

Mr John Betty
Strategic Director of Development and Major Projects
Bath & North East Somerset Council
10 Palace Yard Mews
Bath BA1 2NH

21st November 2007

Dear Mr Betty

BATH WESTERN RIVERSIDE REVISED: 06/04013/EFUL and 6/01733/EOUT

Thank you for your letter of 19th November.

We were surprised to read that you were quoting ICOMOS-UK's views from the local press rather than from our letter of objection of 22nd October 2007, submitted as part of the planning process.

ICOMOS-UK has followed very closely the proposals for Bath Western Riverside as it does for all major projects within World Heritage sites or sites on the Tentative list. Last year we had a site visit of members of our Executive, World Heritage and Cultural Landscape and Historic Gardens Committees to discuss the first proposals for Bath Western Riverside and we subsequently objected to these.

In the last few months we have had a meeting with the developers at their request and are now responding to their revised proposals.

To address your point 1:

The positions put forward in our letter of objection of 22nd October were approved by the Chair and Vice Chair of the ICOMOS-UK World Heritage Committee following a discussion at the last meeting of the Committee which took place before the revised proposals were submitted. I attach an extract from the Committee minutes. The President of ICOMOS-UK, Donald Hankey, (who took over from Mansell Jagger this year) was present at the meeting.

Turning to your point 2:

In our letter we did not say, as you suggest, that '*UNESCO may put Bath in its World Heritage in Danger list*'. As you quoted in your first paragraph what we actually said was that '*any indication that the scheme might be approved could be a reason for the UNESCO World*

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Heritage Committee to consider the possibility of danger listing'. Our views are based on our knowledge of decisions taken by the UNESCO World Heritage Committee in recent years and the recommendations made by ICOMOS international.

For Bath Western Riverside, we are aware that a great deal of concern over the current proposals has been expressed by organizations and individuals to the UNESCO World Heritage Centre. As a result of this we expect that the State Party will be asked to prepare a report on Bath Western Riverside for the next UNESCO World Heritage Committee meeting in July in Quebec. That report will need to be submitted by 31st January 2007. It will then be used as a basis for a State of Conservation Report for the City of Bath, written by the UNESCO World Heritage Centre and by ICOMOS (International), which will make recommendations for the Committee to consider.

In recent years the Committee has taken a very firm line with major projects that could be seen to impact adversely on the outstanding universal value of World Heritage sites. As you may be aware, there was discussion of Danger listing for the Tower of London and Westminster at the last Committee in Christchurch but this was averted, at least until next year, by the actions that had been taken for both those sites. And this year the Committee threatened to de-list Dresden, Germany, if construction work on a major bridge across the river was started.

Neither ICOMOS-UK, nor anyone else can speak for the UNESCO World Heritage Committee, who decides on how to respond to the issue of threats to World Heritage sites. Nevertheless ICOMOS, as advisers to the World Heritage Committee on cultural sites, does have a role in advising on responses to threats.

Under the Operational Guidelines for the World Heritage Convention, 2005, State Parties are asked to notify the Committee of major projects. The text is as follows:

Extract from Operational Guidelines, 2005

Paragraph 172:

The World Heritage Committee invites the States Parties to the *Convention* to inform the Committee, through the Secretariat, of their intention to undertake or to authorize in an area protected under the *Convention* major restorations or new constructions which may affect the outstanding universal value of the property. Notice should be given as soon as possible (for instance, before drafting basic documents for specific projects) and before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the outstanding universal value of the property is fully preserved.

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ICOMOS-UK considers that this process should have been followed for Bath Western Riverside. By any standards Bath Western Riverside is a major project – the footprint for this first phase is equal in size to that of the old city. In our view, the World Heritage Committee should have been notified of the project and given the opportunity to comment. In our initial letter of objection of December 2006 we stated ‘ICOMOS-UK considers that development of the Western Riverside constitutes a major devolvement within the Bath WHS and as such should be reported to the UNESCO World Heritage Committee before any decision has been taken which is irreversible’.

We appreciate that the Committee only meets once a year. In between Committees, other State Parties submit major proposals and asks for the views of the Advisory Body, ICOMOS, and the World Heritage Centre, and in some circumstances a Mission may be arranged to assess projects on site.

ICOMOS-UK considers that we are now in the very difficult situation where the Committee has not been offered the chance to consider these proposals. When it discusses them next July, it is ICOMOS-UK’s view – as stated in our letter – that any suggestion that this scheme might be approved could be a reason for the Committee to consider Danger listing.

I hope this clarifies the relevant processes and our comments.

Yours sincerely

Susan Denyer
Secretary ICOMOS-UK

Cc Donald Hankey, President, ICOMOS-UK

Extract from Minutes of

ICOMOS-UK WORLD HERITAGE COMMITTEE

Meeting held at 1.45pm on 14th September 2007, Cromford Mill

• *Bath: Bath Western Riverside*

Sir Richard McCormak was invited by EH to look at original proposal and judge what modifications might be appropriate for it to be considered more acceptable. The GOSW had put a decision on a call-in on hold until his report had been received. His report has now been finalised. Surprise was expressed at his suggestion that minor modifications to the height of some buildings could make the scheme acceptable, without removing the nine storey buildings or addressing other adverse factors. On Monday 17th September a revised proposal will be submitted by the developers to which ICOMOS-UK will respond. The Chair and Vice-Chair to approve ICOMOS-UK’s response.

Action Chair, Vice Chair

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