

UPPER WESTGATE CONSERVATION AREA

Heritage Action Zone Grant Application

ADVICE NOTES



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Historic England

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Key

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Introduction

The Upper Westgate Conservation Area High Street Heritage Action Zone (HAZ) is a £4 million heritage scheme jointly funded by Historic England and Wakefield Council. It was launched in April 2020 and is due to finish in March 2024.

The scheme aims to improve the historic environment of the Upper Westgate Conservation Area.

The main aims of the scheme are to:

- Promote the preservation and enhancement of historic buildings within the Upper Westgate Conservation Area;
- Grow the economy of Westgate by bringing uses into vacant floor spaces within buildings;
- Support the repair and reinstatement of historic frontages to create a high quality, attractive environment within the conservation area;
- Involve cultural and art organisations located in the Westgate Area who can apply for funding to hold cultural events and celebrations to promote and enrich the HAZ;
- Provide training for building owners in traditional skills; and
- Raise awareness of Wakefield's historic built environment.

The HAZ Grants Scheme

The HAZ area falls within the boundaries of the Upper Westgate Conservation Area and includes properties on Westgate, Cheapside, Barstow Square, Carter Street, Woolpack Yard and Thompsons Yard.

The HAZ is offering major grants to a number of identified priority properties requiring major works to help bring restoration and repair. If you are the owner of one of these identified properties The HAZ officer will already will have made contact with you to discuss these proposals. In addition to these, minor works grants scheme will also operate offering grants up to £30,000 for other historic properties within the Upper Westgate Conservation area. These are available for property owners to undertake works such as the installation of traditional shop fronts and the repair of windows. Grants will also be available for properties housing historic hoists to help restore these important features of the conservation area.

Priority properties have been identified based on a number of considerations, including prominence within the streetscape and heritage value.

The HAZ Project Officer can advise whether your property falls into either of these categories. For major grants and minor works grants the same principles apply.

The type of work that can be funded includes:

- Repairs to external envelopes of buildings including sash windows, roofs, gutters and rain water goods.
- Repair and reinstatement of external architectural features including reinstatement of traditional shop fronts.
- Internal works which bring vacant floor spaces into use.

Two grants scheme operate:

Scheme 1. External works. Grants can cover up to 90% of the costs of external works. The grants can also fund up to 90% of the cost of any necessary survey work, planning applications and professional fees relating to the scheme for external works.

Scheme 2. Bringing vacant floor space into use. Grants can cover up to 70% of the costs of bringing vacant floor space back into use and up to 70% of the cost of any necessary associated survey work, planning applications and professional fees relating to these works.

Before you apply

Before considering an application to the scheme you are advised to read the advice notes in this guidance in full. Please also view the Transparency notice below to see how we will handle your information.

Transparency notice

Here at Wakefield Council, we take your privacy seriously and will only use your personal information for the purpose(s) listed in section 2 below. This notice provides details of how the Council collects and uses information (data) about you.

We will keep your information (data) secure at all times.

1. Who we are.

a) The Controller for the information we hold is Wakefield Council. Contact details:

Telephone: 01924 306112

Email: dataprotection@wakefield.gov.uk

b) If you have any queries regarding your information that we are using for the purpose outlined in section 2, please contact the Controller's representative. Contact details:

James Stephenson, Senior Development Manager

01924 306699

E mail: jstephenson@wakefield.gov.uk

c) The Council's Data Protection Officer is the City Solicitor: Contact details:

Telephone: 01924 305211

Email: dpo@wakefield.gov.uk

2. How we use your data:

The Strategic Housing and Regeneration Service needs to collect the following information about you:

- Proof of property ownership
- Bank details showing available match funding
- Information relating to information held by companies HOUSE
- VAT details
- Insurance details and information on any claims
- Use of property
- Works undertaken to property as part of the HAZ scheme
- Details of planning consent
- Amount of grant funding offered
- Information relating to claiming of grants (proof of defrayment, contractor's certificates and architects certificates)

We use this information to determine eligibility for grant funding support and making payment of grants.

To enable us to provide our service to you we will share your information with the Historic England.

Should you decide not to provide any of the information we request from you we will not be able to include you as part of the Grant Funding Project.

3. What authority does the Council have to collect and use this information?

Collection and processing of data is legitimate under GDPR Article 6b and 6c which state:

- b) Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
Processing is necessary to take steps to enter into a contract with you to carry out property improvement and restoration work as part of the HAZ project.

4. How long will we keep your data?

We will keep your personal information collected for the purpose(s) detailed in section 2 for a period of ten years, starting the day after the project completes. After this period of time it will be deleted from our systems. The reason for keeping information for this period of time is to meet the conditions that have been attached by the Awarding Body to the external funding that has been given to deliver this project.

5. Your rights and your personal data

Under the GDPR you have the following rights:

Right of Access

You have a right of access to the personal information that the Council holds about you, and/or the right to be given a copy of the data undergoing processing.

Right to Rectification

You have the right to request that the Council corrects any personal data if it is found to be inaccurate, incomplete or out of date.

Right to Erasure

In certain circumstances, you may have the right to request your personal data is erased.

Right to Restriction of Processing

You have the right, where there is a dispute in relation to accuracy or lawfulness of processing of your personal data, to request that a restriction is placed on further processing.

Right to Portability

You have the right to request the Council provide you with your personal data and where possible, to transmit that data directly to another data controller. However, this only applies to data that you have provided to us and not to all the information that the Council holds about you.

Right to Object to Processing

In certain circumstances, you may have a right to object to the processing of your personal data.

Automated Decision Making

Our process includes no automated decision making.

Right of Complaint

You have a right to lodge a complaint with the Information Commissioner, please find contact details below.

