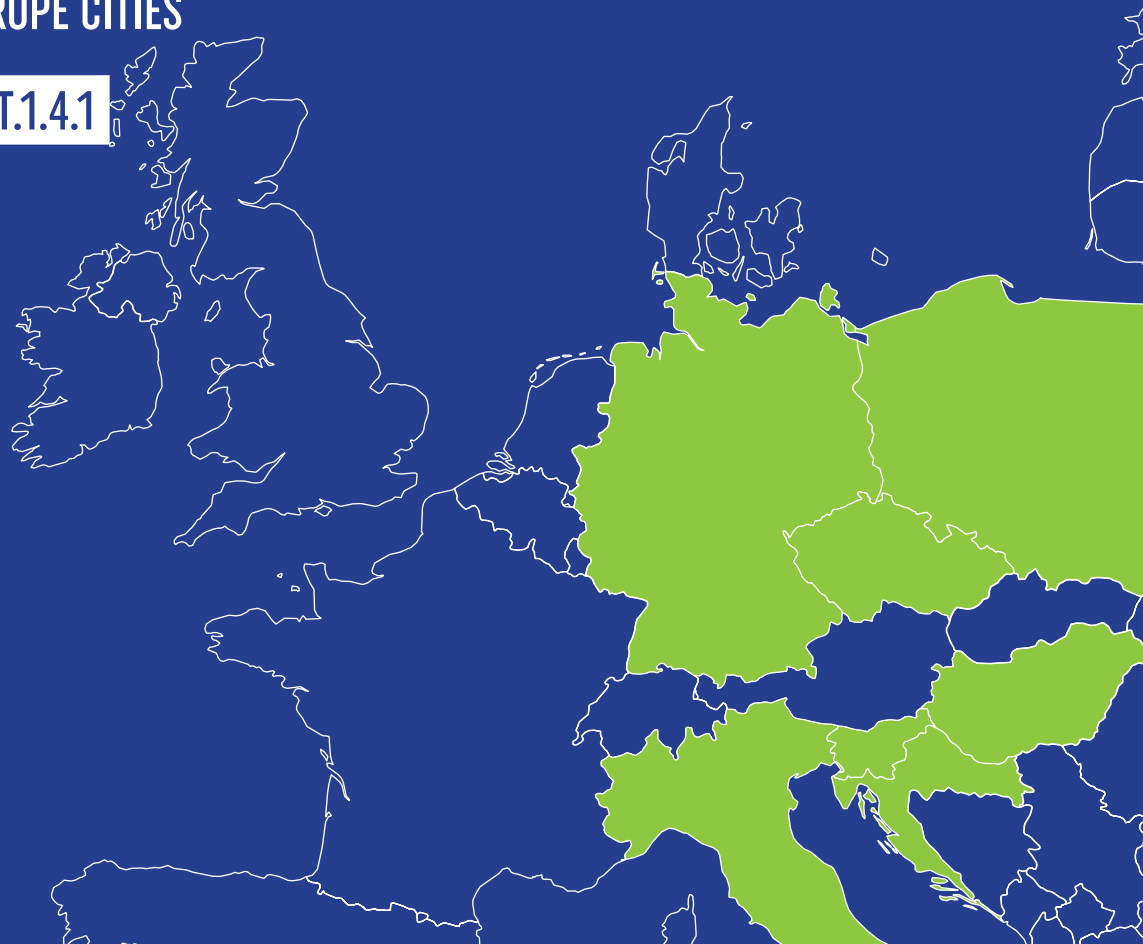


POLICY HANDBOOK

FOR THE REVITALIZATION OF GHOST BUILDINGS
IN CENTRAL EUROPE CITIES

DELIVERABLE T.1.4.1



Interreg 
CENTRAL EUROPE European Union
European Regional
Development Fund

Forget Heritage





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INTRODUCTION





ABOUT THIS PROJECT

Forget Heritage explores the issue of how public-private cooperation can be improved in order to find sustainable solutions for the conversion of unused heritage buildings.

The nature of many cities in these countries is characterized by the presence of unused historic buildings, such as former factories, hospitals and barracks. Those buildings have shaped the history and life of the local community and continue to be an important part of the cultural identity of these regions.

Many cultural heritage buildings are publicly owned and maintained by public funds, but this situation is changing and increasingly, private and civic associations are in demand. The involvement of the private sector also

offers the opportunity to develop concepts that go beyond mere conservation measures. The conversion of buildings, for example, can provide added value and relevance to citizens, creatives and the economy.

The balancing act between conservation and conversion, private and public interests, cultural interest and economic viability is a great challenge for future projects.

The aim of the partnership is to provide assistance on how to achieve this balancing act and to explore, multiply and efficiently use the often hidden potential of underused cultural heritage - for a better quality of life for all actors involved.

ABOUT THIS BOOK

The Policy Handbook is part of the first technical Work Package (WPT1) of the Forget Heritage project activities.

All Forget Heritage partners have collated relevant monument protection laws and policies from their countries and have partly made recommendations on how to ideally deal with them. The handbook provides an overview of the collected current legislation at a local, regional and national level.

In addition, the handbook outlines the respective national practice for the protection and utilization of monuments and cultural heritage. It names the actors and lists opportunities and arguments for the financial support of such projects.

The handbook helps to familiarize one with the subject matter and introduces some approaches and processes. It demonstrates that other partner cities are confronted with similar problems and tries

to summarize successful solutions for the valorization of cultural heritage. In short, it offers an opportunity to address the topic and provides an initial orientation for local policy makers wanting to approach the revitalization of historical assets through the settlement of CCI and according to smart and PPC criteria.

Furthermore, it underlines the central importance of the creative and cultural industries in creating and implementing new solutions for the conversion of unused heritage buildings and demonstrates the countless opportunities for urban development that arise in this context.

Although this manual cannot and should not provide any legally binding recommendations, it serves as a well-researched basis for your own projects. Not all experiences can be transferred, but as a whole they raise awareness and sensitivity in dealing with cultural heritage.



OBJECTIVES

When creating the manual, the focus was on the following objectives:

Assistance in the implementation of the cultural heritage valorization project

The handbook provides a quick introduction to the current legal situation relating to cultural heritage and facilitates research and planning of the following steps involved in the realization of a cultural heritage valorization project

Transnational Framework

Each Forget Heritage partner country has its own extensive legislation, policies and directives for dealing with cultural heritage. In order to keep track of this multitude of laws, recommendations and routines, the handbook tries to present them in a concise way.

Knowledge Transfer

Documenting the most important guidelines, paragraphs and recommendations supports the transfer of knowledge both between the partners and to those realities outside

of Forget Heritage partners who want to deal with underused cultural heritage valorisation. Being able to compare one's own status quo with the legal situation of other project partners, together with the included useful hints and solutions for how to deal with different frameworks, not only promotes exchange between the cities, but also enables cross-border communication.

Awareness

Creative reuse concepts offer a multitude of opportunities in economic and cultural terms. This handbook aims to strengthen awareness of this interrelationship and, in the optimum case, the initiation of activities by those responsible in the economy and politics.

Framework for policy makers

The introduction to and overview of relevant legislation, policies and financing models should also create awareness of the topical problems for local actors. It may provide starting points for local actors' own commitments and illustrate their scope for action.



METHOD

The handbook is based on the elaborate research of partner cities on the legal situation in their country / region.

As a first step, they were asked to collect all relevant information (legislation, policies, main actors, funding possibilities and development programs) and to make it available in a template with uniform formatting. The templates are available in respective national languages as well as in English.

The following content was requested:

1. A description of the cultural heritage protection system in each country.
2. An overview of the legislation for cultural heritage:
 - in the context of spatial and urban planning,
 - in the context of public-private partnership,
 - in the context of construction,
 - in the context of tourism.
3. A description of the most important local/regional/national policies directly and indirectly influencing tangible cultural heritage protection. For example, policies dealing with:
 - urban development,
 - support for cultural and creative industries,
 - support for entrepreneurship,
 - support for tourism,
 - others (such as education, innovation, ...).
4. A list of all main actors and their roles.
5. A review of funding opportunities and analyses of currently active development programs.
6. Recommendations in respect of the respective legislation and policies.



REASONS FOR INVESTING





INVEST IN CONCEPTS FOR THE RE-USE OF CULTURAL HERITAGE BUILDINGS

Cultural identity and quality of life

Cultural heritage is a connecting element of European cultural identity. Regardless of objectively beautiful or interesting historical buildings and ensembles, we can observe a growing need for the continuity and familiarity of a historically shaped environment among city dwellers. Cities, which are attractive and distinctive thanks to a large number of monuments, create authenticity, attract potential inhabitants and face lower churn rates.

Location and economic factors

Actively used cultural heritage buildings and lively historic quarters create attractive alternatives for living and working. In areas with a high density of monuments and historical cityscapes, cultural heritage protection can therefore be a decisive locational advantage and represents a promising investment.

In addition to the positive effects for the inhabitants of such cities, the increase in city tourism that comes with a working cultural heritage protection policy is an economic factor that cannot be neglected. Areas with heritage buildings and ensembles in inner cities benefit in a particular way. In addition, areas of special historical importance are increasingly attracting tourists and are becoming an ever increasing focus of classic city and sightseeing trips.

Protection of monuments other than nationally significant monuments

Cultural heritage buildings that are structurally not integrated into the cityscape are often paid less attention. They do not represent any obvious value as cultural assets to be proud of and their touristic development does not seem reasonable at first glance. However, these ensembles do also contribute to the identity of a city and are witnesses to the history of the inhabitants.

If these monuments remain unused and expire because concepts of conversion are missing or are just not implemented, an irretrievable loss occurs. In the long term this can have negative effects on the cultural identity of an entire region.

Since a touristic site is not always imaginable at first glance and sometimes maybe not be appropriate at all, and since in most cases there is no need for the original use of these barracks, factories, etc. anymore, it is important to find new meaningful concepts of use.

Here the creative and cultural industries can play a decisive role. They provide new perspectives, know-how, and commitment to revitalize, preserve and protect such places while still offering enough space for the present and the future to develop. In order to harness the full potential of cultural heritage, new, more flexible and transparent policies and funding models are needed.



INVEST IN THE CREATIVE AND CULTURAL INDUSTRY

European Identity

Diverse and lively like no other industry, the cultural and creative industries contribute significantly to the creation of a European identity through numerous ventures, cross-border projects, and cooperation and business models.

New perspectives

Thanks to unusual perspectives and approaches, the players in this emerging industry provide new solutions to the challenges that Europe faces. By creating the conditions to keep pace with the rapid speed of technological, economic and social developments in the age of digitization and globalization, the cultural and creative industries carry forward the countries of the European Union at both a social and economic level.

