

# RML Newsletter round-up



August 2016

## REFLECTIONS ON AN ANNIVERSARY.

On [01 August 1984](#) Marjorie and I formed Richards, Moorehead and Laing Ltd and set out on a journey 'with a heart full of hope' along with excitement and resolve too.

As a 'label', RML has become known in some quarters for our work in developing a multidisciplinary approach to solving problems. This approach continues to be a principal aim in meeting the needs of our clients.

There is no time or space to reflect here on the patterns in the professions and business that have been abandoned in these 32 years, just to say that there have been quite a few. One of my colleagues said to me this morning that we have lost many things that were good, yes, I suppose that we have, but hey, there is so much that we can be positive about too. Even behind red tape, regulations and procurement, which he saw as destroyers of professional freedom, and on which we agree, there is still the drive to see a job is done well and to a client's satisfaction. That has not changed and it brings pleasure and satisfaction that we appreciate as professionals.



In the last 12 months we have been getting busier dealing with planning applications for a wide range of developments. Our experience in preparing environmental assessments has been appreciated by clients who have seen the planning regulations and authorities impose more and more demands on them. Making a planning application takes time and demands attention from a wide range of specialists. Perhaps you have read Shân's recent newsletter about 'Horsiculture', life can get complicated even if you only want a horse as a pet.

Our next newsletter is all about archaeology, part of our ever expanding services.

Kind regards

**Ivor**

Managing Director  
Richards, Moorehead & Laing Ltd.

## HISTORIC ENVIRONMENT (WALES) BILL 2016.

On March 21<sup>st</sup> 2016 the Historic Environment (Wales) Bill was given Royal assent which means that the legislation is now an Act of the National Assembly for Wales. ([www.legislation.gov.uk](http://www.legislation.gov.uk) ).

RML are working in the vanguard of the new Heritage Act in Wales, having recently been commissioned as part of a team reviewing and updating the boundaries of sites on the Cadw ICOMOS Register of Historic Parks and Gardens of Special Interest in Wales. This builds on RML's work on the Europa Nostra-winning inventory of over 6000 historic parks, gardens and designed landscapes in the Republic of Ireland ([www.buildingsofireland.ie/gardens](http://www.buildingsofireland.ie/gardens)).

From the perspective of RML we welcome this clarification of the legislation for the Historic Environment, the strengthened protection it will bring to these important assets but also the clarification of process. Heritage Partnership agreements should simplify the approach to complex heritage sites to their benefit as well as their owners. Guidance on Setting will help in decision making and advice to clients. More transparent processes for designating assets is to be welcomed



Some of the measures of the new Heritage Act came into force in May but most need orders, regulations or other actions before they come into force. By introducing this Act the Welsh Government is acknowledging the importance of the historic environment in Wales and the part it plays in the identity of the Nation as well as the economy.

Archaeologist, Fiona Gale, explains the new legislation.

### **What are the main provisions of this new piece of legislation?**

- There will be a formal consultation with owners when a building is being considered for listing or a monument for scheduling. Whilst this takes place there will be interim protection for the historic asset. Owners can request a review of the designation decision.

### **Scheduled monuments**

- The definition of what comprises a scheduled monument has been extended such that any site which has evidence for nationally important archaeology can be scheduled. In practice this means that for example a flint scatter, with no evidence of structures, can be scheduled.
- If a monument is damaged the onus will be on the accused to show that they took all reasonable steps to find out if the site was scheduled. As a consequence all lists of scheduled monuments will be available on line.
- If a monument is deemed to be in danger of damage or destruction Welsh Ministers can authorise archaeological excavations without the owner's consent.

- Temporary stop notices can be issued to halt unauthorised works. Enforcement notices can be used to order repairs to monuments or the fulfilment of conditions.
- The scheduled monument consent process will be streamlined.

### **Listed Buildings**

- The Local Authority can use temporary stop notices to halt unauthorised works.
- The scope of urgent work notices has been increased
- Owners will not have to apply for planning permission before applying for a certificate of immunity from listing. It is hoped that this will encourage new uses for empty and neglected historic buildings.