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

To exercise any of your rights, you should contact the Data Controller's representative as shown in section 1b.

6. Transfer of data outside the EU

No information will be transferred outside the EU

You are also advised to have initial discussions with the HAZ Project Officer about the work that you are proposing to apply for funding for.

Contact details

HAZ Project Officer, Wakefield Council, Regeneration Team, PO Box 700, Burton Street, Wakefield, WF1 2EB

01924 304945

pgwilliam@wakefield.gov.uk

General information about the HAZ Grant Scheme

Who can apply?

To be eligible for a HAZ grant your property must be a historic property within the Upper Westgate Conservation area. You must either own the building, or have a full repairing lease with at least ten years left to run without a break clause. If you have a shorter lease the HAZ Project Officer will be happy to discuss this with you.

What are 'eligible works'?

The HAZ grants funds external improvements and structural repairs to historic buildings, as well as the reinstatement of external architectural features, including traditional-style shop fronts. Grants are also available to fund works to bring vacant floor space within buildings back into use, which can bring a positive contribution to the economy of Westgate. Applications to fund the repair or reinstatement of individual items (such as isolated roof repairs) are unlikely to be successful.

How is the grant paid?

Grant payments are made in arrears for work that has been completed. To claim the grant you will need to submit a payment request detailing the works that have been completed, with evidence that payments have been made (in the form of a bank statement supported by architect certificates and contractors invoices identifying works completed against the priced schedule of works). Payments of up to 90% can be made in stages during the works.

A payment schedule should be agreed with the HAZ Project Officer at the start of the project.

Where payments are made in instalments, at the end of the project the final 10% of the grant will be withheld until the HAZ Grants Board is satisfied that all of the works have been completed to the required standard and a copy of the practical completion certificate and evidence of the final payments have been submitted, confirming that all Grant Eligible Works to the property have been completed, a copy of the final account from the Recipient's contractor has been received by the Council and the Recipient has provided the regeneration outputs information.

How are grant applications decided?

Recommendations for grants are made by the specifically established HAZ Grants Board which consists of Wakefield Council Officers and representatives of the Wakefield Civic Society. Any recommendation by the HAZ Grants Board to make a grant must be approved by the Service Director, Economic Growth & Housing.

Decisions on grants of more than £50,000 in value need to be assessed and approved by Historic England. This approval is sought once the HAZ Grant Board has agreed that a project is eligible for HAZ funding.

On approval from Historic England the HAZ Project Officer will request approval from the Service Director, Economic Growth & Housing based on recommendations of the HAZ Grants Board and Historic England.

Following approval, you will be required to enter into a grant agreement with the Council and a legal charge secured against the property for grants over £30,000. Further information on these documents can be found in Advice Note 2.

Retrospective applications

Applications for a HAZ grant cannot be made retrospectively, as works that have already been completed are not eligible for funding. You must not start your project before your application has been approved and legal documentation has been finalised. If your application is approved you will be asked to enter into grant agreement with Wakefield Council and if your grant is for over £30,000.00 you will need to enter into a legal charge securing the grant against the property. If you start work before you have received written confirmation that this grant agreement (and where appropriate a legal charge) is in place you may not be able to claim any grant for the works you have carried out. The grant agreement process can take a few weeks, so you should allow for this in your works timetable.

VAT

Applicants should be aware that VAT will not be included in grant payments. Where an applicant is VAT registered, and their business is fully taxable, they are able to recover the VAT incurred on any work to their property. Where an applicant is not VAT registered they cannot recover the VAT incurred. In these instances, the Council will not include irrecoverable VAT within grants awards, for which applicants should cover from their own resources. Payments are deemed inclusive of VAT, if VAT is chargeable and the Council is not obliged to pay any additional amounts.

Advice Note 1

How to Apply for a HAZ Grant

Contact the HAZ Project Officer

Before you consider applying for a HAZ grant you should contact the HAZ Project Officer for an initial discussion about the works you are planning to carry out, (contact details on page 3).

Submit a Registration of Interest Form

The next step is to submit a Registration of Interest Form with outline details about your property and the work you plan to carry out. This will be assessed by the HAZ Project Officer, who will contact you to confirm whether your project is eligible to apply for HAZ funding and to discuss the next steps.

Engage an approved advisor

Once your Registration of Interest has been approved you will be asked to appoint a suitably qualified Conservation Architect as your advisor, to help you to put together your application, including:

- producing a scope of works;
- producing detailed plans and drawings;
- commissioning any additional survey work that may be required;
- applying for any statutory consents that are required (including planning permission and listed building consents).

You must undertake a competitive tendering process to appoint the Conservation Architect. This means that you will be required to obtain quotes from at least three (and wherever feasible a minimum of five) suitably qualified architects.

You will select an architect on the basis of:

- (a) overall value for money; and
- (b) suitable skills and experience.

Where possible an architect within the Wakefield district should be selected.

In making the selection of the architect you must make records available to the Council to evidence that a competitive process was undertaken and a fair and documented decision making process taking into account public sector accountability and probity has been used.

Where a grant is offered for repair works costing £20,000 or more in total, you must employ a competent professional with relevant specialist conservation knowledge and experience. He or she will analyse the site, plan and specify the work, and inspect and certify the work while it is in progress and after it is completed.

Where the grant is for repair work to a Grade I or Grade II* listed building the professional must be an architect, chartered building surveyor or chartered architectural technologist with conservation accreditation – see:

<https://historicengland.org.uk/services-skills/training-skills/heritageskills-cpd/conservation-accreditation-for-professionals/>

The HAZ Project Officer will be able to provide details of suitable advisors in the local area.