As important binding elements of our community, art and culture are powerful engines for innovative techniques and technologies. In order to exploit this potential, new models are needed to support the actors and, last but not least, need actual space to make their ideas reality.

Location and economic factors

Both regional and international studies show a direct correlation between creativity and a prospering economy. In addition to the increased value of real estate in these areas, this correlation also has a positive effect on the regional employment situation in regions with strong creative industries.

As one of the fastest-growing branches of the global economy, the creative industries create opportunities for more jobs, economic growth and innovation. They

are characterized above all by their great importance for location development (even under demographic aspects). Aside from this, the cultural and creative industries make a significant contribution to the gross national product.

Spaces for the creative and cultural industries

There is no doubt that traditional industries benefit from the establishment of creative branches. Accordingly, our effort to strengthen a business location is highly dependent on the question of whether we can create enough suitable space.

Factors that describe an ideal workplace for actors in the cultural and creative industries are easy accessibility, followed by inexpensive rental costs and a well-developed infrastructure; criteria that many unused monuments, former warehouses and factories of cultural and historical value perfectly fulfill. If, for example, the conversion of these buildings creates space for film productions, artist studios and agencies, experience showed that this can lead to a revival of entire areas that might have been left unexploited for many years.

Political support is greatly appreciated in order to build on the achieved revival and create long-term positive effects. Often, all that the players in the creative industries can obtain are permits for an interim use of real estate. This slows down sustained commitment and investment.

If premises are made available over a longer period of time and on stable terms, a region can fully benefit from the positive effects of establishing the creative and cultural industries.



INTERVENTION

The legislation and policies that have been collected in this handbook mainly refer to the preservation of existing cultural heritage and take less into account the potential that lies in innovative reuse concepts. Therefore they do not create enough corresponding conditions to support such efforts. There are also too few programs or subsidies for the conversion of unused heritage buildings.

Conversion, however, entails decisive economic and social gains—for the property, for urban development and the entire region. It can engender urban and social regeneration, create space for innovation

and economic development and bring new life to underdeveloped areas. Cooperation between politics and the creative and cultural industries should therefore be approached in a sustainable and long-term manner so that not only vacant spaces but also the full potential of creative work can be tapped.

Even though the commitment of the private sector is an important factor in the success and continuity of projects that aim for the revitalisation of buildings, public intervention, support and encouragement is imperative.



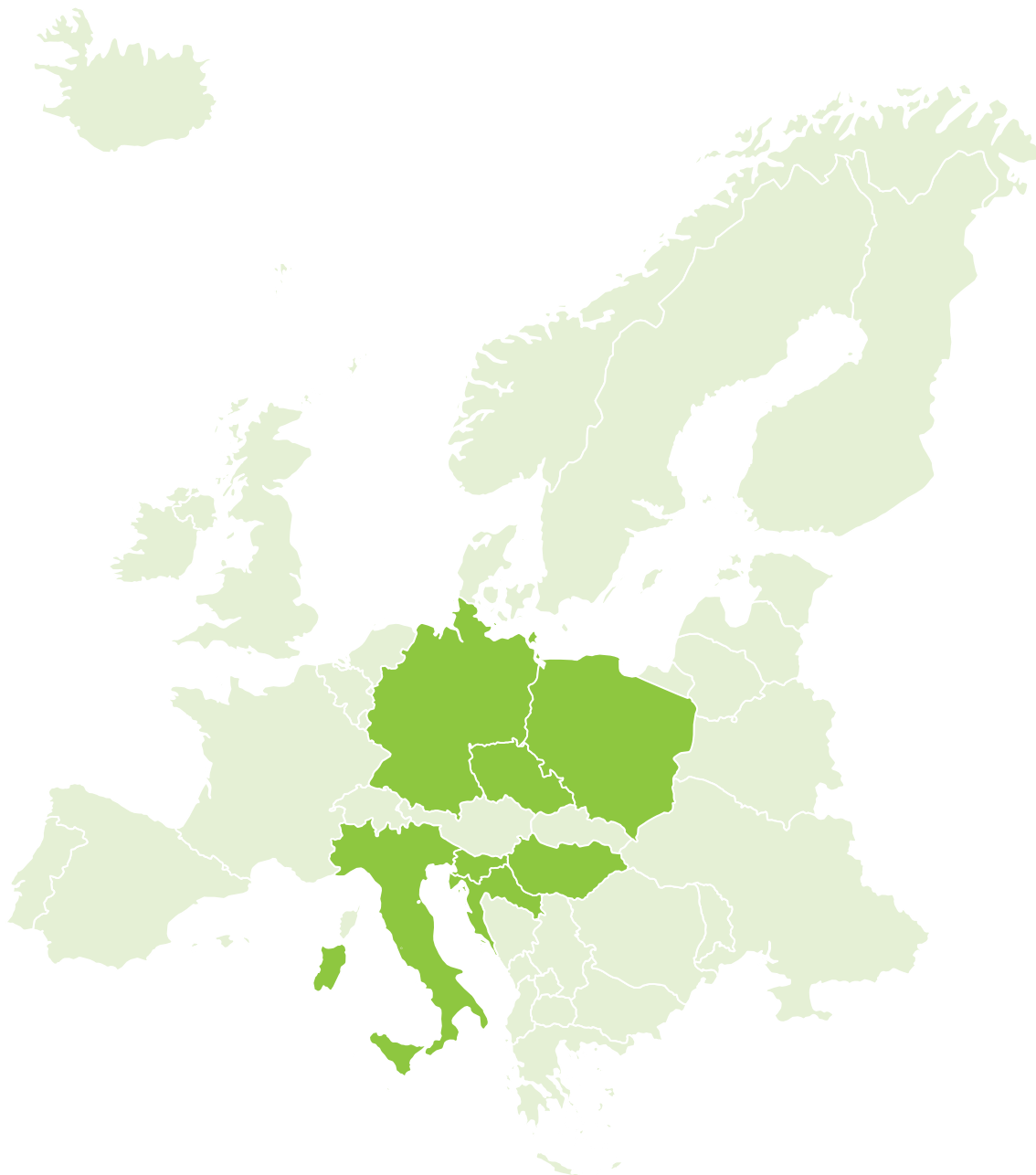
LEGISLATION AND POLICIES

BASED ON RESEARCH BY PARTNERS





EUROPE





CONVENTIONS AND CHARTERS

International

Various resolutions, agreements and recommendations of the Council of Europe, International Council for the Preservation of Historic Monuments (ICOMOS) and UNESCO regulate and promote the protection of historical monuments.

- Hague Convention of 14.5.1954
- European Cultural Convention of 19.12.1954
- International Charter on the Conservation and Restoration of Monuments and Ensembles of 1964
- UNESCO Convention for the Protection of the World Cultural and Natural Heritage of 16.11.1972
- World Heritage Convention European Monument Protection Charter of 26.9.1975
- Convention for the Protection of the Architectural Heritage of Europe - Granada - of 3.10.1985
- International Charter on Historic Preservation - Charter of Washington - 1987
- Council of Europe Framework Convention on the Value of Cultural Heritage for the society – Faro – of 27.10.2005

There are also other regulations concerning culture in general, archaeological heritage, cultural landscapes, gardens, underwater heritage and the import of cultural goods. These affect the conversion of cultural heritage only marginally and are therefore not separately listed.

Europe

With regard to the re-use of cultural heritage in Europe, the following agreements / charters are relevant:

- European Monument Charter,
- European Convention for the Protection of the Architectural Heritage of Europe

Note: The Charter of Venice 1964 (International Charter For The Conservation

And Restoration of Monuments And Sites) is considered the most important text for the preservation of monuments worldwide, but has so far remained legally non-binding and therefore is not found in this manual.



EUROPEAN LEVEL

Council of Europe Convention for the Protection of the Architectural Heritage of Europe (Granada Treaty) adopted October 3rd 1985 in Granada at the 2nd European Conference of the Ministers for the Protection of Monuments

Enactment of conventions with a legally binding effect on member states.

With their signature, the respective states commit to the registration and inventory of the goods to be protected. They also undertake to ensure the legal protection and preservation, financial support and protection of architectural heritage against damaging environmental influences.

- Definition of the term "architectural heritage"
- Registration of the goods to be protected

- Legal protection procedures
- Accompanying measures
- Sanctions
- Conservation measures
- Participation and associations
- Information and training
- Coordination of conservation measures at European level
- Final clause

The European Charter of the Architectural Heritage has been adopted by the Committee of Ministers of the Council of Europe and was solemnly proclaimed at the Congress on the European Architectural Heritage held in Amsterdam from October 21st to 25th 1975

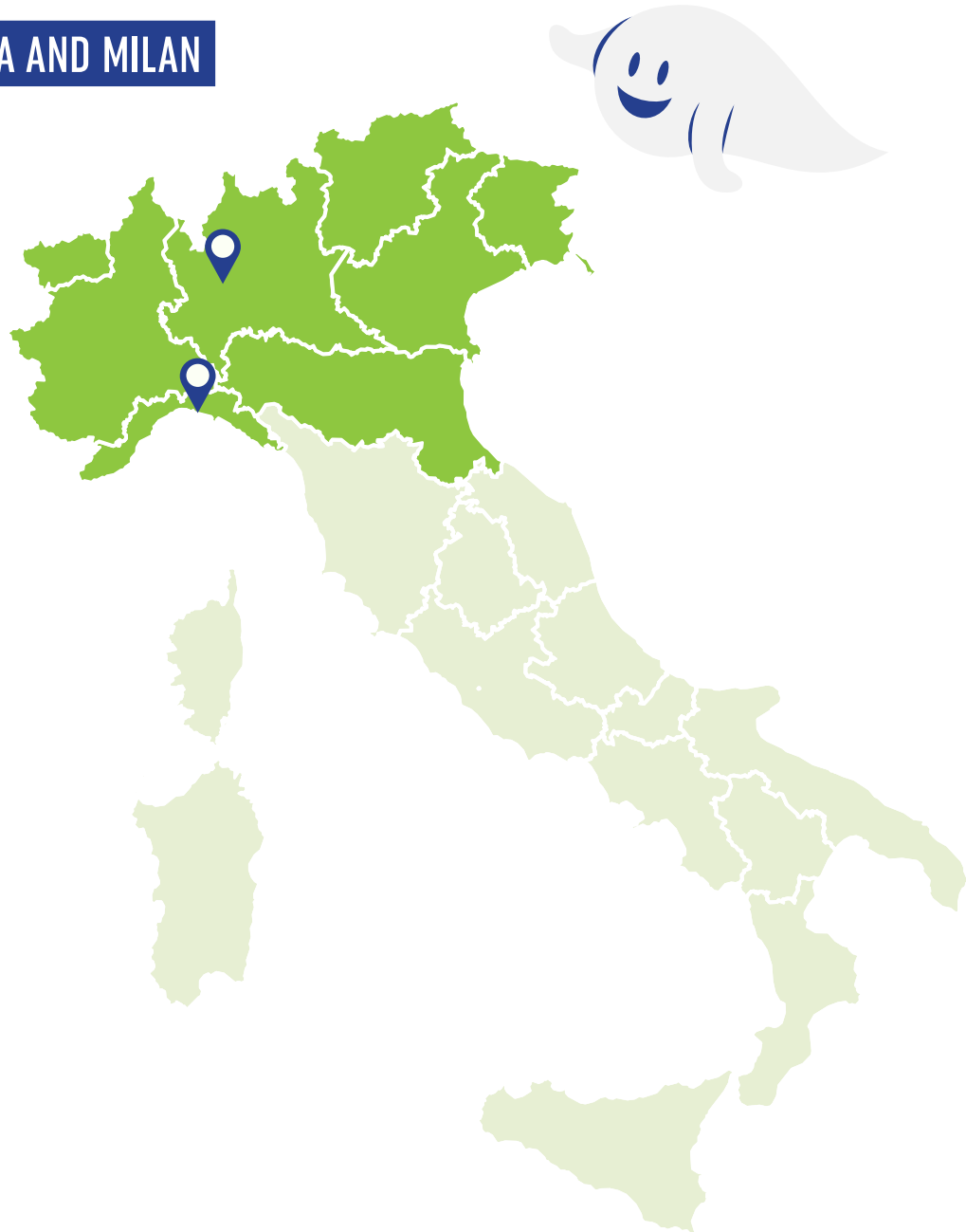
The Committee of Ministers Considering adopts and proclaims the principles of the following charter, drawn up by the Council of Europe Committee on Monuments and Sites:

