



## Consultation response

### Historic England's revised *Insuring Historic Buildings and other Heritage Assets* guidance note: September 2018

Date: September 2018

Description: This consultation from Historic England sought views on a new draft revised guidance note on insuring historic buildings and other heritage assets.

#### About us

Historic Houses represents the UK's largest collection of independently owned historic houses, castles and gardens open to the public. Our family includes over 1,650 Grade I and II\* listed historic houses and gardens.

Historic Houses places welcome 26 million visits each year, contribute over £1 billion to the economy and generate 33,700 full time equivalent jobs. As leading tourist attractions, events venues and rural business hubs, Historic Houses places are catalysts of rural prosperity and cultural lynchpins for local communities.

#### Introduction

The majority of the nation's heritage is owned and maintained by independent owners such as those who look after Historic Houses places, rather than by the public sector or major national charities. In order to ensure these important places are well-maintained and accessible for generations to come, owners must be able to make them economically viable. This includes ensuring comprehensive and affordable insurance for historic buildings, which takes into account the unique elements of construction and use. We welcome guidance from Historic England on this important area, that can guide owners and managers to ensure that they have the necessary coverage for the heritage in their care.

Overall we think this draft guidance note will be very useful to owners and managers, but we think the final draft would benefit from some rearrangement to make sure that the reader has a full understanding of the factors involved when insuring a historic building.

We feel some sections of the current draft run the risk of inferring an element of neglect on behalf of owners and managers, and would recommend these sections are edited before publication.

In our response below, we have looked first at how the guidance note could be restructured to make it more readable, and secondly, we have offered some suggestions for minor changes we think would improve the content.

## Overview

The intended structure of the guidance note is to take readers through the process of obtaining insurance and making a claim, and we think there is some key information in the later chapters and the appendix that should perhaps be moved forward. Often appendices are seen as additional information, and not necessarily essential reading. However, for the owners and managers of listed buildings a reminder of the various legislation that they need to be aware of is vitally important; this could be moved to earlier in the draft.

## Detailed Chapter changes

### Introduction

The Introduction is mostly successful in setting the scene for a non-expert reader as to the key things to be aware of when procuring insurance for listed buildings. We particularly welcome the sections on conservation management plans and record keeping, which we think make realistic, practical recommendations to owners / managers of historic buildings.

However, we think the tone of this section could benefit from some careful re-wording to ensure the guidance note doesn't inadvertently imply that in all cases poor maintenance is due to neglect; in our experience, the vast majority of owners are hugely committed, diligent and passionate about the heritage in their care, and maintenance backlogs are the result of lack of funds rather than neglect. The 1,650 historic houses we represent spend an estimated £85 million per annum on regular repairs and maintenance, but there still remains a total backlog of repairs across the country totalling nearly £1.38 billion.

We would recommend a minor re-wording of the first paragraph as follows:

*Insurance is an important aspect in the risk management of almost all property. This is especially true of historic buildings as their design and construction can make them vulnerable to damage or destruction, **particularly if a backlog of repairs has developed over time.** They can also be a 'soft' target for vandalism, theft and arson which can result in expensive and complex repairs.*

### Obtaining insurance

As with the Introduction, the vast majority of this chapter offers good advice in clear, concise language. We are especially pleased to see the advice for owners and managers of historic buildings to insure against loss of income. Many Historic Houses places operate as dynamic rural businesses, many of which are based in the historic buildings. In this vein, we are also pleased to see a reminder about the importance of public liability insurance; many Historic Houses places are open to the

public in some way, and it is of course important that this is factored into their insurance options.

The one section that could perhaps be expanded on is that regarding under-insurance and enabling development. It is mentioned that under-insurance does not provide justification for enabling development, but it is not clear if this means that enabling development will not be allowed if there is an instance of genuine under-valuing of insurance for total reinstatement, which could be due to a professional error and not necessarily the fault of the owner or manager. While we accept that this might not be the place to expand on this further, it is an important point to clarify: perhaps there could be a reference here to Historic England's guidance on enabling development.

### Reducing Risk

As with comments on previous sections, this chapter is largely helpful, but we think a few points could be either elaborated on, or linked through to other Historic England advice.

The first of these is around the advice to fit smoke detection systems, barriers to spread flame, and flood mitigation measures. In the experience of some Historic Houses places, when they have tried to fit similar measures on the advice of insurers they have been unable to secure planning permission, and found it difficult to get specialist advice for system fixtures that are sympathetic to historic buildings. It would make sense in this section to remind readers that they may have to seek listed building consent / planning permission before undertaking some of these works, and linking out to Historic England's guidance on this.

Secondly, there is a reference to 'hot work permits'; from the brief mention in the draft text it is unclear to the non-expert reader what exactly these permits are, how you apply for them, and whether there is a separate regime for hot permits for listed buildings. As this guidance will be read by non-experts it would be useful for Historic England to explain more fully what these permits are, and / or signpost readers to when they can find more information and apply for them.

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