

**Built Heritage Investment Scheme
2019**

GUIDANCE CIRCULAR

November 2018

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1. Background and Purpose of Scheme

This guide provides local authorities with information in relation to the operation and administration of the **Built Heritage Investment Scheme (BHIS) 2019**.

1.1 Background

The quality of our historic built environment profoundly affects our everyday lives. It contributes to the vitality of our cities, towns, villages and countryside, instils a sense of pride of place, and enhances the quality of our everyday lives.

The historic built environment makes a significant contribution to economic prosperity by attracting investment, providing direct and indirect employment, as well as sustaining a traditional skills base for wider application. Our built heritage is one of the main attractions for visitors to Ireland so its conservation also reinforces and promotes our tourism industry as well as contributing to the regeneration of urban and rural areas.

The primary custodians of structures protected under the Planning and Developments Acts are their owners and occupiers, and they, along with the local authorities, are charged with the responsibility for their protection.

The Built Heritage Investment Scheme is designed as a support to owners and custodians in caring for our built heritage and ensuring that it is protected into the future.

1.2 Purpose of Scheme

The aim of the Built Heritage Investment Scheme is to leverage private capital for investment in a significant number of small-scale, labour-intensive conservation projects throughout the country and to support the employment of conservation professionals, craftspeople and tradespersons in the repair of the historic built environment.

1.3 Operation of the Scheme in 2019

This scheme will operate for the duration of 2019, with funding to be claimed within that calendar year. The scheme will be administered by the local authorities, with each allocated a fixed amount from the overall fund of €2.5m as determined by the Department of Culture, Heritage and the Gaeltacht (the Department).

Only one application will be considered per historic structure

Multiple applications for the same structure under the Built Heritage Investment Scheme and the Historic Structures Fund will not be considered for 2019.

2. Eligibility

The Built Heritage Investment Scheme is designed to assist with the repair and conservation of structures that are protected under the Planning and Development Acts. In certain cases, the scheme also supports the conservation of structures within Architectural Conservation Areas (ACAs) where, in the opinion of the local authority, a need for works to enhance the character and appearance of an ACA has been demonstrated. The primary purpose of the scheme is to support privately owned properties in need of repair and conservation.

Projects that incorporate a traditional skills training element may also be supported by this fund. Any such projects must be agreed in advance by the Department and the relevant local authority.

2.1 Eligible Structures

Protected structures. Structures included in the Record of Protected Structures (RPS) of each Local Authority area

Proposed Protected Structures. Structures proposed for inclusion in the RPS but not yet formally approved. Such structures must be added to the RPS by 31 December 2019

Structures in Architectural Conservation Areas (ACAs), or within the amenity of a National Monument, where exceptional circumstances are deemed by the Department to apply.

2.2 Qualify and Non Qualifying Works

Qualifying and Non Qualifying Works are as set out in Appendix 1 to this Circular.

2.3 The Assessment Process

Applications should be assessed by an expert panel within the local authority, including the Architectural Conservation Officer, or, where one is not employed, by a member of the local authority's professional staff competent to undertake this function. Applications should be assessed under the following equally weighted criteria:

1. Significance of the Structure

2. Efficacy of the Works

Applicants should explain how the amount of funding sought demonstrates **value for money** and makes a **significant contribution** to eliminating risks and preventing further deterioration of the structure, thus ensuring its survival into the future.

3. Employment Benefits

The **value of job creation** for the particular project should also be taken into consideration including the estimated total number of days of employment.

4. Quality of Works Proposed

Conservation works must be designed, specified and overseen on site by appropriately qualified and experienced building conservation professional(s) who

will be required to confirm that works have been carried out to a satisfactory standard.

Where the specific expertise lies with a practitioner, e.g. a thatcher or stone mason, they fulfil the role of the conservation building professional.

2.3 Public Authority Ownership/Occupation

A maximum of 20% only of each local authority's overall funding allocation can be used for structures in public ownership/occupation

2.4 Funding of Projects

The minimum funding awarded for successful projects will be **€2,500** up to a maximum of **€15,000**. The local authority shall allocate funding for projects based on a proper assessment process (see Section 3). Priority should be given to small-scale, labour-intensive projects. Projects should demonstrate a range of conservation skills, and should not be concentrated in a particular geographical area or on a particular type of structure.

2.5 Matching Funds

Under BHIS, the **total value of all public funding provided for individual projects must not exceed 50% of the total project cost**, including funding received from other public agencies including the SEAI, the Heritage Council, LEADER, other government departments and local authorities. Voluntary work (benefit-in-kind) or local authorities' own funds/contributions or funding from other exchequer sources cannot be used to satisfy the matching expenditure requirement.