1. European architectural heritage consists not only of our most important monuments: it also includes the groups of lesser buildings in our old towns and characteristic villages in their natural or manmade settings.
2. The past as embodied in the architectural heritage provides the kind of environment indispensable to a balanced and complete life.
3. Architectural heritage is capital of irreplaceable spiritual, cultural, social and economic value.
4. The structure of historic centers and sites is conducive to a harmonious social balance.
5. Architectural heritage has an important part to play in education.
6. This heritage is in danger.
7. Integrated conservation averts these dangers.
8. Integrated conservation depends on legal, administrative, financial and technical support.
9. Integrated conservation cannot succeed without the cooperation of all.
10. European architectural heritage is the common property of our continent.



ITALY

GENOA AND MILAN





INSTITUTIONAL FRAMEWORK - ITALY

National / Regional level

As regulated by the MiBACT, the national level is primarily responsible for national property sites; regions and municipalities for local sites. For example, in Genoa, very important museums (such as the Polo

Museale di Strada Nuova) depend directly on the municipality for funding. In this case, a consistent part of the funding comes from the private sector (cultural foundations, etc.).

Local level

Genoa's local level PUC project states clearly the way in which architectural and urbanistic modifications can be performed within the area of Genoa Municipality, even in correspondence with monumental sites

of cultural interest (i.e. the area near Villa Giustiniani Cambiaso, in Albaro district, a great architecture made in 1548 by the Renaissance architect Galeazzo Alessi from Perugia)

Main actors and their roles

Ministry of Cultural Heritage and Activities and Tourism

The Ministry created a main code on cultural heritage that regulates every aspect of this branch. The code provides rules about the use and re-use of cultural heritage and organizes financial support, both public and private.

volunteering contributions, enhanced the role of volunteering.

Liguria Region

Regulation of cultural heritage protection from several perspectives. Recognition in private role and fund assignment.

Ministry of Economy and Finance; Ministry of Transport; Ministry of Regional Affairs and Autonomies

Bestowal of a credit to anyone, public or private, who makes donations connected to cultural heritage. Simplification of bureaucratic procedures.

Lombardy Region

Regulatory reorganization of the cultural field, introduction of new programs and financing tools, thanks to the private and

Ministry of Economy and Finance; Ministry of Economic Development; Ministry of Education

Creation of a new kind of start-up enterprises focused (also) on cultural heritage, spatial planning regulation and protection of cultural heritage sites.

LEGISLATION - ITALY

NATIONAL LEVEL

Codice dei beni culturali e del paesaggio ai sensi dell'articolo 10 della legge 6 luglio 2002, n. 137 Decreto Legislativo 22 Gennaio 2004, n. 42

The code prescribes the basic precepts related to cultural heritage and the natural and cultural landscape (Arts. 1, 4). The main

goal is to achieve the preservation objective together with public use and preservation of cultural heritage.



>> Urban Planning

The code provides indications on how cultural heritage could be used and re-used (Arts. 6, 10, 20, 45), along with their management (Arts. 53, 57, 65, 95), regardless of public or private property (Arts. 102-117).

>> Public-Private Partnership

The code establishes the role of private citizens in safeguarding cultural heritage (Arts. 5, 6, 102, 117). Private partnerships are encouraged but only under direct control of the MiBACT.

A public cultural heritage must never become private, subject to the exceptions indicated in the code (Arts. 57-65).

>> Construction

The code includes rules about public interest (Arts. 136-138). Whenever a site is declared of public interest, there are restrictions in terms of building or moving elements.

In this case, even private citizens must cooperate with MiBACT in safeguarding cultural heritage (or landscape) sites.

D.L. 31 maggio 2014, n. 83 Convertito in legge, con modificazioni, dall' art. 1, comma 1, L. 29 luglio 2014, n. 106. Disposizioni urgenti per la tutela del patrimonio culturale, lo sviluppo della cultura e il rilancio del turismo.

This law creates a new type of financial support for cultural heritage, based upon credit provisions for donations related to cultural heritage (Art. 1).

The law arranges a new strategic plan for cultural heritage and establishes urgency measures in simplification, transparency and correct management (Arts. 7, 8, 12, 17).

Decreto legge 12 settembre 2014, n. 133, coordinato con la legge di conversione 11 novembre 2014, n. 164, recante: "Misure urgenti per l'apertura dei cantieri, la realizzazione delle opere pubbliche, la digitalizzazione del Paese, la semplificazione burocratica, l'emergenza del dissesto idrogeologico e per la ripresa delle attività produttive".

The decree introduces several urgency regulations, especially regarding EU funds (Art. 12) and their management. The main objective is to simplify administrative processes and fully employ EU funds.

Furthermore, rules to enhance unused cultural heritage sites (Arts. 25, 26, 33) are provided.

Decreto-legge 18 ottobre 2012, n. 179, coordinato con la legge di conversione 17 dicembre 2012, n. 221, recante: "Ulteriori misure urgenti per la crescita del Paese".

The decree introduces a new type of start-up (Art. 25) (also) cultural heritage oriented and it establishes new rules in project financing. In addition to regulation of other parts, the decree creates a new standard in cultural

heritage marketing (Art. 32) and public-private partnership. It also provides for the development of several cultural heritage areas (Art. 34).

Codice del Terzo settore, Decreto Legislativo 3 luglio 2017, n. 117 a norma dell'articolo 1, comma 2, lettera b), della legge 6 giugno 2016, n. 106.

The code regulates the third sector entities that carry out activities of general interest for the achievement of civic, solidarity and social utility objectives with non-profit purposes. It regulates volunteering and its

activities, associations and foundations of the third sector, as well as special entities such as social promotion associations and philanthropic bodies



REGIONAL LEVEL - LIGURIA

Legge regionale 31 ottobre 2006, n. 33 Testo unico in materia di cultura

This regional law establishes the main purposes in cultural heritage management (Art. 1), stating the roles of regional and local actors (Arts. 2, 4). It specifies the

private-public relationships (Arts. 16, 19) and enhances local cultural heritage sites (Arts. 23, 26), also economically, by creating a special fund (Art. 30).

REGIONAL LEVEL LOMBARDY

Legge regionale 7 ottobre 2016 - n. 25 Politiche regionali in materia culturale - Riordino normativo

This regional law simplifies and updates the legislation on material and immaterial cultural heritage and establishes the main purposes in cultural heritage management (Art. 1), stating the roles of regional and

local actors (Arts. 3,4,5). It specifies the private-public relationships (Arts. 12, 29, 37) and enhances local cultural heritage sites (Arts. 12) economically, by introducing new programs and financing tools (Arts. 42, 43).

LOCAL LEVEL - GENOA

Provvedimento n. 165, Piano Urbanistico Comunale del Comune di Genova

This local measure regulates how buildings, services and green areas (public or private) can be created, moved and demolished in the local area of Genoa (Art. 1).

It provides special rules for cultural heritage preservation (Art. 10 bis). The main goal is to guarantee the restoration of cultural sites within the building plan.

Regolamento sulla collaborazione tra cittadini e amministrazione per la cura, la gestione e la rigenerazione in forma condivisa dei beni comuni urbani. Abrogazione del "regolamento sugli interventi di volontariato", approvato con deliberazione del consiglio comunale n. 126 del 22.11.1999

These guidelines state a new type of public-private cooperation in cultural heritage use and reuse (Art. 1).

in cultural heritage preservation and safeguarding (Arts. 5-9). The guidelines also grant citizens tax benefits (Art. 10).

They create partnership agreements with citizens (Art. 4) by giving them key roles

LOCAL LEVEL - MILAN

Delibera Consiglio Comunale N.16 del 22.05.2012 Piano Governo Territorio (PGT) Comune di Milano

This local measure regulates how buildings, services and green areas can be created, moved and demolished in the local area of Milan (PdR arts. 5, 10 e 11 and PdR arts. 12-17)

preservation (PdR arts. 12-17). The main objective is to recover the existing city: promoting a more balanced and sustainable urban development model (PdR arts. 5, 10 e 11 and PdR arts. 12-17).

It provides special rules for cultural heritage



POLICIES - ITALY

Cultural heritage safeguard and use

Cultural heritage must be seen not as a burden, but as a huge gift from the past and a strong legacy for the future. The law must balance between economic initiative and the preservation of cultural heritage. In this regard, with several rules and a code of cultural heritage, Italian legislators are trying to intervene in every aspect.

Starting from knowledge and awareness of cultural assets, to tax relief and ad-hoc funds, the legislators created a virtuous cycle in which art is an opportunity to find employment and increase tourism.

NATIONAL LEVEL

Summary

Creation of a main code about cultural heritage, regulating every aspect of this branch. The code provides rules about the use and re-use of cultural heritage and organizes financial support, public and private. The code is the "grundnorm" that

regulates cultural heritage, but there are also other, more specific regulations in several aspects. The code introduces strict regulations for cultural heritage circulation, mainly for opposing lawlessness.

Activities

Use and re-use of cultural heritage with public monitoring.

Financing

National budgetary funds and tax relief especially with the "art bonus", private donations

REGIONAL LEVEL

Summary Liguria

Regulation for protection of cultural heritage from several perspectives. One of the main goals of this regional law is to obtain strong recognition of the private role. The other goal is fund assignment to protect minimum quality levels in this field.

