



CABINET

CITY
PUBLIC

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Cabinet Member:

Joe Anderson OBE
Mayor of Liverpool

Director:

Nick Kavanagh, Director – Regeneration & Employment Services

Purpose of Report:

Liverpool's World Heritage Site Desired State of Conservation Report;
Approval to Commission Feasibility Reports in respect of World Heritage
Trust and Reviewing the WHS Property Boundary.

Date:

22nd February 2019

Report No:

EDR/12/19

Decision Type:

Cabinet Key Decision

Executive Summary:

In line with the requirements of the World Heritage Committee, the State Party, via Department Culture Media Sport (DCMS), has to submit a 'Desired State of Conservation Report' (DSOCR) – for removal of the Liverpool World Heritage Site property from the 'in danger' list, annually.

This report seeks approval in principle to the draft DSOCR and to undertake feasibility reports for two of the outstanding proposed measures identified within the DSOCR that was approved by Cabinet in February 2018, submitted to UNESCO and agreed at the 42nd Summit in Bahrain (July 2018):

- (i) Future management of the WHS Property potentially through the creation of a new Trust;
- (ii) Review the WHS Property boundary with a view to the enhancement/extension of the Site.

Background:

The World Heritage Site Property contains six main character areas that help to convey the above key attributes of World Heritage Site status. These are:

- The waterfront Pier Head that contains the emblematic trio of buildings known as the Three Graces, as the prime gateway into the city from the River Mersey;
- The waterfront Albert Dock, its linkage to a series of neighbouring docks, and a group of privately owned warehouses now successfully and sensitively refurbished to include museums and galleries;
- The waterfront Stanley Dock, three privately owned warehouses now successfully and sensitively refurbished as a hotel and major conference centre, and the massive Tobacco warehouse currently in progress of conversion to adaptive re-use;
- Castle Street/Dale Street Commercial Centre - the historic 'downtown' area that contains the City's key civic and financial buildings;
- William Brown Street that contains a cluster of monumental buildings, including St George's Hall, Museum, Art Gallery, Central Library, and Lime Street Station;
- Ropewalks area that developed shortly after the opening of the Old Dock in 1715 and contains merchants' housing and warehouses close to the existing city centre and the Bluecoat, the oldest arts centre in Great Britain and the oldest surviving building in the city centre.

Liverpool's conservation of its World Heritage Site and its component physical assets is a key priority for the City Council and its partners exemplified by its attributes as stated in the new Liverpool World Heritage Site Management Plan (2017-2024), approved by the Cabinet in May 2017. Following this, the report approved by the Council's Cabinet in January 2018 identified the City's physical priorities for Heritage investment many of which are in the World Heritage Site and the report agreeing the draft submission of the DSOCR in February 2018 described the City's desire to retain status.

Furthermore, the recent creation of an independent Task Force has re-established a positive debate with Government and UNESCO with a view to the retention of WHS Status and has engaged with Council Officers to advise upon the proposed DSOCR and the progression of its constituent actions.

However balanced against this is the continuing need to grow the City's economy by prioritising economic growth via investment, development, business growth and subsequently job creation. In accordance with the draft Local Plan (approved by Cabinet and Council in January 2018, submitted to Government in May 2018 and subject to Inspection by Government in March 2019) the City targets the need to deliver 35,000 new homes and deliver employment locations that will support the growth in employment by 30,000 new jobs.

It is this growth, which in part will take place within the World Heritage Site

that requires careful planning, high quality design and respectful development. Indeed, the physical state of conservation is not the issue - as this has improved substantially since inscription in 2004. This positive situation continues:

- The number of Buildings at Risk (problematic heritage buildings requiring repair and re-use) have been reduced to below 2.75% of building stock - far below the UK national average – an achievement made possible by prioritisation of the substantial finances for heritage managed by Liverpool City Council;
- From 2015 each development proposal that has the potential to affect the OUV of the Property is accompanied by a Heritage Impact Assessment that details the significance of the asset/s that may be affected, the nature of that impact and, where appropriate, how any harmful impacts can be mitigated. Historic England, as the national heritage advisory body, is consulted on all of these proposals and the Government/DCMS, taking into consideration the advice of Historic England, will notify the World Heritage Centre, as necessary, under the provisions of the Operational Guidelines paragraph 172

The threat to WHS as described by UNESCO is the ascertained threat of “the proposed development of Liverpool Waters” development scheme that - *if* implemented in line with the maximums allowed by the *outline* planning permission granted in June 2013 – would undoubtedly irreversibly harm the Outstanding Universal Value (OUV) of the World Heritage Property and lead to its deletion from the World Heritage List.