In exceptional circumstances the LA may, with written agreement from the Department, allocate funding to a project where the total public funding exceeds 50% of the total project cost. The Department does not anticipate that such exceptional circumstances would arise for more than 20% of a local authority's total allocation.

The local authority's overall allocation must be matched by an equal contribution from private funds. For example, if a LA is allocated €60,000, a minimum of €60,000 of private funds must be spent.

3. The Application and Assessment Process

3.2 The Application Process for Owners/Occupiers

Applications must be made to the relevant local authority (using **Form A**) by a deadline set by the local authority but no later than **31 January 2019**.

Where an applicant is not the owner of an eligible structure, the applicant will need to accompany **Form A** with a letter from the owner declaring that the applicant has the owner's permission to carry out the work.

Where the structure is in the ownership of a the local authority, or where the local authority is providing financial assistance for works to an endangered structure under Section 59, 69 and/or 70 of the Planning and Development Act 2000 (as amended), the application can be made by a designated officer of that LA countersigned by the relevant Director of Services.

Proposed works should be in accordance with best practice standards as outlined in the Department's *Architectural Heritage Protection Guidelines for Planning Authorities (2011)* and *Advice Series* publications. Consideration must also be given to the Archaeological and the Planning Process guidelines issued by the National Monuments Service, and guidance leaflets issued by the National Parks and Wildlife Service (NPWS) in relation to habitats and species where appropriate.

3.5 Schedule of Projects

The local authority is required to submit a provisional schedule of projects to the Department using **Form B** by **15 February 2019**. This form must be verified and accompanied by a cover note signed by the relevant Director of Services.

3.6 Notification of Funding Awarded

Following formal approval by the Department, local authorities shall notify successful applicants. Notification shall set out the level of funding approved, the timeline for the completion of works, and the terms and conditions of the award.

Projects awarded funding under this scheme will be published on the Department's website and should also be published on the local authority's own website.

3.7 Regular Progress Reports (Form B)

Local authorities are required to update and submit **Form B** at regular intervals to include:

- the progress of works
- the amount of funding claimed (if any)
- the amount of private funding leveraged (if any), and,
- the amount of days of employment generated (if any)

Form B must be submitted to DCHG on **28 June 2019, 6 September 2019 and 1 November 2019**. In all cases, **Form B** must be submitted with a Progress Report Declaration signed by the relevant Director of Services.

Your attention is drawn to the fact that where works are not carried out in accordance with the terms of the scheme, in particular where the scope of works changes and the new works do not conform to the required standards of good conservation practice, the Department is under no obligation to award the grant, as this is a material breach of the terms of the grant offer.

3.8 Monitoring of Project Progress

The local authority shall monitor progress of projects to ensure that works will be completed and the claim for funding is submitted by the required deadlines. Where works are not proceeding in accordance with the deadlines, the local authority may, at its discretion, withdraw the funding and reallocate to another project. The Department must be informed of all reallocations of funding. If a local authority wishes to reallocate funding to a project not initially approved for this scheme, this will be subject to approval by the Department.

Please note that the Department may carry out inspections of structures being considered for funding or inspections of structures approved for funding if deemed necessary.

3.9 Reallocation of Funding

Where works have not commenced works by **27 September 2019** this should be indicated in **Form B**. Following consultation with the relevant local authority, the Department reserves the right to reallocate funding to another local authority, including to projects meeting the criteria for the scheme where an urgent need has arisen in the course of the year.

Where funding that is not yet drawn down by applicants by **27 September 2019** this should be indicated in **Form B** when submitted to the Department.

The Department may, at its discretion, reallocate unused funds under the scheme to works where an urgent need has arisen after the application closing date and the works would otherwise have qualified for the scheme.

4. *The Recoupment of Funding*

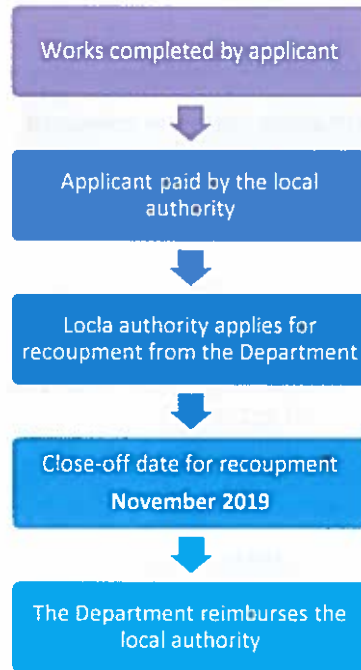
4.1 Overview of Recoupment process

Local Authorities are responsible for payment of funds under the scheme to successful applicants in advance of seeking recoupment from DCHG. **All works must be completed** and certified by the local authority as being in accordance with the terms of the grant award before the applicant can seek the payment of funding.