This law creates a plan for cultural heritage enhancement, identifying cultural sites and institutes that need safeguarding and funds. There are also regulations for real estate cultural heritage development.

Summary Lombardy

Regulation for protection of cultural heritage from several perspectives. Region Lombardy promotes integrated and multi-sector local planning based on coordination between public and private bodies.

Integrated culture plans are designed to implement and promote integrated cultural interventions both on a territorial scale and for priority issues.



Activities

Regional policies in cultural heritage

Financing

Regional budgetary funds

LOCAL LEVEL

Summary Genoa

The main goal of these guidelines is the regulation of spatial and urban planning in Genoa. A spatial orderly development, indeed, can protect several necessities, even cultural heritage ones.

The PUC establishes every point of view

regarding real estate and regulates the city plan taking into account public and private needs. The PUC is the base of any building plan and it defines whether or not a building can be created or even modified. It also contains aesthetic rules regarding the construction of facades.

Summary Milan

This local measure provides special rules for cultural heritage preservation. This is the regulation on spatial planning and urban planning in Milan. The main objective is to recover the existing city, promoting a more balanced and sustainable urban development model.

The Municipality of Milan in the PGT states rules about the use and preservation of cultural heritage and an articulated system of incentives for the restoration of buildings of historical interest.

Activities

Local policies in cultural heritage

Financing

Local budgetary funds

CONCLUSION - ITALY

From the legislative point of view, at the national level an increasing attention to both CCIs and Cultural Heritage protection can be observed in the last years.

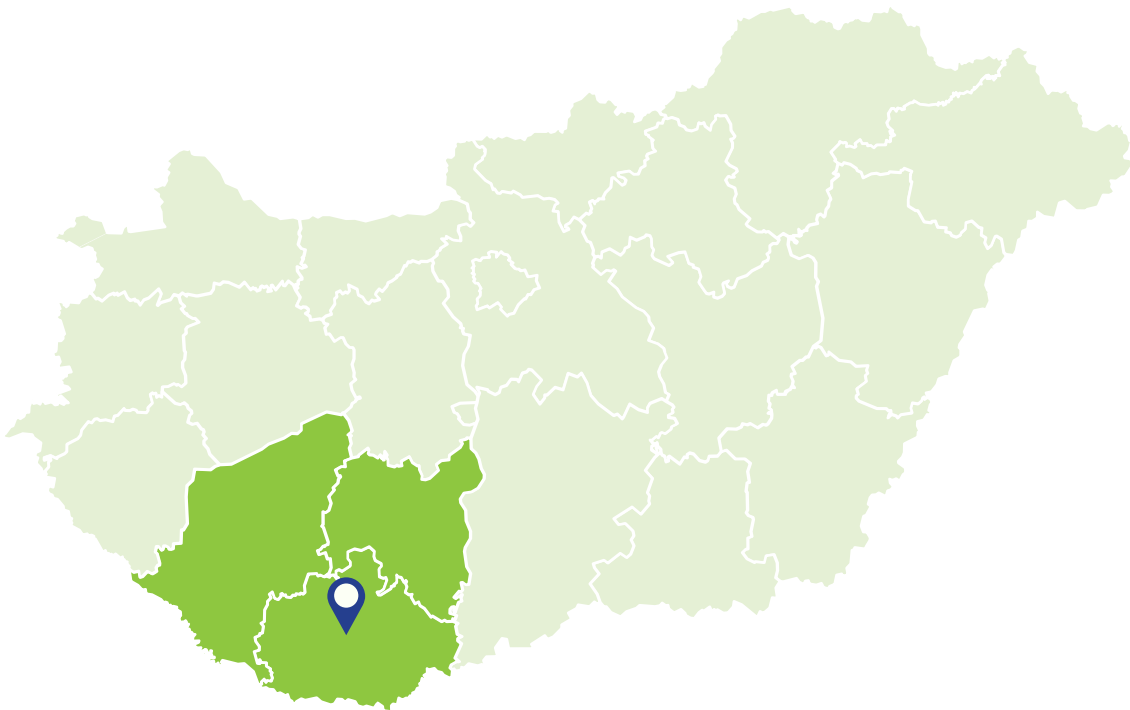
Specific standards have been published which acknowledge the CCI definition and role and identify specific policies within this sector (such as: identification of CCIs as a key element for the economic crisis recovery and development, dedicated guidelines and budget allocation).

Detailed policies on cultural heritage valorization establish facilitating conditions (e.g. subsidized rents) to be implemented when a cultural heritage asset is assigned to CCIs.



HUNGARY

PÉCS





INSTITUTIONAL FRAMEWORK - HUNGARY

National / Regional level

The protection and maintenance of cultural heritage (built as well as intellectual) is a responsibility shared between numerous governmental institutes, such as the Deputy State Secretariat for the Protection of

Cultural Heritage under the supervision of the Prime Minister's Office, and the County and Township Government Offices for Construction and Heritage Protection.

Local level

The identification, recording, protection, maintenance and development of local built heritage is the responsibility of the municipality with which national heritage protection activities do not interfere. The

municipal government shall make decisions about taking buildings under its protection or the discontinuation of such protection and also about constraints, obligations and subsidies.

Main Actors and their role

Minister for the Protection of Cultural Heritage Government Office of Budapest

Organizes and oversees the activities, and governs the authorities appointed in a specific Government Decree, but at the same time these bodies contribute to tasks carried out by the Minister.

The decision and resolutions made by the authorities are reviewed in their preparatory stage by an advisory establishment which offers assistance if required.

The authorities offer their expertise and consultancy to support heritage protection.

- entry into force
- compliance
- control
- use of assistances

- sanctioning

Local (municipal) government - Local government of the county of Pécs

Main architect of the city

Makes decisions about local protection. The decree made by the city council lists built heritage which are under local protection and assigns a specified sum for support.

The local government is obliged to send a draft of any regulation on the abolition of local protection outside of the urban development procedure to the heritage protection authority.

- Issuing official authorization
- Compliance with national regulations



LEGISLATION - HUNGARY

NATIONAL LEVEL

The LXIV. law about the protection of cultural heritage

The protection of built heritage is legislated by a specific law but is partly incorporated into the Construction Act (Act LXXVIII. of 1997). According to this law, built heritage should be assigned to

- a) international
- b) national
- c) local

levels and should be maintained, protected, used and presented accordingly.

The law nominates institutions which are responsible for implementing the law at the appropriate levels and also defines the general roles of each level.

LXXVIII. law of 1997 about the protection and forming of the built environment.

This is a general framework for construction and heritage protection is a part of it. It defines the goals of heritage protection and also which government institutions are

responsible for protecting what kind of built heritage (e.g. local authorities are assigned to protect heritage which is important on a local level)

Act LXIV. of 2001 496/2016. (XII. 28.) government decree about the rules of heritage protection Act LXXVIII. Of 1997

Architectural monuments should be used in a manner which is worthy enough taking into account the historical value and the original function of the building in question, while the new function should not endanger the protected values.

The monument or the heritage should be presented to the public albeit taking into account the concerns of the owner and the current use.

The use of the building should not endanger historical values. If having to choose between technically, economically and functionally equivalent modifications the least harmful should be preferred.

During reconstruction and usage the investor should enable the reintegration of historically connected properties and parts of properties, and those parts, furnishings and attachments which were removed but could be found should be put back into their original place.

Newer additions, attachments or new buildings on a lot which contains architectural heritage should never endanger the authenticity, subsistence and the appearance of the monument.

A monument may not be wholly dismantled.

LOCAL LEVEL

Local building rules

Regulation of heritage protection zones

Zones of settlement heritage protection

Restrictions regarding general environment protection and other restrictions

Permitting, mandating and controlling tasks

Special regulatory requirements apply for peculiar types of buildings and architectural heritage



POLICIES - HUNGARY

LOCAL LEVEL

Summary

<p>The local government makes decisions about local protection.</p> <p>Local government of Pécs, General meetings 37/2002. (VI. 28.)</p> <ol style="list-style-type: none"> 1. General provisions 2. Local protection categories 	<ol style="list-style-type: none"> 3. The genesis and the expiry of local protection 4. Professional requirements for construction in protected heritage buildings and sites 5. The preservation, subsidy and conditions of such support of buildings under local protection
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Activities

The decree made by the city council lists built heritage under local protection and assign a specified sum for support.

Financing

Renovation or conservation is financed by the owner and the local government provides financial support (maximum 50 % or 3200 €/year)

CONCLUSION - HUNGARY

The protection of cultural heritage is funded by the Hungarian Government although there are many cases where EU or other external funding (e.g. Norway Grant, UNESCO World Heritage) was added to achieve specific goals. This financial background is supplemented by the occasional contribution made by local governments.

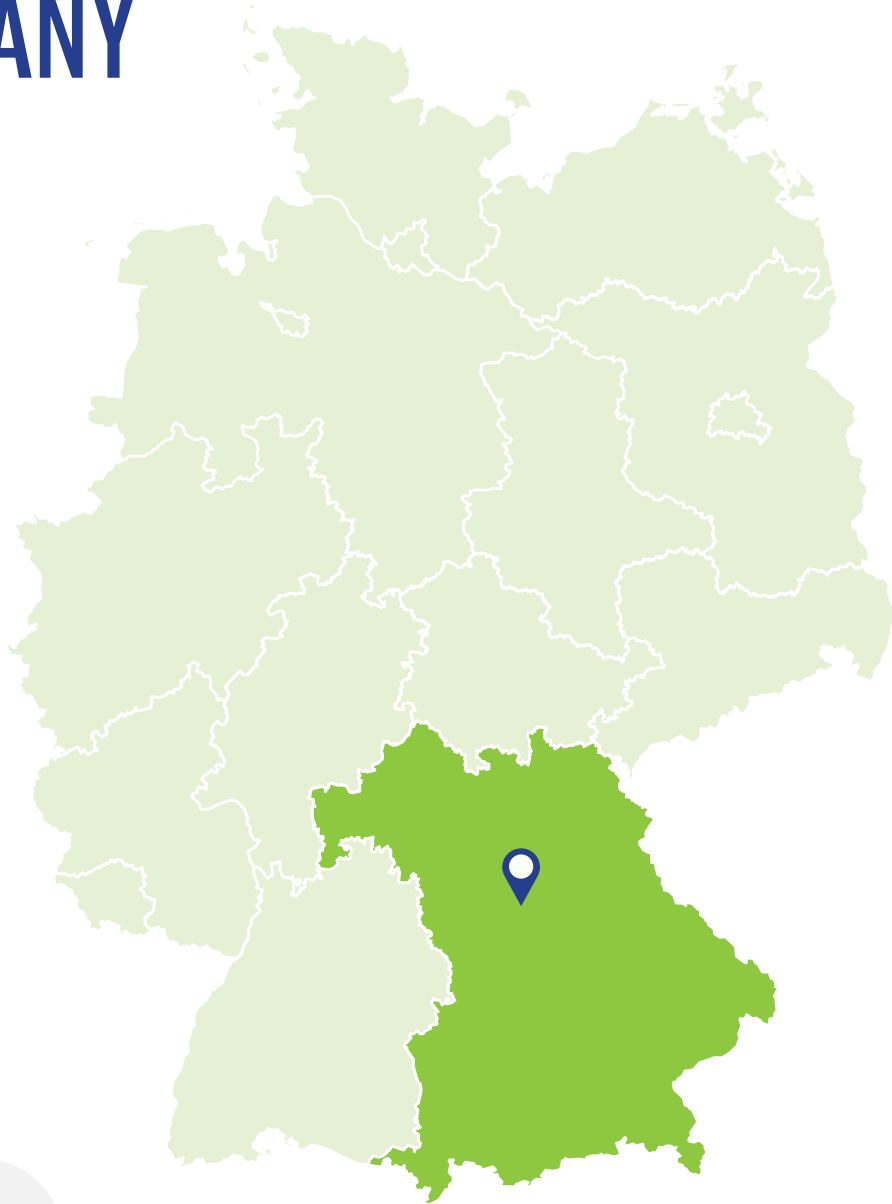
For 8 years there has been no specific policy that would deal with heritage protection.

