice through the local elections (every 6 years) and regional elections (every 4 years)!” (u1)

This is of course forgetful of the fact that such decisions are often irreversible and sometimes create irreparable damage.

Some people also stress the fact that “the public consultation is a double-edged sword”. They think that so many different opinions will slow down the decision making process. They agree with the fact that bottom-up consultation could avoid some negative reactions among the citizens but they think this could lead to a downgrading in their minds of the decision-making role of the politicians.

For several stakeholders, “consultation” seems to be considered rather as a way to inform or convince the population of the validity of a planned development or plan rather than to gather information about the citizens’ ideas and needs or wishes. They do not seem to envisage that consultation should question the project or plan.

To conclude, there appears once again, to be a lot of contradictions in the interviewees’ discussions – depending on the nature of the issue which is being consulted upon – for example, whether it is on a theoretical plan or about a concrete project. There is also some confusion concerning the aims of the consultation. So it appears very important to define in detail the “rules of the game” of the organised consultation.
4.0. Reactions To the EIA and SEA procedures

The regional/provincial actors mention the need for recognised methodologies in order to help them and the local authorities to elaborate on appropriate specifications for the Environmental Impact Assessments when dealing with cultural heritage. Actually the consideration of the cultural heritage in the framework of environmental impact assessments does not seem to be well established.

“The information and form of information to be gathered in the impact assessment report are not clearly defined by the authorities” (E2) … “The impact assessments take into consideration in particular landscape concerns (for example, mitigating the impact of a housing development built in front of a historic landscape thanks to a poplar plantation), and particularly the urban silhouettes” (E4) … “The only environment where the cultural heritage is considered is when there are protection areas” (E5) … “The impact assessments are performed by officers recognised by the regional authorities, often in collaboration with universities. But when dealing with cultural heritage, those impact assessments are still poor and there is no existing list of environmental indicators dealing with cultural heritage” (E1)

Most of the interviewed people seem to agree with the spirit of the forthcoming SEA directive since they declare regretting that at the present moment, it is up to the developer to ask the relevant authority if he may carry out any interventions. Ideally, the local authorities should indicate before what is permitted, in order to reduce the number of environmental impact assessments. The local authorities should fix their requirements through rules and regulations, in order to help proponents to elaborate projects going in the same direction.

“EA with public consultation should be done bottom-up and not top-down as it is currently done, when everything is already locked. This is the aim of the SEA directive which requires environmental assessments at all the decision levels as far as the local level. The Walloon legislation is currently very poor but in the process of revision in order to implement the Aarhus convention” (E1) … “Consultation should be more intensive notably for social, environmental, economic and historic concerns … there are also too few methodological searches concerning problems of necessary appropriation by the population” (E5) … “The SEA should be used in the framework of the conservation of urban fabrics in order to establish legal plans or programmes. The same should be done for the renewal of districts, in order to involve the public and force the political decision-makers and architects to change their habits” (E1)

At the local level, the reactions are more mixed. Some reproaches are made concerning the likely increase of work for the civil servants and decrease of power for the politicians that could be brought about by the directives.

“I am wondering about the positive impact of those directives’ implementation … I think it could turn existing procedures which have already proved their reliability upside down” (u1”’) … “The politicians will have nothing to say anymore since the population will have a decisive role!” (u1). “Those directives will bring further administrative constraints which prevent us thinking about the
future of the city and having a responsible attitude for the management of the city!
” (u1’)

But on the other hand, positive reactions have also been recorded, mainly because the directives are considered to be a good instrument for promoting discussion and debate. But it seems that the EIA and SEA directives are often perceived as interesting persuasion instruments for regional authorities to tackle local issues, and for the local authorities to face up to the concerns of citizens and heritage protection groups …

“Such a detailed Impact Assessment could have given us objective information to highlight the conflicts and help us to enter into discussion with heritage protection groups opposed to some development” (u1)

As a conclusion, here is a summary of the likely positive and negative effects repeatedly recorded during the interviews.

<table>
<thead>
<tr>
<th>The EIA/SEA procedures could:</th>
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<tr>
<td>(+) Enlarge the sphere of C.H. competent stakeholders</td>
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<td>(+) Increase and improve public involvement</td>
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<td>(+) Take into account the context of each situation</td>
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<tr>
<td>(+) Improve the quality of decisions to benefit C.H.</td>
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<td>(+) Better integration of C.H. concerns within Town planning and socio-economic concerns</td>
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<td>(+) Provide a better framework for discussion</td>
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<td>(+) Improve transparency</td>
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<tr>
<td>(+) Provide a sustainable management framework for C.H. (SEA)</td>
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<tr>
<td>(-) Increase the amount of work for the civil servants</td>
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<tr>
<td>(-) Make the C.H. experts and authorities lose power</td>
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<tr>
<td>(-) Increase the delays for the consent procedures</td>
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5.0. Final outcomes for the SUIT project

The results of this task have to influence the subsequent tasks of the SUIT project. So here are the possible developments that could be undertaken in the framework of the other Work Packages.

In the WP1-Specification of the end-users requirements, the key issues identified under this preliminary task must be further detailed and must seek through practical case studies and scenario definition (tasks 1.2 and 1.3) how those issues are (or not) managed in various practical situations, in order to identify interesting references or benchmarks. The task 1.5 must explore the EIA/SEA application to active conservation in historical areas in EU Members States, in order to identify interesting practices and also the needs and requirements of the end-users. The task 1.4 (Elaboration of a decision-matrix gathering the existing tools/methodologies) must explore the existing tools/methodologies allowing the management of issues identified in the task 1.1.

In the WP2-Methods for assessing the quality of historical areas, the issues of the “Cultural Heritage definition” and “Cultural heritage identification”, but also the issues of the “competent stakeholders and authorities to involve” and “public consultation” could be further explored. Which are the criteria defining Cultural Heritage, which are methodologies to be used for the cultural value identification (which stakeholders must be involved and how?). This WP2 must further explore the perception of cultural heritage by the public, and develop understanding that could help to develop guidance on how to manage the various subjective value judgements of different stakeholders.

In the WP3-Historical area Active Conservation Environmental Assessment, the procedure to be defined must address the issues expressed in this report. The screening/scoping stages of the procedure will need clear Cultural Heritage definition and identification methodologies, a list of the relevant stakeholders to be involved in the process, a clear definition of “rules of the game” for public consultation. The ‘impact evaluation’ stage will need clear requirements for the type, format, presentation of information necessary to allow appropriate decision-making when dealing with cultural heritage. The negotiation and development consent stages will need help with decision-making with regard to which “Cultural Heritage approach” to choose. The post-evaluation procedures (monitoring and follow-up) will need special help in setting up an efficient “environmental management system” for cultural heritage, allowing the early detection of some unexpected impacts (that can have irreversible consequences on the Cultural Heritage) and allowing a dynamic adaptation, as strongly required by the end-users.

In the WP4-Test of the integrated EA methodology, the test of the methodologies established in WP3 will be tested with special attention to the key issues identified in the framework of the task 1.1.