Recoupment Claim Form C must be completed, signed and returned to the Department by **1 November 2019**. The form **must** be accompanied by a final Form B along with proof of payment of funding to all successful applicants e.g. printout from Agresso or similar financial system (showing both the applicant's name and the date of payment). **Local authorities should submit clear good quality digital photographs of works (before and after) for a representative sample of projects and to accompany this with a short summary report of completed project works.**

Any funding unclaimed by the due date will be forfeit.

Overview of Recoupment Process:



5. Terms and Conditions

5.1 Advertising

The local authority should post an electronic copy of this circular, the public information leaflet and the relevant application form on its website.

5.2 Assessment, approval and oversight of projects

Each local authority shall be responsible for assessment and approval of applications under the scheme and shall inspect and certify that works have been completed in accordance with best conservation practice.

Local authorities shall ensure that conservation works proposed by the applicants will be designed, specified and overseen on site by appropriately qualified and experienced building conservation professional(s). The Department recognises that there may be exceptions to this given the scale and nature of works being proposed or where the specific expertise lies with the practitioner, e.g. a thatcher or stone mason. All necessary certifications must be required by the local authority as appropriate while works are in progress and on completion.

The local authority shall assess each application using the criteria set out in **Section 2.3**.

Your attention is drawn to the fact that where works are not carried out in accordance with the terms of the scheme, in particular where the scope of works changes and the new works do not conform to the required standards of good conservation practice, the Department is under no obligation to award the grant, as this is a material breach of the terms of the grant offer.

5.3 Qualify and Non Qualifying Works

Qualifying and Non Qualifying Works are as set out in Appendix 1 to this Circular.

5.4 Method Statement

A suitable **Method Statement**, drawn up by a competent conservation professional(s), must be approved by a competent person within the local authority for all applicants who have received provisional approval of funding, before works commence.

5.5 Photographs

Local authorities must seek from the applicant good quality digital photographs of the project before works commence, which may be used later for a 'before and after' comparison for reporting purposes. Please note that the Department may use any or all images supplied by either the applicant or the local authority to advertise or publicise the BHIS. Applicants and local authorities are advised to obtain permission to use images (if necessary) before they submit them to the Department.

5.6 Applicants in receipt of related Tax Relief

Where applicant has received tax relief under **Section 482** of the *Taxes Consolidation Act, 1997* (as amended), (formerly Section 19 of the *Finance Act, 1982*) and/or where the owner/occupier has received tax relief under the **Home Improvement Scheme** or the **Living City Initiative**. The onus, however, is on the owner/occupier in receipt of the aforesaid tax reliefs to inform the Revenue Commissioners of any funding received through this scheme. DCHG will provide the Revenue Commissioners with a list of successful applicants under this scheme.

5.7 Statutory Requirements

Grant-approved works must meet all statutory requirements, including planning permission. Where works are proposed to sites/monuments protected under the *National Monuments Acts 1930-2004*, the statutory requirements for notification or for Ministerial consent under those Acts must be complied with.

An applicant must be required to submit copies of all relevant permissions, declarations, notifications or consents to the local authority when making a claim for a grant.

The onus is on the applicant to comply with all other relevant statutory requirements, such as the Wildlife Acts, foreshore licenses (if applicable), Safety, Health and Welfare legislation, and environmental and employment legislation. The attention of the local authority is drawn to: (*DAHRRGA 2012*) *Strict Protection of Animal Species: Guidance for local authorities on the application of Articles 12 and 16 of the EU Habitats Directive to development/works by or on behalf of a local authority*. The publication *Bat Mitigation Guidelines for Ireland* (2006) is available on DCHG's website at: <https://www.npws.ie/publications/search?title=bat+mitigation&keyword=&author=&series=All&year=&x=0&y=0>

5.8 Other Exchequer Funding

Projects may be eligible to receive funding from more than one publicly funded scheme. To ensure that matching funding requirements for BHIS are met, information provided by the applicant should be cross-checked by the LA in respect of funding from other schemes, including but not limited to:

- (a) Thatching Grant Schemes administered by the Heritage Council or other Government Departments
- (b) Conservation grants administered by the Heritage Council
- (d) Energy Improvement schemes operated by SEAI (if relevant)

Where an applicant has applied for or has received funding from other schemes co-financed by the EU (e.g. LEADER Programme) for works approved under this scheme, the cumulative total of such funding and the funding under this scheme **must not exceed the limits as set by such European Funding schemes**

5.9 Eligible Expenditure

Value Added Tax (VAT) is allowable under this scheme only for that portion of capital works being funded and only in circumstances where such VAT is not recoverable under this scheme by any other means.