Until December 2011 certain heritage sites specified in the annex of the Act LXIV. of 2001 should have been owned by the state, because the law required the state to own every property designated in the law. This meant that the private sector was entirely excluded from heritage sites; they only participated as contractors or subcontractors. In December 2011 the law was changed and the state no longer had to own these properties.



GERMANY

NUREMBERG





INSTITUTIONAL FRAMEWORK - GERMANY

National / Regional level

Legislation regarding monument protection is carried out within the existing vertical administrative structures, which are headed by the National Federal Legislation, followed by the Federal States and Municipalities.

According to the division of responsibilities between the Federal Government and the Federal States, the protection and

preservation of cultural heritage buildings is one of the inherent tasks of the Federal States. They implement the law in terms of content and administration in accordance with the national monument protection law. The Federal Government has essentially only a co-financing role, which derives from the self-evident need to preserve and restore nationally valuable cultural monuments.

Local level

All inquiries, measures, funding requests and planning must first be dealt with at a local level. Therefore, they must first be addressed to the city or municipality. Usually this concerns

the Lower Monument Protection Authority (Untere Denkmalschutzbehörde), i.e. the Building Authority (Bauordnungsbehörde) in Nuremberg.

Main actors and their roles

National - Federal Institute for Building, Urban Affairs and Spatial Research

Through developing the program "Urban Monument Protection (Städtebaulicher Denkmalschutz)" as part of the promotion of city development, the Federal Government, the Federal States and the Municipalities are facing their responsibility for the architectural cultural heritage.

Region - Bavarian State Ministry of Education, Cultural Affairs, Science and Arts

The highest Monument Protection Authority in Bavaria is the Bavarian State

Unless otherwise specified, the Lower Monument Protection Authorities are accountable for the execution of the Monument Protection Act. Only in cases of

Art. 73, para. 1 of the Bavarian Construction Regulation (BayBO) do the higher authorities replace the lower ones.

Regional / Local - Lower Monument Protection Authority

When it comes to construction measures at architectural, art, or ground monuments that are subject to approval, the Lower Monument Protection Authority examines whether the interests of cultural heritage protection are affected.

Local - Building Authority

The processing of applications for grants is handled by the building regulation authorities with the exception of applications to the German Foundation for Monument Protection.



LEGISLATION - GERMANY

NATIONAL LEVEL

Federal Building Act (Baugesetzbuch - BauGB)

The Federal Building Act is the most important law in Germany regarding construction issues and the most important source for urban development planning.

When preparing master building plans, the concerns of cultural heritage, the protection and preservation of monuments and the appearance of the town or the respective landscape as a whole has to be taken into account. This includes in particular the districts, streets and squares of historical or artistic value as well as those with significance for urban development.

>> Urban Planning

The law defines criteria to evaluate the need for rehabilitation and sets general objectives for these measures. It also regulates the participation of the parties involved. The public funding of the regeneration of affected urban districts and municipalities

has since 1971 been carried out through a federal and federal-state program called "Städtebauförderung". A part of the "Städtebauförderung" is the program "Städtebaulicher Denkmalschutz" that is designed for cities with historical city centers.

>> Public-Private Partnership

Cooperation with private parties, § 11 Urban Development Contract: The municipality can conclude urban development contracts with private parties. Those contracts have to be in writing and the services the parties agree upon must be reasonable considering all circumstances.

Income Tax Act (Einkommenssteuergesetz - EstG) §7i, 10f, 10g regulate increased reductions and tax breaks for owners of historic monuments and protected cultural goods.

REGIONAL LEVEL

Bavarian Monument Protection Act (Bayerisches Denkmalschutzgesetz - BayDSchG)

This law is the legal basis for cultural heritage protection (monument conservation) in Bavaria.

It defines the identification and determination of monuments, regulates responsibilities, provides information on possible types of use of these buildings and

regulates which measures are subject to approval. It also states the measures that the owners of monuments can be forced to undertake.

It also regulates the co-financing of construction measures and tax releases.



POLICIES - GERMANY

Preservation and restoration of German cultural heritage

The preservation and restoration of cultural monuments in the Federal Republic of Germany was and still is one of the essential tasks of cultural policy in the Federation. The main burden, however, is, due to their competences, borne by the Federal States. But there are also considerable resources that come from the municipalities, the churches, foundations and private property.

NATIONAL LEVEL

Summary

The “Nationally Valuable Cultural Monuments Program” (National wertvolle Kulturdenkmäler) was created to support the preservation of historical monuments like buildings and ground monuments, as well as historic parks and gardens, that are

particularly important due to architectural, historical or scientific achievements. Between 1950 and 2014, around 640 cultural monuments were preserved and restored with around € 353 million spent.

Activities

Funding from the Monument Protection Program , funding from the Special Investment Program , political

recommendations, conferences and publications, awarding the German Prize for Monument Preservation

Financing

The federal funds are allocated according to the relevant budgetary regulations and within the limits of annual budgetary resources. As a rule, the financing method

of the Federal Government is only a partial financing. Applicants must make full use of their own financial resources within the bounds of what is considered reasonable.



REGIONAL / LOCAL LEVEL

Summary

Guidelines for the granting of funds for the protection and preservation of monuments

Activities

- Advice and assistance on questions concerning the preservation of monuments
- Practical monument protection
- Financing of measures

Financing

Grants from the State Office for Monument Protection	Local regional entities (municipalities, districts and regions)
Subsidies and loans from the Compensation Funds ("E-Funds")	KfW Förderbank – Kreditanstalt für Wiederaufbau (German Reconstruction Loan Corporation)
Subsidies and loans from the Bavarian State Foundation	

Protection of cultural heritage in urban development measures (Städtebaulicher Denkmalschutz)

The program was set up by the federal government and state governments, and it had the purpose of protecting the historical city centers from extensive decline, as well as preserving them as architectural ensembles beyond the characteristics of individual buildings. In the beginning, the program's primary objective was to secure the existing historic building structure in the inner cities. Later on the functional strengthening and sustainable revitalization of the old town areas came more and more to the fore. In 2009 the program was also introduced in the "Old Federal States".

NATIONAL LEVEL

Summary

Through developing the program the Federal Government, the Federal States and the Municipalities are facing their responsibility for architectural cultural	heritage. The preservation and future oriented development of this heritage lies clearly in the public interest.
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Activities

Preservation of buildings and ensembles of historical, artistic or urban significance that	are worth retaining.
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Financing

Since the launch of the program in 1991 until 2013, the Federal government provided	approx. € 2.23 billion in funds for urban monument protection measures.
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REGIONAL / LOCAL LEVEL

Summary

Guidelines for the promotion of urban development

Supported by the European Union and the Federal Government, the Federal State of Bavaria promotes urban renewal measures.

The government sets the framework of support and asks the municipalities for submission of all necessary documents for application. This has to happen within an appropriate term.

Activities

Strengthen the inner cities as well as district centers

Continued development of urban and local districts with distinct social, economic and ecological development requirements.

Implementation or restoration of sustainable urban structures in areas with considerable loss of function, especially in the case of wastelands and a high amount of vacancies.

Financing

Funding is realized in form of a grant.
 The maximum amount of funding is 60% of

the eligible costs of the individual measure or a maximum of 50% of the cost of the overall measure.

CONCLUSIONS - GERMANY

Even if the preservation, rehabilitation and repair of listed buildings is mainly the duty of (private) owners, monument protection in Germany is highly relevant; not only because of the comprehensive legislation. Supported by experts, the Federal Government, the Federal States and the Municipalities satisfy their responsibility; they deliver advice, supplies and funding.

The main focus is on preserving the individual characteristics of buildings, ensembles and the whole city.

Private financial resources even in combination with tax concessions rarely suffice to renovate or even modernize a listed building according to the strict regulations.