Planning consent for Liverpool Waters legally lasts until 2042, but the outline approval of the maximum development envelope – not the same as plans for implementation - requires detailed planning consent of the layout, scale, appearance, access and landscaping of all components of the scheme. There is positive progress in this regard.

The World Heritage Committee required the State Party to submit to the World Heritage Centre, by 1 February 2019, an updated report on the state of conservation of the WHS property and the implementation of the above, for examination by the World Heritage Committee at its 43rd session in 2019, this is with a view to them considering the deletion of this property from the World Heritage List at its 43rd session if the State Party does not:

- Reverse course and stop the granting of planning permissions which have a negative impact on the OUV of the property,
- Provide substantive commitments to limitation on the quantity, location and size of allowable built form,
- Link the strategic city development vision to a regulatory planning document,

- Submit a DSOCR and corrective measures in a form that might be considered for adoption by the Committee;

Responding to each of the above significant progress and the planning of Liverpool Waters has already and will continue to evolve positively and respectfully from a heritage perspective but also responding to the economic growth forecasts for the City and the potential that the vastness of the 60-hectare prime waterfront development site has to offer.

This DSOCR and Corrective Measures developed by Liverpool City Council and its partners with the advice of Historic England are based on the approved Statement of Outstanding Universal Value of the Property, and its attributes as stated in the new Management Plan (2017-2024) for the Property that was approved by the Cabinet of Liverpool City Council in 2017. The Corrective Measures proposed are in summary;

- The provision of a comprehensive Management Plan for the World Heritage Site – Done and approved by Cabinet in May 2017.
- To provide regulatory Planning documents which provide clear, legal guidelines to protect the WHS Property. The City Local Plan, the Liverpool Waters Neighbourhood Masterplans, the WHS management Plan and a proposed new Supplementary Planning Document are either done or works in progress.
- To produce a new WHS SPD (as above).
- To review development in Princes Dock and continue the lowering of heights of building projects compared to the Liverpool Waters Outline Planning Permission 2013. In progress.
- Develop a skyline policy for tall buildings as proposed in the City's Local Plan. In progress.
- Provide clear urban design guidelines as proposed in the City's Local Plan. In progress.
- Implement the complementary Ten Streets Spatial Regeneration Framework, completed and pending a report to Cabinet in February 2018. Done.
- Future management of the WHS Property potentially through the creation of a new Trust. Referred to later in this report.
- Develop and Implement a WHS Interpretation and Communication Strategy building on the creation of the first WHS 'Hub' at the RIBA North Centre including the use of the City's Digital Model. Done.
- Review the WHS Property boundary with a view to the

enhancement/extension of the Site. Referred to later in this report.

The decision of the 42nd World Heritage Committee held in Bahrain in 2018 was that the Government/DCMS would submit to the World Heritage Centre, by 1 February 2019, an updated final draft report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 43rd session in 2019 (July 2019).

There is a period following submission, in advance of the preparation and distribution of the Committee paper, for review with the WHC technical advisors and therefore production of a final DSOCR.

A World Heritage Site Management Trust for Liverpool

As described above the future management of the WHS Property, potentially through the creation of a new Trust, is one of the proposed Corrective Measures previously approved by Cabinet (February 2018), submitted to UNESCO and agreed to at the 42nd Summit in Bahrain (July 2018).

World Heritage Sites in the UK and worldwide vary significantly from places to buildings to parts of towns or cities to even wider geographies. As such, they are managed in their own way. The Liverpool World Heritage Site is a complex geography involving land and property in multiple public and private sector ownership therefore making the 'management' of the site challenging.