As long as associated with your building, and a full application, professional fees (including the cost of essential survey work) are eligible for funding as part of the HAZ grant scheme. The HAZ grants can cover up to 90% of the costs of professional fees for external works applications and up to 70% for applications to bring bringing vacant floor space back in to use.

Please note that you are responsible for paying your advisor and you are not entitled to any funding until your application has been approved and a grant agreement has been signed. If your application is unsuccessful, or you withdraw your application at any time before the agreement is signed, you will still need to pay your advisor, and you will not be able to claim against any costs that you have incurred up to that point.

Apply for consents

As part of the application process you must apply for any statutory consents that are required for the works, including planning permission, Listed Building Consent and advertising consent.

As well as discussing your project with the HAZ Project Officer, we therefore also advise that you discuss your proposals with the Wakefield Council Conservation Team, contact:

rbatt@wakefield.gov.uk

Depending on what works you are proposing to carry out, you may also require Building Regulations approval.

If you are not sure whether your project needs building regulations approval, or if you need more advice about building regulations, you can contact the Wakefield Council Building Control team on:

Building Control
Wakefield Council
Wakefield One
PO Box 700
Burton Street
Wakefield
WF1 2EB
buildingcontrol@wakefield.gov.uk
01924 306557

Get quotes for the works

Before you submit your application you must undertake a competitive tendering process to appoint a contractor. This means that you must obtain at least three comparable quotes (and wherever feasible a minimum of five) for the works from suitably qualified contractors with experience of carrying out conservation works on Listed Buildings, or historic buildings within a conservation area. This is usually managed by your qualified Conservation Architect, who should prepare a tender pack in consultation with yourself and the HAZ Project Officer, and send this out to a list of approved contactors. The HAZ Project Officer can provide details of suitable contractors working in the local area.

You must select an architect on the basis of:

- (a) overall value for money; and
- (b) suitable skills and experience.

Where possible a contractor within the Wakefield district should be selected.

In making the selection of the contractor you must make records available to the Council to evidence that a competitive process was undertaken and a fair and documented decision making process taking into account public sector accountability and probity has been used.

Your grant will be based on the eligible works detailed in the preferred priced specification.

No work may start be started until written approval is given, or you will not be eligible for grant.

Complete the application

Once you have obtained quotes and all of the necessary consents for the work, you should complete and sign the application form in collaboration with your agent and submit it to the HAZ Project Officer.

On the application form you will need to tell us about yourself and your property including; whether you own or lease the property, more information about you or your organisation (if you are applying as a business), detailed information about the works you are proposing and when you expect the project to start and finish. The form will also ask for a cost breakdown. There is more information about how we calculate the grant rate for the HAZ grants in the next section.

You will also need to supply a number of additional documents to support your application. A list of the supporting documents that you will need to supply is given below and on page 10.

The following supporting documents are required for all applications:

- 1.** Proof of ownership and/or possession of the property. If the applicant is not the owner of the property, the consent of the owner will be required. Please note the owner will be required to enter into the grant agreement and, where applicable, the legal charge. If you hold a leasehold interest and the terms of your lease require landlord's consent for works/alterations, you will also need to provide Landlord's consent and have a full repairing lease.
- 2.** Evidence of any encumbrances, restrictions or claims against the property and any consent/confirmation that consent will be provided on completion pursuant to such encumbrances. Applications may not proceed if relevant consents cannot be provided.
- 3.** If the proposed works require any statutory consents (such as planning permission, listed building consent, scheduled monument consent or building regulation consent), copies of the relevant notifications must be attached. All necessary consents must be secured before you make your application.
- 4.** Proof of insurance for the property, works and any unfixed materials and goods delivered to the property.
- 5.** A bank statement to show proof that your contribution towards the cost of the works is secured. (If a recent large injection of money is shown on bank statements, then written confirmation is required to show that these funds are available as HAZ match funding. Evidence of funding source should be provided and if from a third party proof confirming it is intended to be used as HAZ funding).
- 6.** If you have had any grant offers or funding awards from other sources, you must attach copies of any relevant letters. These should indicate the amount and any conditions attached to the offer. Please see state aid section below.
- 7.** In addition to the summary of proposed works required by the application form, you must also attach full details of the proposed works. These need to be identified separately (see Advice Note 3) and must include:
 - A full specification of works, which must include details of materials and a method statement (two copies are required);
 - Drawings - Relevant annotated plans, elevations and cross sections at an appropriate scale (two copies are required);
 - Priced schedule of works from preferred tenderer (two copies are required);
 - Photographs of elevations and architectural details which show the building and the relevant areas where work is required;
 - Work programme; and
 - Expenditure profile.

This information should be submitted as both hard and digital copies.

- 8.** Your most recent audited business accounts.
- 9.** If you are an unincorporated partnership or an unincorporated charity, you will need to supply a copy of your constitution or governing rules
- 10.** If you are a private company, an incorporated charity or other body corporate, you will also need to supply a copy of:
 - a. Articles of association or memorandum of agreement; and
 - b. Details of any fixed or floating charges secured against your organisation. Please note you will be required to provide Lender's consent and letters of non-crystallisation where applicable and necessary.