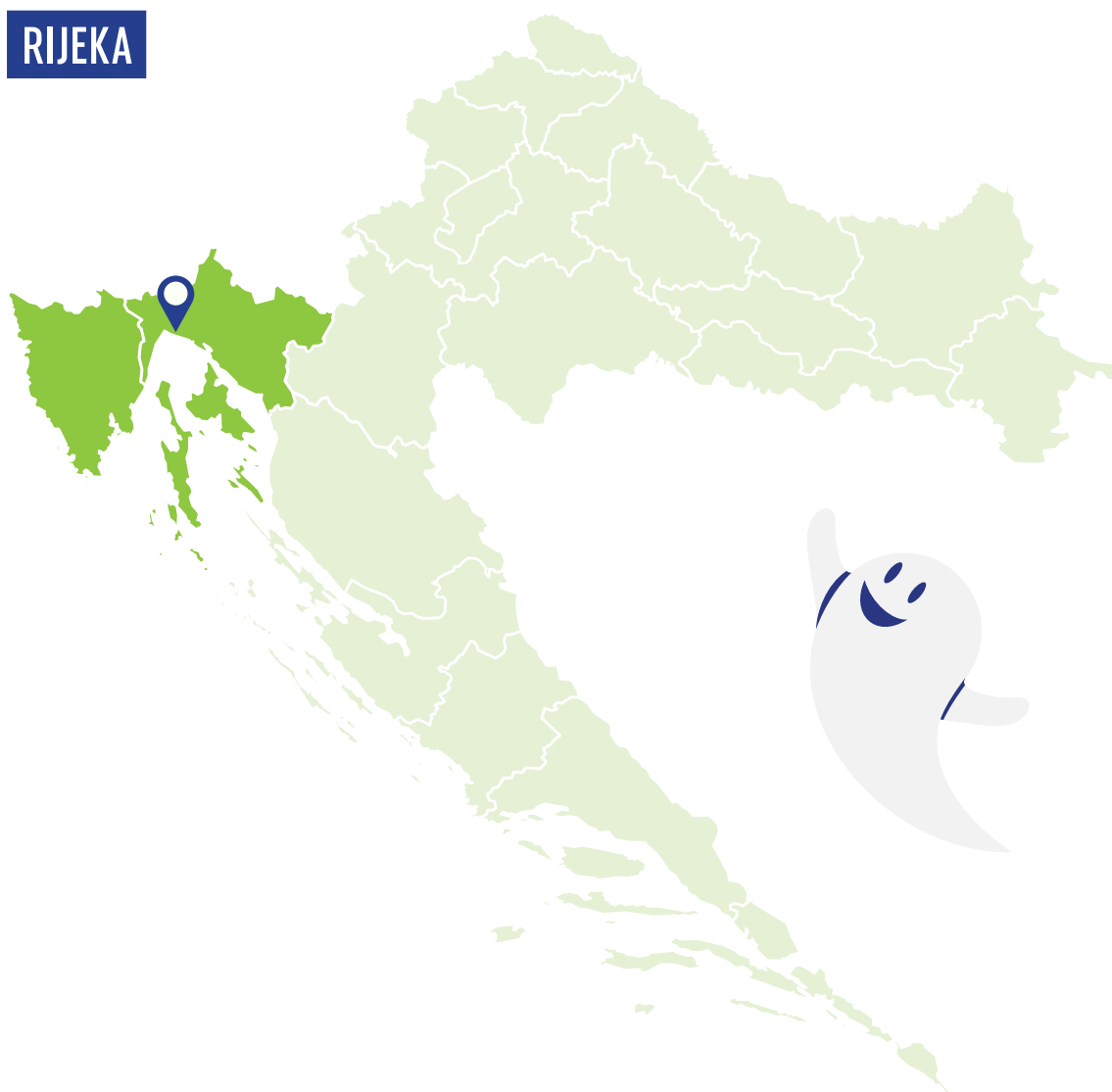
In addition to official confirmation and listing, it must be proven that the object is worth preserving and that the planned measures comply with the regulations for monument protection.

The (private) owner is highly dependent on the local authority, since their approval is the pre-condition for all further measures.



CROATIA

RIJEKA





INSTITUTIONAL FRAMEWORK - CROATIA

National level

National level legislation and institutions are primary responsible for cultural heritage protection. National level financing is closely connected to the registry of cultural heritage of the Republic of Croatia because the cultural heritage on that list has a priority

for financing as well as the cultural heritage in the state institutions – museums, archives, libraries... The direct national financing goes through conservation offices that answer to the Ministry of Culture but are located in cities in Croatia.

Regional

Croatian counties and municipalities do not have the autonomy to pass laws, but they can make their own regulations, policies and

strategic documents that have to be in line with the national law.

Local level

The local government is responsible for issuing location permits, building permits, confirmations of parcel elaborations, performing technical inspections of buildings

and the issuing of permits and other acts related to the implementation of physical planning and construction documents in the city.

Main actors and their roles

Ministry of Culture

Ministry of Construction and Physical Planning

Regional department

City of Rijeka



LEGISLATION - CROATIA

NATIONAL LEVEL

Law on protection and preservation of cultural heritage

The Law on protection and preservation of cultural heritage regulates the types of cultural heritage, protection of cultural heritage, obligations and the rights of owners of cultural heritage, measures for protection and preservation of cultural heritage, performance of works of protection and preservation of cultural

heritage, performance of administrative and inspection works, work and purview of the Croatian Directorate for the protection of cultural heritage, financing the protection and preservation of cultural heritage, as well as other questions concerning the protection and preservation of cultural heritage.

The Physical Planning Act

Cultural heritage is represented in the Physical Planning Act on several levels. In article 2 of the law, the first level is that cultural assets are included in spatial planning. The second level is the inclusion of cultural goods among the goals of spatial planning (Art. 6) and the principles (Art. 10)

of spatial sustainability development and building excellence. The third level includes a reference to the Register of Cultural Property of the Republic of Croatia as a special category of goods when it comes to inclusion in spatial plans (Art. 36).

Building Act

The Building Act includes cultural goods in several segments. The first segment refers to cases of deviations from basic building

requirements, which is the case with cultural goods listed in the Register of Cultural Goods of the Republic of Croatia (Art. 16).



POLICIES - CROATIA

Strategy of development of Primorje-Gorski Kotar County

Summary

Part of the measure of strengthening the competitiveness of small and medium entrepreneurs, creating opportunities for investment and development of entrepreneurial structure. Possible as a model of financing (especially in the context of measures III.6 and IV.6, in connection with the development of islands, the coast, and Gorski Kotar)

Strategy of development of the City of Rijeka

Summary

Revitalization of industrial and technical heritage of the City of Rijeka according to financial possibilities

Expected Measures

- | | |
|--|--|
| <ol style="list-style-type: none"> 1) protection (through assessment of endangerment, list of priorities and work done on localities) 2) design of a plan of management of localities owned by the City of Rijeka 3) cooperation with the owners of the localities which are not owned by | <p>the City of Rijeka, with the goal of revitalization and management</p> <ol style="list-style-type: none"> 4) procurement of access to the public and tourists 5) cooperation with actors from fields like science, creative industries and entrepreneurship |
|--|--|

CONCLUSIONS - CROATIA

The law on protection and preservation of cultural heritage makes no reference to the issue of management of cultural heritage. The law regulates only the cases of concession in which state, local or regional government is the owner of the item of cultural heritage, and the management obligations of the public institution which is the owner of the item of cultural heritage. Even in those cases, however, the law does not explicate the models and methods of management.

The City of Rijeka made re-use of cultural heritage as one of their strategic goals and this has been recognized by the tourist board of the City of Rijeka Strategic Plan for Development of Cultural Tourism and by the County in their strategic plan.

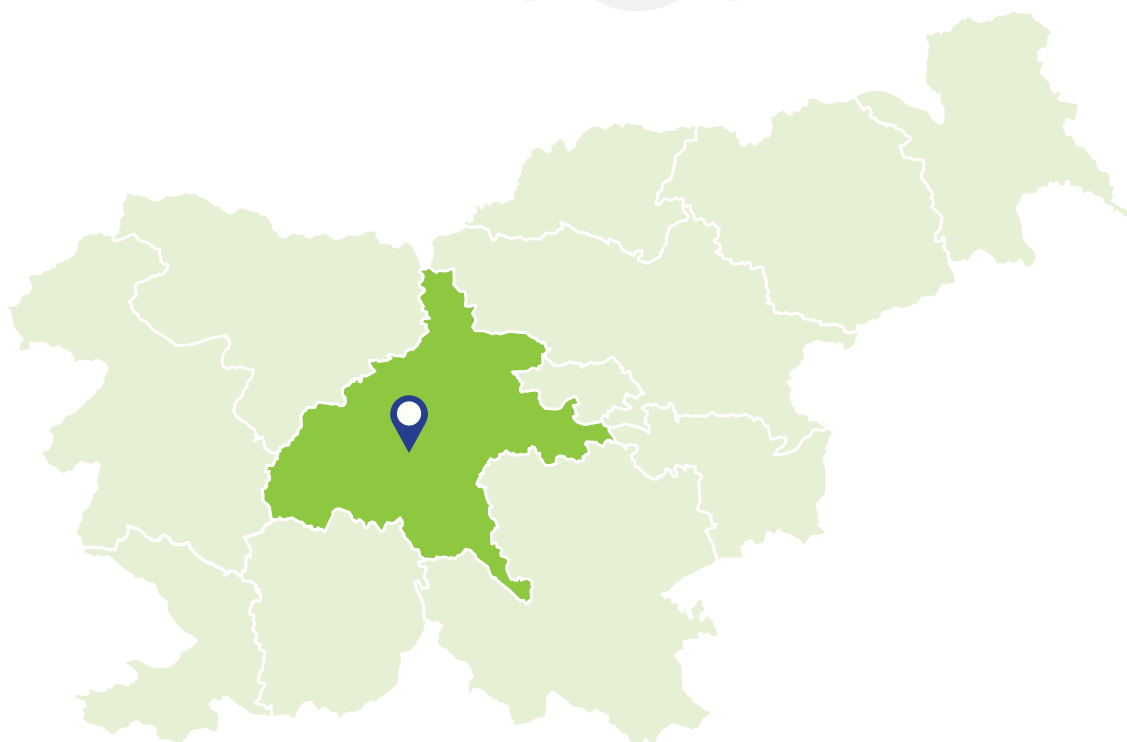
Regulations concerning cultural heritage do not apply to particular types of cultural heritage, and therefore also not for industrial heritage. The content of the law narrowly related to industrial heritage includes identifying industrial heritage as immovable cultural heritage.

A systematic and comprehensive approach to the revitalization of industrial heritage is lacking, along with a unitary plan of realization, function, plan of phases of revitalization, and, most relevantly, a management plan as well as a realistic financial plan which would predict the methods of financing and sustainability of particular spaces and projects.



SLOVENIA

LJUBLJANA





INSTITUTIONAL FRAMEWORK SLOVENIA

National level

The protection of cultural heritage is mentioned in the Slovenian Constitution and therefore has a high ideal value.

The State of Slovenia, mostly represented by the Ministry of Culture, manages subsidies intended for the protection of cultural heritage. In general, the primary responsibility for the financing of cultural heritage protection is at the national

level. The state finances national public institutions, public programs of NGOs and projects of importance to the whole of Slovenia.

In general, the legislation is set at the national level, and both national and local level are responsible for its implementation, according to their jurisdiction.

Local level

Since the country is not divided into regions, municipalities act as basic local self-governance units. At the local level, financing

of cultural heritage protection is based on local culture programs, but the funds are very limited.

Main actors and their roles

The Ministry of Culture (Cultural Heritage Directorate)

is responsible for carrying out the cultural policy and ensuring heritage protection, in cooperation with other ministries and municipalities. It also supervises the national databases and information systems concerning monuments and cultural heritage.

The Ministry of Environment and Spatial Planning

The Ministry prepares laws, policies and other instruments in the field of spatial planning and construction.

The Institute for the Protection of Cultural Heritage

is responsible for administrative tasks, takes care of the identification, evaluation, and

documentation of heritage, the preparation of proposals for registering heritage and designating monuments, the preparation and monitoring of conservation plans and restoration projects, archaeological research, educational activities and promotional actions. The Institute prescribes conditions and grants consents for interventions on immovable heritage.