Professional Fees are allowable only in respect of that portion of capital works being funded by the scheme.

5.10 Refunds

Your attention is drawn to the fact that where works are not carried out in accordance with the terms of the scheme, in particular where the scope of works changes and the new works do not conform to the required standards of good conservation practice, the Department is under no obligation to award the grant, as this is a material breach of the terms of the grant offer.

If a protected structure awarded funding is **deleted from the RPS**, is sold, or the ownership transferred within a period of 5 years from date of payment of funding under the scheme, the local authority reserves the right to 'claw-back' some or all of the funds awarded to that project. In the event of transfer of ownership prior to the payment of funds under this scheme, the local authority may make arrangements to transfer the funding to the new owner of the property.

For **proposed protected structures** awarded funding and **not added to the RPS** by 31 December 2019, the Department reserves the right to seek a refund.

Any funding provided to a local authority which is subsequently recovered under Section 70 of the Planning and Development Act 2000, from the owner/occupier of the funded structure, must be **refunded** to DCHG.

5.11 Public Financial Procedures

It is a matter for the local authority to ensure that proper procedures are followed in respect of planning permission, financial management requirements, tax clearance procedures, and management and accountability for grants from exchequer funds.

5.12 Annual Report and Publicity

Each LA should include information on its operation of the scheme in its Annual Report. The contribution of DCHG should be publicly acknowledged in all advertisements and publicity in relation to this scheme.

5.13 Freedom of Information Act

Applications for funding under this scheme may be subject to the Freedom of Information Acts.

5.14 Document Retention

Proper documentation regarding this scheme must be kept on file for at least 7 years. Documentation should be made available to the Department on request.

5.15 Appeals

The decisions of the Minister are final. Any issues regarding the administration of this scheme should be referred in the first instance to the local authority. In the event of a complaint, applicants should be made aware of their rights to refer to the Office of the Ombudsman.

5.16 GDPR/Privacy Statement

The Department of Culture, Heritage and the Gaeltacht is committed to protecting and respecting your privacy and employs appropriate technical and organisational measures to protect your information from unauthorised access. The Department will not process your personal data for any purpose other than that for which they were collected. Personal data may be exchanged with other Government Departments, local authorities, agencies under the aegis of the Department, or other public bodies, in certain circumstances where this is provided for by law.

The Department will only retain your personal data for as long as it is necessary for the purposes for which they were collected and subsequently processed. When the business need to retain this information has expired, it will be examined with a view to destroying the personal data as soon as possible, and in line with Department policy. Further information on Data Protection can be found on our website at: <https://www.chg.gov.ie/help/legal-notices/data-protection/>

Contact

For further information regarding the operation of this scheme, applicants should refer to the relevant section of the local authority in the first instance. Local authorities may contact the **Built Heritage Policy** section of the Department.

Overview of Process



Brief Guidance Note on Method Statements

The Method Statement should describe the condition of the structure and detail the conservation methodology that will be used. It should be appropriate to the nature and scale of the proposed works e.g. a method statement in relation to re-thatching will not require as much detail as one for structural or masonry repairs.

Proposed works must adhere to **best conservation practice** as outlined in the ***Architectural Heritage Protection Guidelines***. Works should be based on a proper understanding of the structure, and make use of appropriate materials. Their overall aim should be to arrest further deterioration by addressing what is causing risk to the structure. Replacement of original material should be kept to a minimum and should only be carried out when absolutely necessary. The Method Statement should include:

1. Existing structure

A description, noting all its salient features, its appearance, setting, form, condition, present function, significance, brief architectural history (if available), and the materials it is constructed of. A site location map of suitable scale and quality clearly marked must also be provided.

2. A concise description of the works proposed

This should identify the issues that are causing risk, what remedial works are proposed, how the work will be done, what materials will be used, and how the fabric of the building will be conserved. It must include relevant plans, drawings and supporting visual media such as photographs or other illustrations and should typically include the following issues:

- a) Are the works temporary or permanent?
- b) What types of repairs are being proposed and at what locations?
- c) What treatment/replacement of damaged fabric is envisaged?
- d) What replacement materials (if any) will be incorporated?
- e) Details of on-site supervision and monitoring
- f) A brief schedule or sequence of works
- g) An estimated project cost

3. An impact statement and proposed mitigation measures (if applicable)

Any likely impact of works on a structure and ways of mitigating adverse impacts. Mitigation may include design, timing and methodology (i.e. roof repairs timed to avoid interfering with bat colonies or rendering works timed to allow lime mortar to set), reversibility, careful choice of materials, etc.