Since 2004 Liverpool's World Heritage Site has been managed by a partnership Steering Group made up of public, private and third sector organizations. The Steering Group's core focus is to create manage and monitor a WHS Management Plan, which it successfully produced most recently in May 2017. Steering Group members provide their time voluntarily and the Group benefits from the Co-ordination by a City Council Officer. The Group is not a legal entity. It has a Terms of Reference to direct its business. All costs for the production of the Management Plan, its monitoring and management are borne by the City Council. In 2017 the cost of the Plan was £10k.

As mentioned earlier in this report the future of Liverpool's World Heritage Site is currently under review by an independent Task Force charged with re-establishing a positive dialogue with Government and UNESCO with a view to the retention of WHS Status.

There are also a small number of examples of Trusts established to manage UK WHS's. One of the most prominent and referred to is the Edinburgh World Heritage Trust.

The Edinburgh WHS Trust effectively takes on the role of managing the 'soft' elements of the WHS, such as interpretation and visitor management. However, there is a significant cost to run it, and it has needed to diversify to try to attract new funding. In a similar way the Liverpool WHS Steering Group also manages the 'soft' elements relying upon constituent members of the Group such as the Council and land and property owners to collaborate on

interpretation and visitor management. Liverpool's Steering group does not provide financial assistance nor is it an exemplar in conservation management as this is the role of the Council through the work of its development management team.

There is clearly a balance to the role and responsibilities of partners, their purpose, function, cost, outcomes and benefits that needs establishing in progressing a Trust or alternative model.

To test the feasibility of this it is recommended that the City Council, on behalf of the Liverpool WHS Steering Group and Independent Task Force commission a formal feasibility report, comprising detailed recommendations, into the formal establishment of a Trust or other vehicle to manage the World Heritage Site on behalf of the City moving forward.

The feasibility report should include the production of a detailed feasibility study describing the role, purpose, responsibilities, potential cost, benefit and viability of such a vehicle. The report will also describe its proposed relations with partners, land and property owners and the future of current Liverpool WHS Management arrangements. The report will also reference a current study by World Heritage UK into the governance arrangements associated with all UK WHS's.

The report will be commissioned with immediate effect and will be completed prior to the 43rd session of the World Heritage Committee in July 2019.

Review of the WHS Boundary

As described above a review of the WHS property boundary with a view to the possible enhancement and extension of the site is one of the proposed Corrective Measures previously approved by Cabinet (February 2018), submitted to UNESCO and agreed to at the 42nd Summit in Bahrain (July 2018).

Within the DSOCR the timeline for implementing such a strategy has been forecast for 2025 due to the work intensity of creating such a strategy, its eventual consideration by UNESCO and the process associated with requiring a fresh Inscription. As such, the work to explore the feasibility of enhancement and or extension is recommended to start now.

In drawing up the existing WHS boundaries, they were largely coterminous with the existing conservation areas within the city centre and waterfront, so that heritage legislation was consistent with the WHS as an international designation, and both national and local policies applied to the historic areas. For example, the WHS Stanley Dock Character Area shares the same boundaries as the Stanley Dock conservation area and the Pier Head and Commercial Areas have the same boundaries as the Castle Street conservation area.

The starting point for any consideration of boundary extensions is how those areas relate to and sustain the Outstanding Universal Value of WHS Property,

and the degree of residual authenticity and integrity still evident in the built environment. In Liverpool's case this relates to:

- Innovative dock technologies, construction and port management
- Migration and trade
- Commercial, civic and cultural buildings
- Evolved street pattern
- Transport systems

Boundary changes to existing WHS's are possible, and classified as either minor or significant. Minor changes report to the annual World Heritage Summit, but significant boundary changes require a new nomination, in effect cancelling the existing status and re-applying.

Initial research indicates that there is a recent precedent on boundary change, with the Bagrati Cathedral and Gelati Monastery in the Republic of Georgia. In this case, the serial property (a single WHS, but with separate locations which satisfy the criteria for inscription, meaning that they are geographically apart and do not share a boundary) was inscribed in 1994, but placed on the Danger List in 2010. The concerns, which led to the inclusion of the Property on the Danger List, related to the quality of the restoration work of the Bagrati Cathedral, leading UNESCO to question its authenticity being compromised.