The Municipalities

list locally significant monuments, decide on the manner of heritage protection in the spatial planning process, allocate financial funds, designate monuments of local importance and exercise pre-emption rights if monuments of local importance are sold. Urban municipalities may also exercise transferred state administrative tasks, which refer to the development of the town.



LEGISLATION - SLOVENIA

NATIONAL LEVEL

Cultural Heritage Protection Act (2008)

The Act defines immovable, movable and living cultural heritage. It determines the establishment of protection, interventions, use, management, and other actions in relation to heritage like pre-emptive rights and expropriation, the funding of special protection measures, registration and documentation, heritage protection

in developmental plans, tasks of public protection offices, the implementation of protection activities on the basis of titles and contracts, as well as special protection activities, the role of NGOs in the area of protection and the inspection and sanctions in cases of violations.

Act on Enforcing Public Interest in the Field of Culture, adopted in 2002

The relationship between the state and the municipalities in the field of culture is regulated here. It envisages protection of the dedicated use of publicly owned cultural

premises, the maintenance of public cultural infrastructure and the enhancement of spatial conditions for cultural and artistic activities.

Public-Private Partnership Act

In general the Act regulates the purpose and principles of private investments in public projects and/or of public co-financing

of private projects that are in the public interest.

Construction Act

This law regulates the conditions for the construction of all facilities. If the building is protected in accordance with the regulations governing the protection of

cultural heritage, the works must be carried out in cooperation with the body responsible for the protection of cultural heritage

POLICIES - SLOVENIA

NATIONAL LEVEL

Summary

The National Program for Culture 2014-2017 is the main strategic instrument for cultural policy development planning. Although focusing primarily on ensuring the formal conditions for its implementation,

the program tries to determine measures that can efficiently respond to the main challenges of the cultural field and industries including the preservation of cultural heritage.



Activities

<p>Creation of quality awareness programs on the importance of cultural heritage as well as ensuring the accessibility of cultural heritage to all groups of visitors</p> <p>Pedagogical and andragogical programs in museums</p> <p>Updated professional, legal and financial</p>	<p>framework for the integrated preservation of cultural heritage</p> <p>Strengthening of scientific and technological research and innovation in relation to the exploitation potentials of traditional techniques and products, to develop new products and services</p>
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Financing

<p>National budgetary fund</p> <p>Grants of the Operational Programme for</p>	<p>the Implementation of the EU Cohesion Policy 2014-2020</p>
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LOCAL LEVEL

Summary

<p>The Sustainable Urban Strategy of the Municipality of Ljubljana 2014-2020, and its Implementation Plan for the Sustainable Urban Strategy, are an exemplar of local efforts and policies. Strategic development goals of the Municipality of Ljubljana aim to preserve the already recognised quality of life in the city and to strengthen necessary development activities appropriate for</p>	<p>the times we are living in. This includes the preservation of cultural heritage. The Strategy of Cultural Development in the Municipality of Ljubljana 2016-2019 also includes a chapter on the protection of cultural heritage. By 2019, the upgrading of archaeological heritage management in the wider area of the Municipality is envisaged.</p>
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Activities

<p>The strategy consists of 46 priority projects and 85 (other) projects. Implementation or restoration of sustainable urban structures</p>	<p>in areas with considerable loss of function, especially in the case of wastelands and a high amount of vacancies.</p>
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Financing

Local, national and European funds

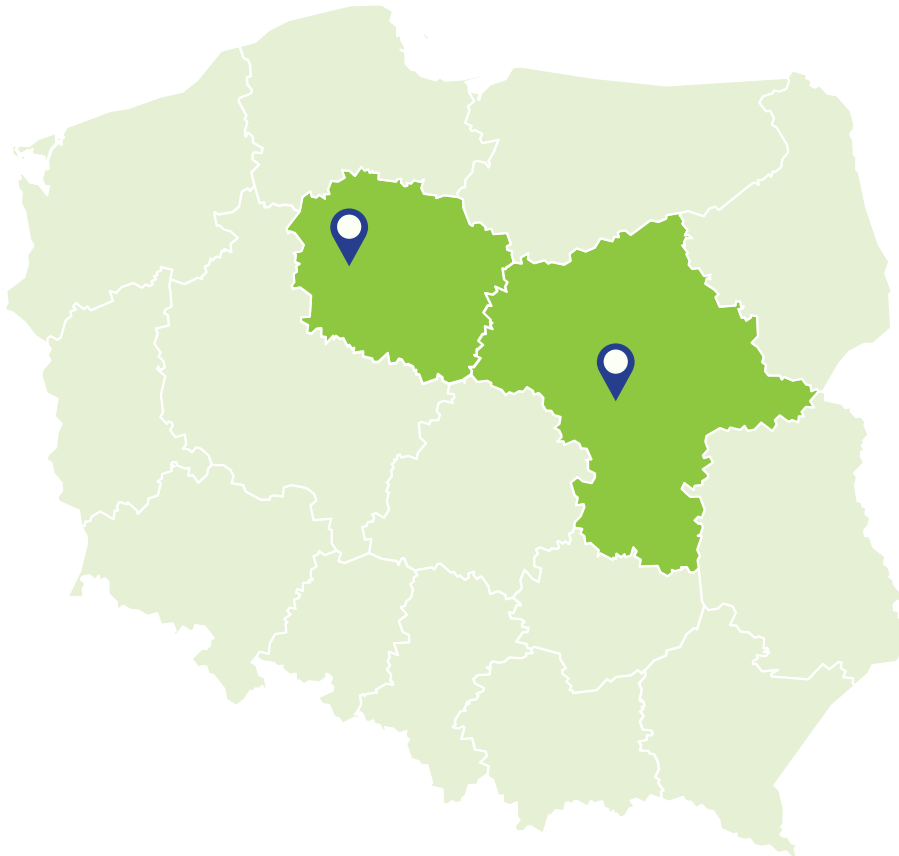
CONCLUSIONS - SLOVENIA

Cultural heritage is a powerful factor in social, economic, environmental, territorial and cultural development through the activities it generates and the policies which underpin it. Therefore, an integrated approach focusing on the conservation, protection and promotion of heritage at the local, national and international level is needed. Since the funding of culture by the European Structural and Investment Funds in the period 2014-2020 is very limited, the amount of state subsidies will decrease dramatically in the next years. Therefore a Slovenian national cultural heritage strategy would be highly recommended to improve on the cooperation between Ministries and Municipalities.



POLAND

WARSAW AND BYDGOSZCZ





INSTITUTIONAL FRAMEWORK - POLAND

National level

The role of the state as the entity responsible for safeguarding cultural heritage derives from Poland's supreme law. Under Article 5 of the Constitution, the Republic of Poland is to safeguard national heritage. The state is jointly responsible with its citizens for financing cultural heritage.

The cooperation between the state and its citizens (acting either as individuals or actors from the third sector, i.e. NGOs) is the aim and foundation of the state and is the organizational framework of cultural heritage protection.

Local level

At the local level cultural heritage is protected and re-used due to the policy of the city council and the president of the city. In the city of Warsaw one has to take into account a building's cultural heritage legal status before using it for cultural purposes.

The nationalization of immovable property in Warsaw after World War II still influences the task of giving new functions and life to old historic buildings.

Main actors and their roles

Among actors in cultural heritage protection two levels can be ascertained: national and regional. Competencies of the voivodeship

such as the inspection of monuments can be transferred to some extent from the regional level to the local level.

	Administrative proceedings			Proceedings before the administrative courts	
	I instance	Appeal	II instance	I instance	II instance
central	The minister of culture and cultural heritage	dissatisfied party may ask the body to review the case again and the regulations regarding appeals against decisions shall apply in such a case	The minister of culture and cultural heritage	The administrative court	The Supreme
regional	The voivodeship governor	appeal against a decision given at first instance	The minister of culture and cultural heritage	The administrative court	The Supreme
local	The president of the city	appeal against a decision given at first instance	The minister of culture and cultural heritage	The administrative court	The Supreme



LEGISLATION - POLAND

NATIONAL LEVEL

Act of 23 July 2003 on the Protection and Guardianship of Monuments (APGM)

The APGM features a closed catalogue of heritage protection forms. The state is obliged to protect and safeguard cultural heritage under the Polish Constitution. The state is jointly responsible with its citizens for financing cultural resources. Financial subsidies are available at three levels: central, regional and local. The policy provides for the cooperation of the state and actors

from the private sector (citizens and NGOs).

The subsidy may be awarded from 50 % up to 100 % of total costs of the renovation or restoration process (section 8 of APGM). One (the owner or the possessor) has to file a special application together with proper documentation. There are local programs concerning the granting of financial support based on the city council's resolution.

Act on spatial planning and space management of 27 March 2003

Spatial policy at the national, regional and local level should take into consideration

issues concerning the protection of cultural heritage and modern cultural heritage.

Act on public-private partnership of 19 December 2008

The Act suggests performing public tasks in cooperation with private entities. This public initiative is on the basis of cooperation between actors from both public and

private sectors (Arts. 4,5). In some cases (construction and motorways) concessions are needed for private partners. This does not apply to cultural tasks.

The construction law of 7 July 1994

The Minister permits a departure from technical and construction regulations after a positive opinion given by a voivodeship

inspector of monuments in relation to buildings entered in the register of monuments.

Act on Organizing and Running Cultural Activity of October 25 1991

Subjects conducting cultural activity as defined in art. 3 may receive subsidies

for the implementation of state tasks.



POLICIES - POLAND

The protection and guardianship of monuments

NATIONAL LEVEL

Summary

The national program for the protection and preservation of historical monuments.

The program is valid for the years 2014-2017. It is adopted by the Council of Ministers, as required by the obligation defined in the

APGM. The main goal of the program is the "Strengthening of the role of cultural heritage and the preservation of historical monuments with a view to developing the cultural and creative potential of the Poles".

Activities

The implementation of the National Program will be carried out within the framework of the funds from the state budget. Within the framework of the co-financing, program

funds will not be provided for the adaptation, restructuring or significant reconstruction of historical monuments.

Financing

National funding: zł 26,037,205.00 up to 50% of the amount of expenses needed to complete the project. In the case of monuments of exceptional

historical, artistic or scientific value, or requiring complex technological expertise and intervention, the sum of co-financing may cover up to 100% of the expenses.

REGIONAL LEVEL

Summary

The program was previously operating as the "Provincial Program of Preservation of Historical Monuments for the years 2012-2015".

Support pertaining to maintenance, restoration or construction works with regard to the objects listed in the register of historical monuments.