- 11.** A priced schedule of works including all eligible works, based on clear written specifications. To assist with the calculation of grant rates, your architect should ensure that the priced specification identifies both eligible and non eligible works. You must supply two copies of this document in hard and digital formats, which should include a copy of the summary sheet prepared by the scheme architect for all tenders received and a full copy of the successful tender.
- 12.** All tenders must be accompanied by a completed Contractor Reference Form(s) which you will find in the application pack. These references are required to show that all of your building contractors (including subcontractors) have experience of conservation projects. You should only invite tenders from contractors that have a reputation for achieving the standards required and that can demonstrate their experience of working on conservation projects. Sub-contractors should also have a reputation for achieving the standards required and be able to demonstrate their experience of working on conservation projects.
- 13.** If you want to accept a tender other than the lowest tender, you must provide a written justification when submitting your application. If the HAZ Grants Board does not agree with your reasons, any grant awarded will be reduced by a percentage which reflects the difference between the lowest acceptable tender to the HAZ Grants Board and the tender you choose to accept.
- 14.** Evidence of grant offers from other sources, including current offers and applications.
- 15.** For grant application over £30,000.00 only:
 - a. Cheque or postal order for the appropriate amount made payable to Wakefield MDC to cover the Land Registry fees for registration of the Legal Charge against the property (see Advice note 2).
 - b. If you are a body Corporate owner – a cheque or postal order made payable to Companies House for £23.00. This is to cover the cost of registration of the Legal Charge against your company (see Advice Note 2 for further details).
 - c. If you do not intend to instruct a solicitor to act on your behalf, Land Registry identity check form ID1 (individual owners) or Form ID2 (Corporate Body owner). Please see advice note for further details.

State aid compliance

The EU State Aid rules prohibit councils from using state resources in a way that distorts or threatens to distort competition between Member States by favouring certain organisations. The concept of “aid” is extremely broad and covers direct financial measures such as grants.

Whether any state aid is present will depend on a number of factors including whether the funding is being granted to an individual or a business, and if a business on the activities it does. To the extent any aid is present a number of exemptions may apply, including De Minimis. All grant funding arrangements will be considered on a case by case basis and appropriate exemptions applied. You may be required to submit a De-Minimis declaration with your application. The HAZ Project Officer will advise you if this is required.

Please note that if the Council determines that to grant you funding will breach or may breach the State Aid rules you will not be eligible to receive funding.

The HAZ Project Officer may need to request further information from you which may be in addition to the information contained in your application in order to determine whether funding can be granted in compliance with the State Aid rules.

Funding will be granted on the basis of information you have provided to the Council. If it is found that funding has been granted in breach of the State Aid rules, the Council will take action to recover any monies owed.

What happens next?

Once your application has been submitted it will be considered by the HAZ Grants Board at their next meeting. They will assess the application against the following criteria:

- The conservation and townscape merit of the building and the extent to which the proposals will enhance this;
- The need for repair;
- The use of appropriate materials and techniques, in line with national conservation standards;
- The implementation of a comprehensive repair strategy to ensure the long term life of the building;
- The regard paid to the special character and interest of the property and the area in which it lies; and
- Whether the proposals fully meet the criteria set out in the “Guide to Eligible Works” (Advice Note 3) and where appropriate, the criteria of other funding bodies.

The HAZ Project Officer will inform you in writing of the Grants Board's decision. If your application is successful you will be asked to sign a formal grant agreement with the Council before work can start on site (see Advice Note 2 for more details). If your Grant is over £30,000.00 you will be also be required to enter into a legal charge to be secured against the property.

Advice Note 2

Summary of the HAZ Grant Conditions

If your application is approved you will be asked to enter into a formal agreement with the Council. Below is a summary of the main conditions of the grant agreement. The agreement will last for a period of 3 years from the date of the last grant payment. The HAZ Project Officer can send you a copy of the grant agreement and legal charge (if applicable) on request. Please note that the grant agreement is a standard document and material amendments to it are not possible.

Before entering into the grant agreement and legal charge, you should seek independent legal advice. If a legal adviser is not instructed, please note that the Council's Legal Officers act only on behalf of the Council and owe you no responsibility in law or otherwise.

Accepting the grant and completing the works

You must accept the grant within one month of it being offered, and you must start work within six months of the grant offer, otherwise the grant may be withdrawn. Historic England requires works to be completed within 1 year of the offer letter or 31 March 2024 if earlier (unless extended with HE agreement).

Purpose of the grant

The grant can only be used to carry out the agreed eligible works on the property specified in the application. The grant is not transferrable to another property, or person. The works must be carried out in accordance with the specification drawings and other documents submitted with the grant application and approved by the HAZ Grants Board. The agreed grant amount cannot be increased if the project over spends, or unforeseen costs are incurred during the works. If the work costs less than anticipated, the total grant will also be reduced accordingly.

Carrying out the works

Prior to starting any funded works you must have obtained all statutory consents required (e.g. planning permission, Listed Building Consent, advertising consent) and complied with any conditions applied to these consents. The works must be carried out in accordance with current best practice and conservation principles (for more details see advice note 4). You must not carry out any works to the property that might detract from its value or integrity as a heritage asset.

Course on repair and maintenance of building of historic and architectural interest

A condition of the grant funding agreement requires applications receiving HAZ funding and their contractor undertaking works to attend a short course on the repair and maintenance of building of historic and architectural interest. The final payment of grant cannot be released until the course is completed. The purpose of the course is to promote understanding building conservation repair and maintenance best practice and techniques. There are no fees attached to attending this training course and the HAZ Officer will provide you with further information on this course.

Managing the project

If the overall project cost is £20,000 or more it is a requirement of the grant that a competent professional with relevant specialist conservation knowledge and experience is employed to manage your project.

Where the grant is for repair work to a Grade I or Grade II* listed building the professional must be an architect, chartered building surveyor or chartered architectural technologist with conservation accreditation. Please note that for listed buildings, Historic England's approval to the works is required.

The project manager is usually the same person that advises you on your application (your professional advisor, as set out in advice note 1).

The project manager will undertake the following duties:

- inspect the work in progress;
- be responsible for the day-to-day management of the project;
- liaise with the HAZ Project Officer and other council officers (including the Conservation Officer) where needed; and
- issue valuation and completion certificates.