In 2013, the WHC asked the State Party to request a major boundary modification for the Property, to allow Gelati Monastery to justify the criteria on its own. In effect, the WHC encouraged the removal of part of the WHS, which they felt was no longer appropriate to be included in the inscription, and the re-submission for inscription for the remainder, which still had outstanding universal value, and sufficient integrity and authenticity to warrant inscription.

This was approved in the WHC session of 2018, despite on-going concerns about the lack of an adequate management system being in place, and issues surrounding the conservation work to the Monastery.

Re-defining the area of the Liverpool WHS to add to or remove from it will be subject of careful scrutiny and choices need to be well informed and carefully represented. The current WHS incorporates a number of docks, ranging from the site of the Old Dock of 1715, and including the much later Stanley Dock of 1848. However, the extent of the dock system within the WHS is largely limited to those in the north, whilst those to the south do not include Queens Dock (first opened in 1785), Coburg (Brunswick Basin in 1816 and renamed Coburg in 1840), and Brunswick Dock (1827-1832). Coburg became Jesse Hartley's HQ by 1842, whilst Brunswick was his first dock design. Given the relative early dates of some of these docks, and their evolution, which is instructive, as part of the narrative of the changing nature of the dock estate, there appears to be a strong case for expanding the boundaries of the WHS as far as Brunswick Dock.

The current northern boundary comprises Bramley-Moore Dock, which was part of Hartley's northern expansion, along with Collingwood, Nelson, and

Salisbury Docks, with the remainder to the north constructed between 1850 and 1972. Whilst the current boundary is spatially and visually associated with the warehouses at Stanley Dock and within the Ten Streets area, providing a context, those remaining to the north have lost their historic hinterland, and with it some degree of authenticity and integrity. Whilst this is also the case with Coburg and Brunswick to the south, they remain the work of the pre-eminent dock engineer, Hartley, and along with his northern expansion, illustrate his influence in Liverpool. Queens Dock is also associated with the residual area of warehousing in the Baltic Triangle, which also provides a degree of context, and helps to define the relationship of docks and their industrial surroundings.

Queens Dock was for a time the focus of Liverpool's whaling fleet, and this is also illustrated in the name Greenland Street within the Baltic Triangle, whilst Jamaica Street, New Bird Street (named after the Mayor of 1742), and Blundell Street are all associated with Liverpool's part in the triangular trade, whilst Bridgewater Street commemorates the canal and its connection with the Leeds- Liverpool canal at Leigh. Also part of the Baltic Triangle is the Gustav Adolf's Kyrka, the Scandinavian seamen's church (on Park Lane), and the acknowledgement that the area was the focus for the Baltic timber trade.

Part of the Ropewalks at Lower Duke Street is also included within the WHS, due to the presence of early merchants housing with associated warehousing, and later fireproof warehouses. It is separated from the Baltic Triangle area by 1980's housing, which swept away older residential areas. It is, however, adjacent to the historic area of Chinatown, with its centre on Nelson Street and Great George Square, originally later Georgian townhouses, built to guidance laid down by Liverpool Corporation in an attempt to prevent substandard, speculative housing being constructed.

The areas of Rodney Street and Canning were initially built by private developers, but later expanded through a gridiron plan designed by John Foster Snr, of the Corporation. This represented the importance of the burgeoning middle classes as Liverpool expanded exponentially. Whilst these areas do not fully conform to the criteria for which Liverpool was inscribed, they are manifestations of the expansion of the city, the role of the Corporation in its enlargement, and they are manifestations of the housing constructed to service the population of merchants who helped to create a wealthy port.

The Chinatown area celebrates the first Chinese population in Europe, and the connections between Liverpool and the Far East as part of the Blue Funnel Line, and the cosmopolitan nature of the city, with its strong migration credentials.

There are some compelling arguments for expanding the area of the WHS to include locations that add to OUV, and have the necessary levels of authenticity and integrity. These include:

- Hartley's southern docks

- Chinatown
- Rodney Street
- Canning and Hope Street

Consideration could also be given to assessing the interstitial areas associated with dock and trading activities at:

- Baltic Triangle
- Ten Streets

However, these areas only contain residual elements, and further work is required to assess if they are sufficient to satisfy the criteria.