### **Heritage Partnership Agreements**

- It is hoped that these agreements will bring owners, consenting authorities (Cadw) and others together to create long term management plans for historic assets. The plans will cover an agreed scope of work and repeated consent procedures will not be needed.

### **Register of Historic Parks and Gardens**

- A comprehensive register of historic parks and gardens in Wales will be compiled and maintained which will help owners, local planning authorities and others to care for these sites in an informed way.

### **Historic Environment Records and Historic Place Names**

- An Historic Environment Record (HER) will be maintained by Welsh Ministers for all local authority areas in Wales. This will provide the information necessary to inform local planning authorities and land managers to make informed decisions.
- Welsh Ministers will be required to create a publically accessible list of historic place names in Wales, accessible through the HER

### **Advisory Panel for the Welsh Historic Environment**

- A statutory advisory panel will provide independent expert advice to Welsh Ministers, and will help to develop policy and strategy for the Historic Environment.

This legislation strengthens protection of the Historic Environment in Wales but also introduces transparent processes so that there will be less scope for ambiguity and misunderstanding. Over the coming year a series of guidance documents, technical advice notes etc will be consulted on. Consultation has already taken place on a revised historic environment chapter (Chapter 6) of Planning Policy Wales which sets out the context for planning decisions in Wales. This consultation closed on June 13<sup>th</sup>. Currently (commencing July 11<sup>th</sup> closing October 3<sup>rd</sup>) consultation is taking place on four proposals for secondary legislation. Information about these can be found at [www.gov.wales/consultations/cultureandsport/?lang=en](http://www.gov.wales/consultations/cultureandsport/?lang=en) they relate to scheduled monument consent procedures, stop notices and urgent works as well as the need for heritage impact assessments in the consent process.

Following on from this there will be consultation relating to World Heritage Sites, Listed Buildings, Lists of Historic Assets of Special Local Interest, Conservation Areas and Setting. In October

Consultation will begin on a new Technical Advice note relating to the Historic Environment. To be followed by further guidance relating among others to battlefields, Historic Parks and Gardens and Historic Environment Records.

Kind regards

**Andrew**

Principal Landscape Architect  
Richards, Moorehead & Laing Ltd.

#### DIFFUSION OF KNOW-HOW IN EASTERN EUROPE.

The diffusion of knowledge and good practice is a vital element of our work at RML.

Our friends in Estonia, Eric Puura and Antti Roose, have invited us to return to Estonia to attend a conference in September 2016 which will review the recent history of the oil shale industry. David Richards and Andrew Sumner and I will be 'guests of honour'.

I had the good fortune to be invited to Estonia in 1990 and asked to suggest ways in which UK experience in mineral rehabilitation could be introduced to the oil shale industry. RML's involvement in the oil shale industry since the country regained its independence from the Soviet Union has been 'chronicled' in newsletters beginning in July 2015.



The sudden change to a democratic system of government in the 1990s and the return of land to private ownership presented everyone with new problems. During my first visit I met the man who would soon be prime minister. The oil shale industry needed to mine new areas of land and were suddenly faced with the problem of persuading new landowners to allow their land to be taken away again. The industry's poor attempts at restoring mined land to productive agriculture did not help.

RML introduced improved methods of earthworks practice and landscape design. The local mayor of the district said that he would be happy to see RML's ideas implemented, they reflected traditional Estonian farming and landscape practices, even if the mining did not go ahead. Farms and farming had once been very small scale. What the communities had been left with as a legacy of Sovietisation were vast abandoned collective farms. A technical team visited us for 10 days.

In 1995 the Environment committee of the House of Commons published their third report on 'POLLUTION IN EASTERN EUROPE' and included as an appendix my memorandum on the 'Effectiveness of Aid Programmes' in which I included a letter that I had received from the Director General of the Estonian Oil Shale Industry Mr Lembit Volu.. In his letter to me Lembit commented as follows;

*"It is our great pleasure to inform you that the reclamation scheme you have been leading to carry out in Kohtla mine is working and has induced lots of interest in both local and government level. It has been a very useful exercise for us as we had to deal with new laws of Estonian republic, environmental protection questions and public participation. Representatives of the community have been impressed, some of the farmers have already said that they would be prepared to allow opencast mining on land owned by them. Moreover the miners themselves have taken an interest in the work. Director of Kohtla mine, Mr Mae, believes that this is a start of a new period.*

*All of the initial doubts about the effectiveness of your methods seem to have been removed. We would be very pleased if RML could be able to continue with the work."*

I asked the committee to recognise that the government's aid initiatives such as the Know How Fund 'Can achieve a great deal provided that the help is well focussed, pragmatic and will not evaporate once the experts leave for home'.