The HAZ Project Officer can help you to find a suitable advisor.

Project records

You must keep copies of all financial records relating to the project, including invoices, certificates of completion and bank statements showing evidence of payments that have been made in relation to the project. Copies of these records must be submitted with your grant claims in order for the grant payments to be processed. Wakefield Council and or Historic England may request sight of records for a period of 10 years from the date of the grant. You must therefore ensure all records are kept for this period.

Insurance

The property must be adequately insured against loss and all other reasonable risks for the duration of the works and for the period of the grant agreement. It is your responsibility to inform your insurer that works are being carried out on the property.

Publicity

Whilst the works are being carried out, you must publicly acknowledge the grant by displaying a prominent sign on the property, which will be provided by us. This sign will include the Wakefield Council logo and Historic England's logo.

You must also give your permission for us to take photographs of the building before, during and after the works, and agree to these being used by the Council and the Historic England in publicity materials relating to the HAZ scheme.

Inspection of work in progress

You must allow us access to the property for the purposes of monitoring progress of the works at any reasonable time, and with reasonable notice, and you must give due regard to any recommendations made by the HAZ Project Officer about the project.

Maintaining the property after the works are completed

After the works have been completed you must ensure that the property is maintained and kept in good condition for the duration of the grant agreement.

Repaying the grant

If you breach the conditions of the grant agreement, or you are shown to have acted fraudulently in applying for the grant or carrying out the works, you may be asked to repay any grant you have received.

Clawback

If a grant is offered and the building is sold or leased within three years from the date of the last payment of grant monies, the grant may be recovered.

This is to ensure that private companies or individuals do not profit unduly from public funds. You will be required to notify the Council of any intended disposal of the property within the grant period and the grant will be repayable should the disposal complete within the grant period.

Legal Charge - Applicable to grant over £30,000.00 only

A legal charge is required for grants over £30,000. The terms of the legal charge secure the grant against the property and give notice to potential purchasers. The legal charge ensures that clawback is triggered in the event of a sale within the grant period.

The Legal Charge will be removed from the registered title at the end of the grant period.

Legal Charge registration requirements

The project cannot commence until the Council has received confirmation from the Land Registry that the legal charge has been registered.

The Council will register the legal charge with the Land Registry. If you are a body corporate registered at Companies house and the grant is subject to a legal charge, the charge will also need to be registered against your company at Companies House. You will need to ensure that you have any consents required by any existing lenders/chargees. You will be asked to cover the cost of registration of the Legal Charge at both the Land Registry and Companies House (further details below).

Land Registry Anti-Fraud Identity Check requirements

If a legal charge is required and you do not intend to instruct solicitors to act on your behalf, please note that the Land Registry has certain anti-fraud identity check requirements which must be complied with where an individual or a body corporate is not legally represented in a transaction. To deal with these, the Council will require you to have the appropriate Land Registry Identity check form completed, signed and certified by an independent solicitor/conveyancer (ID1 for individuals and ID2 for Corporate Bodies). The appropriate form will need to be submitted with your application.

These forms are not required if you are instructing solicitors to act on your behalf in relation to the grant and legal charge.

Registration of Charge - Associated Fees

You will be required to cover the cost of registration of the Charge at the Land Registry and (where applicable) with Companies House.

Registration of charge at Land Registry (current prevailing rates, subject to change);

Legal charge of up to £100,000.00 - £20.00

Legal Charge of £101,000.00 - £200,000.00 - £30.00

Legal Charge of £200,000- £500,000.00 - £40.00

Method of payment

The Council has a direct access account at the Land Registry through which it pays all application fees direct to them. Payment should therefore be made to the Council to cover the appropriate cost the Council will incur. Payment can be made to the Council via a cheque or postal order made payable to Wakefield MDC. Payment can also be taken over the telephone. If you wish to pay over the phone, please contact the HAZ Officer to arrange this.

Registration of Charge at Companies House

The current prevailing rate is £23.00.

Method of payment

Please submit a cheque or postal order made payable to Companies House and submit this to the Council with your application form. Unfortunately this payment cannot be made by other methods.

Advice Note 3

Guide to Eligible Works

General Principles

All work must be undertaken with respect for the character and integrity of the building or structure and of the Conservation Area. This is in accordance with the relevant national conservation policies, local guidance and following published guidance and advice issued or endorsed by the relevant national heritage organisation.

Details of the Upper Westgate Conservation Area Appraisal can be found on www.wakefield.gov.uk under conservation areas.

You must use an accredited agent registered with either the Royal Institute of British Architects (RIBA) or the Architects Registration Board (ARB) to prepare drawings. The website: www.ribafind.org provides a list of architects throughout the United Kingdom who are accredited in building conservation. The HAZ officer can also provide details of suitable agents.

Tenders should only be invited from contractors known to be able to achieve the high standard of conservation quality required. Contractor reference forms will be required from chosen contractors and their sub-contractors to demonstrate proven ability and experience on conservation projects. To assist with the calculation of the grant, your architect should identify if works fall under the category of works deemed as eligible for grant funding.

Two grants scheme operate:

1. External works schemes.

Grants of up to 90% to cover the costs of external works, along with up to 90% of the cost of any necessary survey work, planning applications and professional fees.

2. Bringing vacant floor space into use.

Grants can cover up to 70% of the costs of bringing vacant floor space back into use and up to 70% of the cost of any necessary survey work, planning applications and professional fees relating to these works.

Grant will not be paid for work that, in the reasonable opinion of Historic England and the Council does not meet generally accepted standards of quality in materials or workmanship appropriate to the circumstances.