A feasibility report should therefore include the production of a detailed rationale for enhancing and or expanding Liverpool's WHS. It should also report on the strategy for addressing UNESCO with the change, be it considered a minor or major change.

The report will be commissioned in advance of the 43rd session of the World Heritage Committee in July 2019 and will be completed prior to the 44th session of the World Heritage Committee in July 2020.

The City's independent World Heritage Site Task Force has endorsed the drafting of the DSOCR, the proposed feasibility reports and this report to the City Council's Cabinet.

Recommendation:

That –

- (i) the draft Desired State of Conservation Report (DSOCR) be endorsed as a record of the City's submission to Government and subsequently the World Heritage Centre for examination by the World Heritage Committee at its 43rd session in July 2019;
- (ii) authority be granted to commission a detailed feasibility report into the potential establishment of a WHS Trust or alternative vehicle for managing the Liverpool WHS; and
- (iii) authority be granted to commission a detailed feasibility report into the potential enhancement and or expansion of the Liverpool WHS.

Financial Implications:

The corrective measures proposed are work in progress via the Liverpool Waters and each component project and the City's Local Plan and its proposed actions with the exception of the recommendation to test the feasibility of a proposed WHS Trust or similar vehicle and the recommendation to review the boundaries. The feasibility reports will be commissioned with immediate effect. The feasibility of a WHS Trust will be completed by late 2019 as stated in the DSOCR and for consideration at the 44th session of the World Heritage Committee in 2020. The review of the boundaries will be completed later in 2020. It will be commissioned externally as a specialist piece of work via a heritage consultant/team.

Based upon other similar pieces of 'heritage' work, it is anticipated that each report is likely to cost in the region of £10,000 each – an overall cost of £20,000 spanning 2019/20 and 2020/21 financial years subject to completion. These costs can be accommodated within the overall resources available to Planning.

Impact:

The DSOCR document will be considered by the UNESCO World Heritage Committee in July 2019. The Committee will make the decision regarding Liverpool's status as a UNESCO WHS at that point. The impact of a positive or negative conclusion at the Committee will be the subject of further deliberation and a subsequent report to Cabinet. The establishment of a Trust for the Liverpool WHS has been agreed as one of the proposed corrective measures associated with the removal of Liverpool from the WHS in – danger list, therefore if the feasibility proves that a Trust (or similar vehicle) is viable and sustainable, then the impact could be positive.

Community Benefit:

Document as proposed and submitted will support the continuing regeneration of the City and the subsequent growth in its economy particularly in the geographical area of North Liverpool where proposed developments on Liverpool Waters will create new homes, employment space and jobs.

Legal and Governance Implications:

There are no legal implications relevant at this stage of the project's evolution.

Risk and Mitigation:

This document will be considered by the UNESCO World Heritage Committee in July 2019. The Committee will make the decision regarding Liverpool's status as a UNESCO WHS at that point.

The Risk is that the document results in the loss of UNESCO World Heritage Site Status. The mitigation in this case would be the continuing regeneration of the City and the subsequent growth in the economy particularly in the geographical area of North Liverpool where proposed developments on Liverpool Waters will create new homes, employment space and jobs. The planning of Liverpool Waters has already and will continue to evolve positively and respectfully from a heritage perspective and Liverpool will continue to be a world heritage city.

Reason(s) and Alternate Options Considered:

Proposing a DSOCR that provides for any further corrective measures will undermine and possibly prevent proposed regeneration of the Liverpool Waters site within the North Liverpool area. The option to do this was therefore discounted.

Not proposing a DSOCR or any corrective measures would lead to the loss of UNESCO WHS Status without due consideration or debate.

Equality Implications:

There are no equality implications arising from this report.

Key Decision and Notice Requirements (including urgency):

Key Decision – Yes

28 Days' Notice – Yes

Urgency – N/A

Implementation Date:

28 February 2019

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Background Reports:

N/A

Supporting Documents:

Appendix 1 – Desired Statement of Conservation Report