In a parallel project in Poland RML had indicated to the department of land reclamation at the Agriculture University in Warsaw that their degree courses needed to be re-focussed so that graduate engineers were provided with a better appreciation of environmental issues. RML hosted technical visits by Polish experts so that they could appreciate how our principles were put into practice. Alongside the Poles we also developed worthwhile links with universities in the Czech Republic, Slovakia and Hungary and they all visited RML in a group which we took to coal mine, slate mine and metalliferous mine rehabilitation projects. A few university people came individually too. The head of the politburo of planning in the Soviet Union came to see our work on lead mines.

Renewing acquaintances with dear Estonian friends in the industry and at Tartu University will be very special. The letter that Antti and Eric wrote to us on them hearing of Marj's passing in 2012 was particularly meaningful to all of us at RML.

Kind regards

**Ivor**

Managing Director  
Richards, Moorehead & Laing Ltd.



## LAND DRAINS WERE THE FUTURE ONCE.

Land is drained to improve the workability of soil and to increase productivity and has been applied in lowland areas for centuries. The modern approach to extensive land drainage in upland areas has focused on removing waterlogging from soils so that they too become more productive. Land drains have achieved their purpose, grasslands have improved and upland farms are more productive. This was the future once. Today many people are thinking that this fast and sometimes furious approach to moving flood water downhill has been used too extensively in upland areas which, paradoxically, also receive higher rainfalls than the lowlands. Flooding in low lying areas has become more frequent and less welcome and much of the blame for this has been attributed to drainage of upland areas. Measures to slow down run-off from upland areas are under active consideration.



In the 1970s I faced and had to solve the contradictions inherent in managing surface water run-off after creating gently sloping ground that had been well compacted. Land reclamation saw us preparing sites that extended across many hectares of land which had peculiar characteristics. For a short period these areas would be devoid of vegetation and had been carefully graded and compacted to engineered slopes and conditions. We provided consistent densities in the soil, encouraged water to drain off the ground and provided gradients which would allow future hard development to be easily drained by sewers running at steady gradients at reasonable depths.

Parts of regraded sites could be bare of vegetative cover for several months. The surface had been graded so that puddles were avoided. A collection of water could lead to softening of the soil and the undoing of much good work from an engineer's viewpoint, especially if the site still had to be traversed by construction traffic. A piped system of French drains was found to be unworkable since the stone filling soon became silted up and had to be replaced in the full knowledge that the process might have to be repeated.



Engineering solutions that addressed the immediate problems and the medium to long term requirements to control the rain water that fell on the sites were provided in a simple and effective way. A system of ditches was used to collect surface water and silt during the immediate post-earthworks construction period. This was the time of greatest exposure to thunderstorms which would lead to severe problems of silt and water running off the sites. Ditches were cheap to arrange and the pattern could be adapted at will. These ditches were for the most part very temporary elements of the work but they controlled run-off from the site and silt traps in the ditches eliminated any loss of soil. The plan was to eliminate most of the ditches as soon as a grass cover had been established, but some would be retained as semi-permanent or even permanent features. For ease of maintenance these longer-term ditches were re-constructed by using sand bags filled with concrete in the base and sides; they were simple to construct and soon became inconspicuous even though they were permanent features. Unlike conventional piped systems, ditches can be used as simple attenuators of flows in storm conditions.

So to summarise, I like ditches, they come in many shapes and sizes and are simple to design and build. Ditches are easy to maintain. They look good, they support invertebrates and mammals, and most importantly can be used to slow down water flows. Ditches and ponds seem to work well together, they can intercept sediments and are open to inspection. That is not a bad list of positive features to start with. We should use ditches much more frequently, they are the future.

Kind regards

**Ivor**

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