The Council is committed to furthering the objectives of sustainable development through the HAZ projects we fund. This means that, as far as possible, we will take account of all long term environmental benefits and costs. Proper consideration must be given to the special characteristics of a historic building when considering energy efficiency measures such as, insulation, renewable energy, water, building materials, construction waste, soil, including peat, timber, biodiversity and transport.

Eligible categories of work:**1. External works schemes.**

Grant Rate

Up to 90% of eligible cost.

This includes the structural and external repair of historic buildings which are in use. It can only include internal repairs if these are necessary for structural stability.

It does not include routine maintenance, redecoration or internal repairs alone unless the decoration is needed as a direct result of eligible repair.

Objective

To put into sound repair the structure and external envelope of buildings that make a positive contribution to the character or appearance of the conservation area. Repairs should be comprehensive in scope, using appropriate techniques or methods of construction and high quality natural or traditional materials, normally on a like for like basis. Substitute or artificial materials are ineligible and their use is generally unacceptable on grant aided projects.

To reinstate in whole or part elements of the exterior fabric of buildings which are essential to their design and character, such as ornamental masonry (including architectural sculpture), stucco and other applied finishes and details, joinery to historic patterns, and ornamental metalwork such as balconies, canopies and finials. It does not include "conjectural restoration" work, that is work for which there is no firm historical evidence, either surviving on the building or recorded in photographs or drawings, nor does it include works involving the reversal of alterations that are themselves of quality or interest.

Repairs may include:

- Consolidation or reinforcement of the existing structure, using the most conservative approach that is practicable, although limited reconstruction as existing might be eligible.
- Appropriate repairs to timber frames, roof structure, beams and other structural timbers, based on a careful and comprehensive survey of the existing structure. In situ reinforced resin repairs to structural timbers are not acceptable unless justified on the grounds of avoiding major disturbance of historic fabric.
- Dry rot eradication and timber preservation treatments, preferably based on an analysis and specification by an independent consultant (whose fees are also eligible), and using non-destructive techniques and non-toxic applications wherever possible.
- Damp-proofing by traditional methods, but only where damp is causing structural damage to the building. Damp eradication measures, such as improved drainage, the introduction of French drains, or the lowering of ground levels, are preferable where practicable. Post-application damp proof courses are ineligible and often cause further damage or exasperate damp problems in historic buildings.
- Re-roofing in natural materials traditional to the area, normally to match the historic covering, re-using sound existing materials or using new materials and/or where possible. Repairs to the roof structure and high level external elements should be undertaken concurrently. Re-roofing with artificial or alternative materials, such as concrete tiles, asbestos cement slates, reconstructed slates or reconstructed stone slates is not eligible for grant, nor is the use of roofing felt for flat roofs or lining gutters.
- Repairs to chimneys, including lining or rebuilding if structurally essential, provided that the chimney is reinstated accurately to the historic height and profile; also replacement of the historic style of chimney pots/cans. The retention and repair of existing stacks may be a condition of grant offered to other work.
- Repair or renewal of existing lead work, the provision of weatherings, and the re-forming of gutters to adequate falls, normally in accordance with the details and weights recommended by the Lead Sheet Association in the Lead Sheet Manual (www.leadsheet.co.uk).

- The repair or replacement of rainwater goods or a rainwater disposal system to a building to match the historic material and sections. Generally, this will be in cast iron, but occasionally in lead, timber or stone, where appropriate. Cast aluminum may be appropriate in certain circumstances. Aluminum (other than cast), plastic, PVC or GRP rainwater goods are not eligible.
- The repair of external stonework and brickwork, to an appropriate specification. Plastic in-situ resin-based mortar repairs to brickwork and stonework are not normally acceptable or eligible.
- Selective rebuilding of existing stonework and brickwork, if structurally necessary and to an agreed specification. Generally, this will be using salvaged existing materials and/or new matching materials and should be preceded by a record survey of the existing. Only repointing which is structurally necessary, kept to the absolute minimum required and carried out to an appropriate specification is eligible.
- The reinstatement of the historic pattern, detail and opening mechanisms of windows, external doors and other external joinery, in appropriate materials, which contributes to the character of the building and/or the conservation area.
- Repairs to external render or stucco and limited areas of renewal (there should be a presumption against total or substantial renewal, unless this is unavoidable), to an approved specification. If such a coating has been removed in recent years to the detriment of the performance and appearance of the building, its reinstatement may be the most appropriate form of repair.
- The external cleaning of stonework and brickwork is only eligible where there is such a build-up of dirt, paint or built up resin coatings on the surface that it must be removed in order to assess the extent of necessary repair or where the surface build up is damaging the fabric of the building by chemical action. Cleaning for cosmetic reasons is never eligible. Any cleaning which is agreed to be eligible must be undertaken to an approved specification and carried out by specialist contractors.
- The repair or reinstatement of retaining walls, boundary walls and/or railings, if they contribute to the stability of the building, enhance its setting, or are of particular interest in the conservation area.
- The reinstatement of applied details and features such as cornices, string courses, window architraves, columns, pilasters, etc. These should be repaired carefully and accurately to the historic form or profile and as nearly as possible to the historic composition. Generally GRP, fibreglass, or similar replacement mouldings are not acceptable for grant, nor are proprietary in-situ resin-based repairs.
- The repair to the historic pattern and detail of distinctive architectural features, for example decorative ironwork such as balconies, canopies, cresting and railings, tiling and other historic finishes and architectural sculpture.
- The reinstatement of traditional shopfronts; these should take care not to damage or destroy any original features that may remain under later shop frontage additions, in particular the fascia board, cornicing, stall riser, and any original window framing or glazing. All schemes should start with careful dismantling of any existing, inappropriate frontage to allow recording and if relevant; the repair and reuse of the existing original or historic framework. Schemes should not be conjectural however a modern interpretation of a traditional scheme using appropriate proportions, materials and character relative to the integrity of the building it occupies, will be considered on individual merit. Lighting, signage and security measures appropriate to the Conservation area may also be eligible for grant if forming part of an overall shopfront improvement scheme. Further guidance on appropriate design and construction for new shopfronts within the Conservation Area, including signage and security, is given in the Wakefield Shop Front Guide. A copy of this can be obtained from the HAZ officer.

- Installation of canopies is not eligible (and if non-traditional is unlikely to receive consent) however if the proposal involves the reinstatement of a traditional awning or sun blind- usually a length of canvas attached to a folding metal frame and roller- where evidence still exists of its presence (blind box, or photographic proof) this may be considered if part of an overall shopfront improvement scheme.
- Proposals should never involve the extension of a shop frontage across an independent means of access to upper floors and priority will be given to schemes which seek to reinstate such closed or stairwell routes to otherwise inaccessible upper floors above shops.

Details to be reinstated must be based on sound archival or physical evidence taken from the building itself or similarly detailed neighbours. Conjectural restoration will not be grant eligible and any reinstatement project must not involve the removal of original or later features of interest.

Other eligible works: Professional and Planning Fees

The HAZ grant can fund up to 90% of the cost of eligible professional and planning fees. Expenditure on fees for qualified professional advisers is eligible for funding provided that they belong to one of the recognised institutions: normally architects registered with either the Royal Institute of British Architects or the Architects Registration Board (ARB) with an appropriate level of specialist conservation experience. The involvement of specialist advisers is encouraged. Full professional fees for architectural services are only eligible if the professional adviser inspects the work in progress and is responsible for its certification on completion.

Fees associated with planning permission, Building regulations, and conservation area and listed building consent are all eligible for grant, as long as these fees clearly relate to the building work the grant is being used for.

2. Bringing vacant floor space into use

Grant Rate

Up to 70% of eligible cost.

Objective

The HAZ is seeking the implementation of exemplar high quality conversions to set a standard for future city centre development. Conversions should be comprehensive in scope, using appropriate techniques or methods of construction and high quality natural or traditional materials, normally on a like for like basis. Substitute or artificial materials are ineligible and their use is generally unacceptable on grant aided projects.

The below guidance is taken from Historic England Guidance - Making Repairs to Historic Assets.

Conversions must consider:

- When a building is adapted for new uses, its form as well as its external and internal features may impose constraints. Some degree of compromise in use may assist in retaining significance. For example, headroom may be restricted and daylight levels may be lower than usually expected.
- The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases (whether decorated or plain, principal or secondary) and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations.
- The sub-division of buildings, that are significant for their open interiors, impressive proportions and long sight lines, may have a considerable impact on significance. In these circumstances the use of pods or other design devices that allow the entirety of the space to be read may be appropriate.
- The introduction of new floors into a building or removal of historic floors and ceilings may have a considerable impact on an asset's significance. Certain asset types, such as large industrial buildings, are generally more capable of accepting such changes without unacceptable loss of significance.
- The insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building's significance. Harm might be avoided if roof lights are located on less prominent roof slopes. New elements may be more acceptable if account is taken of the character of the building, the roofline and significant fabric. Roof lights may be more appropriate in agricultural and industrial buildings than dormers. In some circumstances the unbroken line of a roof may be an important contributor to its significance.
- New features added to a building are less likely to have an impact on the significance if they follow the character of the building. The historic fabric will always be an important part of the asset's significance. In normal circumstances, retention of as much historic fabric as possible, together with the use of appropriate materials and methods of repair, is likely to conserve heritage assets in a manner appropriate to their significance, as a fundamental part of any good alteration or conversion. It is not appropriate to sacrifice old work simply to accommodate the new.
- Small-scale features, inside and out, such as historic painting schemes, ornamental plasterwork, carpenters' and masons' marks, chimney breasts and stacks, inscriptions and signs, will frequently contribute strongly to a building's significance and removing or obscuring them is likely to affect the asset's significance.
- Historic flooring materials will often be of interest in themselves. Additional care is needed on lower floors to ensure that archaeological interest below the finished surface is not adversely affected by proposed works.
- Although some works of up-grading, such as new kitchens and bathroom units, are unlikely to need consent, new services, both internal and external, can have a considerable, and often cumulative, impact on the significance of a building and can affect significance if added thoughtlessly. The impact of necessary services can be minimised by avoiding damage to decorative features, by carefully routing and finishing and by use of materials appropriate to the relevant period.
- Original materials normally only need to be replaced when they have failed in their structural purpose. Repairing by re-using materials to match the original in substance, texture, quality and colour, helps maintain authenticity, ensures works are technically and visually compatible, minimises the use of new resources and reduces waste. However, alternative approaches may be appropriate if it can be demonstrated that the technique will not cause long-term damage

to the asset and results in less overall loss of original fabric and significance or demonstrates other major benefits. Replacement of one material by another may harm significance and will in those cases need clear justification.

- When undertaking conversion works, care is needed to maintain the integrity of the asset. Some repair techniques, will affect the integrity of the existing building and schemes must not cause permanent damage to the historic fabric, as well as being visually unsympathetic.
- Doors and windows are frequently key to the significance of a building. Replacement is therefore generally advisable only where the original is beyond repair, it minimises the loss of historic fabric and matches the original in detail and material. Secondary glazing is usually more appropriate and more likely to be feasible than double-glazing where the window itself is of significance. As with the building as a whole, it is more appropriate to deal with timber decay and similar threats by addressing the cause of the decay rather than treating the symptoms but where remedial works are shown to be necessary, minimum interference to achieve reasonable long term stability is the most sustainable approach. The replacement of unsuitable modern windows with more historically appropriate windows is likely to be an enhancement.
- Restoration involving the stripping-off of later layers of work or abrasive cleaning is only likely to be acceptable where it can be shown that:
 - The later layers are not of significance in themselves
 - They are damaging the original and other significant fabric, and
 - By their removal there would be an enhancement to the significance of the building that outweighs the loss of the later addition.
 -
- Stripping off finishes such as plaster to expose rubble, brick or timber-framed walls never intended to be seen is likely to have an adverse effect on the building's significance, aside from likely harm to the building's weathering ability, through the loss of historic materials and original finishes and harm to its aesthetic. Where it is proposed to remove more modern coverings that are harmful to the significance or the integrity of the building, appropriate materials will need to be introduced to ensure an authentic and/or suitably detailed finish is achieved, for example using mock jointing, or lining out, where there is evidence of this being the original finish. If there is any doubt as to the authentic finish, it is usually good practice to create a simple finish rather than one with speculative decoration. Sometimes early framing or finishes were covered up because they were in a poor state and unacceptable loss of original fabric may result from works to make the earlier surface visually acceptable.
- The junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting. Where possible it is preferable for new work to be reversible, so that changes can be undone without harm to historic fabric. However, reversibility alone does not justify alteration; If alteration is justified on other grounds then reversible alteration is preferable to non-reversible. New openings need to be considered in the context of the architectural and historic significance of that part of the asset and of the asset as a whole. Where new work or additions make elements with significance redundant, such as doors or decorative features, there is likely to be less impact on the asset's aesthetic, historic or evidential value if they are left in place.

Advice Note 4

A Guide to Specification of works and Specialist Architects and Contractor Requirements for Grant-aided Works

SPECIFICATION OF WORKS

The following provides guidance on specification requirements and the standards required for work that is funded through the High Street Heritage Action Zones grant scheme.

Any proposed works to listed buildings shall be in accordance with the principles of repair set out within Historic England's Good Practice Advice note IGPA2 – Managing Significance in Decision-Taking in the Historic England Advice Note 1 – Conservation Areas.

We normally expect any works that we fund to be carried out using traditional materials appropriate to the history and condition of the building or structure and the appropriate repair techniques. When replacement is necessary, it should normally be done on a like-for like basis.

We expect you refer to detailed guidance on repair techniques available through the following link:

<https://historicengland.org.uk/advice/technical-advice/>

If the guidance you require is not available please contact your High Street Heritage Action Zone Project Officer.

THE GRANT RECIPIENT SHOULD ENSURE THAT THESE MATERIALS AND TECHNIQUES REFERRED TO IN THE GUIDANCE ARE DRAWN TO THE ATTENTION OF THE CONTRACTOR(S) WHO WILL CARRY OUT THE WORK.

Additional advice and information can also be found through the following sources:

The Society for the Protection of Ancient Buildings (SPAB)

<http://www.spab.org.uk/advice/>

Historic Environment Scotland

<https://www.historicenvironment.scot/advice-and-support/>

Institute for Historic Building Conservation

'Caring for your home' (a guide to maintaining historic properties)

<https://www.ihbc.org.uk/stitch/Stitch%20in%20Time.pdf>

Wakefield Council conservation guidance

The planning section of the Wakefield Council includes a range of information and guidance about heritage in the Wakefield district:

Conservation Areas and Listed Buildings

<http://www.wakefield.gov.uk/planning/planning/heritage-conservation>

The Upper Westgate Conservation Area Management Plan

<http://www.wakefield.gov.uk/Documents/planning/planning-development-management/upper-westgate-appraisal-management-plan.pdf>

Wakefield Council Shop Front Design Guide - a copy can be supplied by the HAZ Project Officer

The Upper Westgate Conservation Area Management Plan

<http://www.wakefield.gov.uk/Documents/planning/planning-development-management/upper-westgate-appraisal-management-plan.pdf>

Wakefield Council Shop Front Design Guide - a copy can be supplied by the HAZ Project Officer

Legislation and government guidance

For more information about the legislation that governs planning policy including heritage protection use the following link:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

ARCHITECTS AND CONTRACTORS

Architects and conservation accreditation

Where a grant is offered for repair works costing £20,000 or more in total, you must employ a competent professional with professional with relevant specialist conservation knowledge and experience of working on historic buildings. He or she will analyse the site, plan and specify the work, and inspect and certify the work while it is in progress and after it is completed.

Where the grant is for repair work to a Grade I or Grade II* listed building the professional must be an architect, chartered building surveyor or chartered architectural technologist with conservation accreditation. Further details can be found via the following link:

<https://historicengland.org.uk/services-skills/training-skills/heritageskills-cpd/conservation-accreditation-for-professionals/>

Contractors

As grant funded works are to be undertaken on buildings of architectural, historic or special local interest, Historic England and Wakefield Council must be satisfied that the workmanship will be of a high standard, using techniques and materials appropriate to historic buildings. Therefore, when inviting contractors to tender for work, the applicant and their architect must ensure that the contractors and their workforce have the specialist skills and/or qualifications and proven experience in historic building conservation repair and restoration.

Finding experienced architects and contractors

The HAZ Project Officer and the Councils Conservation Officer can provide assistance in supplying contact lists of appropriately qualified and experienced heritage professionals for the necessary three quotations. However, these details would not form a recommendation on the quality/standard of their work and it would be up to the applicant to ensure that they are satisfied that they are appointing individuals capable for working to the appropriate standards.