Activities

Regional policies in cultural heritage

Financing

Regional budgetary funds



LOCAL LEVEL

Summary

<p>Previously in force: the Program of Preservation of Historical Monuments of the Capital City of Warsaw for 2010-2014.</p>	<p>Grants for conservation, restoration or construction related work in the objects listed in the register of monuments.</p>
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Activities

Co-financing of works on immovable monuments, grant program

Financing

Municipal budgetary funds

Regional development policy

NATIONAL LEVEL

Summary

<p>National Strategy for Regional Development 2010-2020</p> <p>The document sets the objectives of regional development policy, including those with regard to rural and urban areas. Supporting</p>	<p>the low-carbon economy, environmental protection, mitigating and adapting to climate changes, transport and energy security, investments in health and cultural heritage protection.</p>
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Activities

<p>The projects may relate to cultural and creative projects to be carried out by small and medium-sized enterprises as well as to the promotion of innovative solutions for the preservation of cultural heritage. Support</p>	<p>will be also provided to "revive" urban spaces through various forms of their development, including renovating and often adapting the monuments to serve new functions.</p>
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Financing

<p>National budgetary funds / Sources coming from the allocations to Poland from the EU</p>	<p>financial perspective 2014-2020</p>
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REGIONAL LEVEL

Summary

The Strategy of Development of the Mazowieckie Voivodeship to 2030

The document defined the framework program for culture and heritage: harnessing

the potential of cultural heritage, as well as the features of the natural environment for the economic development of the region and increasing the quality of life.

Activities

Improving the attractiveness of the region for tourists by drawing attention to the natural environment and cultural heritage of the region; dissemination of culture and creative

activities; promoting the cities as centres of cultural activity; supporting the development of creative industries; the use of cultural heritage in business.

Financing

Co-financing maximum value: € 5 million of the total cost. Projects will be chosen after

evaluation according to the project's contest procedure.

LOCAL LEVEL

Summary

The strategy of development of the Capital City of Warsaw to the year 2020

In the field of culture and heritage the main objective is to strengthen and develop the cultural capital of the city.

Strengthening the sense of identity of the inhabitants through preserving traditions, the development of culture and promoting social activity.

Strengthening of the tradition of the Capital City of Warsaw.

Activities

co-financing of works on immovable monuments, grant program

Financing

According to annual city budgetary funds



NATIONAL LEVEL

Summary

Supplement to the National Strategy for the Development of Culture for the years 2004-2020 with the strategic objective to balance the development of culture in the regions

Development of Polish cultural and creative sectors managed by the Ministry and the strengthening of their competitiveness, stimulating various initiatives

- a) educational activities
- b) building platforms and networks of cooperation
- c) research
- d) product development

Activities

Revitalization of selected degraded parts of city districts, including those of historical

significance, by 2020

Financing

National budgetary funds, the beneficiaries' own contribution to the project

REGIONAL LEVEL

Summary

Strategy for Cultural Development in the Mazowieckie Voivodship 2015-2020

Within the strategy, mechanisms are to be developed to support cultural activities and social participation in culture.

LOCAL LEVEL

Summary

Culture Development Program in Warsaw until 2020

The main purpose of the program is the development of culture in its various manifestations.

Development of unrestrained creativity and the broadening of the cultural offering

accompanied by the development of cultural infrastructure.

Increasing the participation in culture of the inhabitants of Warsaw.

Creating the image of Warsaw as a European cultural city that shapes its contemporary identity and appreciates its own cultural roots.



CONCLUSIONS - POLAND

The model of ownership of an immovable monument entered in the register of monuments as described in the APGM is the ideal model. In practice the execution of the ownership right is difficult to supervise and it may even be claimed that the protection of ownership provided for in the Act is rather illusory. When society grows more aware of the need for such protection and this consciousness spreads to all levels (regional, national and international) real protection of monuments may be definitely easier to achieve.

Unfortunately, the model of public-private partnership is not very common in Poland in the cultural field. However, it is still perceived as a tool for future initiatives in the cultural sector.

From the perspective of the cultural heritage valorization project, the most important strategic fields of the Culture Development Program are the strategic fields "Heritage - identity - community" and "Creativity - a motor of development".



CZECH REPUBLIC

CITY OF USTI NAD LABEM





INSTITUTIONAL FRAMEWORK - CZECH REPUBLIC

National level

State landmark conservation shall be performed by the bodies of state landmark conservation, i.e., the Ministry of Culture, the regional authorities and the municipal offices of municipalities with extended powers.

The Ministry of Culture shall be the central body of state administration for cultural landmarks in the Czech Republic.

The Ministry of Culture shall: prepare forecasts, strategies and draft long-term outlooks of the development of State Landmark Conservation.

Local level

The regional authorities carry out the tasks of the state in heritage protection unless they are within the jurisdiction of the Ministry of Culture or the Government of the Czech Republic. The regional authorities adopt the concept of support of national heritage protection in the region based on the central National Heritage Protection

concept adopted by the Ministry of Culture.

The municipal authorities carry out heritage protection in their area based on the central National Heritage Protection concept adopted by the Ministry of Culture. Municipal authorities take care of local cultural monuments and exercise control over owners of the cultural monuments.

Main actors and their roles

National heritage protection authorities are the Ministry of Culture, regional authorities and municipal authorities. The Professional institution is the National Heritage Institute.

The Ministry of Culture is the central National Heritage protection authority.

Monument Inspection was established by the Ministry as a central control institution.

The National Heritage Institute is the biggest state-funded organization under the Ministry of Culture of the Czech Republic. It was established by the Ministry of Culture on January 1st 2003. Under current laws it is entrusted with a number of specialist tasks related to state heritage conservation. The Institute helps people look after historic buildings and looks after castles, country houses and palaces owned by the state.



LEGISLATION - CZECH REPUBLIC

NATIONAL LEVEL

Statute No. 20/1987 Coll., on State Monument Preservation (as amended)

The SMP statute regulates cultural monuments, national cultural monuments, monument reservations and monument zones.

The purpose of this Act is to create comprehensive conditions for a further enhancement of the political, organizational, cultural and educational functions of

the state in the conservation of cultural landmarks, preservation thereof, access thereto and appropriate utilization thereof, so that they may play a role in the development of culture, arts, science and education, in the shaping of traditions and patriotism, and in the aesthetic education of working people, thus contributing to the further development of society.

Statute No. 183/2006 Coll., on Town and Country Planning and building code (Building Act)

The task of town and country planning is, in particular, to ascertain and assess the area's condition, its natural, cultural and civilization

values and to create the conditions for protection through special regulations.

Statute No. 134/2016 Coll. on Public Contracts and on Concession Contracts

Legislation in relation to Concession Contracts which enables PPP projects

Executive regulation of the Ministry of Culture No. 66/1988 Coll. implementing statute No. 20/1987 Coll. on State Monument Preservation

The regulation provides further details on the obligations and duties set out in the

statute No. 20/1987 Coll.

POLICIES - CZECH REPUBLIC

NATIONAL LEVEL

Summary

The grant programs are run by the Ministry of Culture which sets the conditions for applicants.

Emergency Program, Support of Renewal of Cultural Monuments Program, Support

for UNESCO Monuments Program, Regeneration of City Monuments Reservations and Zones Program, Regeneration of Village Monuments Reservations and Zones Program

Activities

Financing

State budget Tax relief for owners and acquirers of culture monuments according

to statute 586/1992 Coll. on Income Tax



REGIONAL LEVEL

Summary

Concept of Development of Culture and Monuments Preservation in Ústí nad Labem region 2014-2020

The program is based on Statute 20/1987 on

State Monument Preservation, on Funding Principles of the Ústí nad Labem region development fund as approved by Region Council of Ústí nad Labem Region on 01.28.2009.

Activities

Visions and goals of culture monument preservation and its funding

Financing

Minimum amount of grant is 30,000 CZK for a single project in a single year.

Maximum amount of grant is 70% of total eligible costs.

In case of restoration of a cultural monument the grant can be up to 100% of total eligible costs.

CONCLUSIONS - CZECH REPUBLIC

Cultural heritage protection is mainly governed by Statute No. 20/1987 Coll. on State Monument Preservation (as amended – SMP Statute). This statute is currently valid legislation which provides for the protection of cultural monuments and other objects. In many parts this Statute is obsolete but a new bill prepared by the Ministry of Culture that was intended to fully replace statute no. 20/1987 Coll. wasn't approved by the Parliament in summer 2017. In October 2017 there were general elections and the destiny of the bill is no longer clear, due to new members of Parliament and a new Minister of Culture.

The owner looks after the monument at his/her own expense. Private owners can ask for financial support which is provided by regional and municipal authorities from their budget upon application from the owner. Regional and municipal authorities can also operate local grant programs.

The Ministry of Culture runs several grant programs for owners of monuments such as the Emergency Program, Support of Renewal of Cultural Monuments Program, Support for UNESCO Monuments Program, Regeneration of City Monuments Reservations and Zones Program, Regeneration of Village Monuments Reservations and Zones Program. They are funded from the state budget.



SUMMARY

OF LEGISLATION AND POLICIES





OVERVIEW INSTITUTIONAL FRAMEWORKS

Italy – Genoa / Milan

The National Level through the MiBACT is primarily responsible for national property sites; regions and municipalities for local sites.

The Ministry of Cultural Heritage and Activities and Tourism creates the main code about cultural heritage, that regulates every aspect of this branch.

Hungary - Pécs

The protection and maintenance of cultural heritage is a responsibility shared between numerous national governmental institutes.

The identification, recording, protection and development of local built heritage is the responsibility of the municipality.

Germany – Nuremberg

The National Government of Germany has essentially only a co-financing role.

All inquiries, funding requests and planning must first be dealt with at a local level.

The protection of cultural heritage is one of the inherent tasks of the federal states (regional level).

Croatia - Rijeka

The national level is primarily responsible for cultural heritage protection and legislation.

The local government is responsible for issuing permits, supervision and implementation.

The regional level makes regulations, policies and strategic documents in line with national law.

Slovenia – Ljubljana

The State of Slovenia manages subsidies intended for the protection of cultural heritage. The state finances national public institutions, public programs of NGOs and projects.

The country is not divided into regions. Municipalities act as basic local self-governance units. At the local level funds are very limited.

Poland – Warsaw / Bydgoszcz

The national level is primarily responsible for cultural heritage protection and legislation.

Local government is responsible for issuance of permits, supervising and implementation.

The regional level makes regulations, policies and strategic documents in line with national law.

Czech Republic - City of Usti nad Labem

The Ministry of Culture is the central national heritage protection authority. Monument Inspection was established by the Ministry as a central control institution.

The municipal authorities carry out heritage protection in their area based on the central National Heritage Protection concept adopted by the Ministry of Culture.



OVERVIEW LEGISLATION

Italy – Genoa / Milan

The national code provides rules about use and re-use of cultural heritage and organizes financial support, public and private. The code is the "grundnorm" that regulates

cultural heritage, but there are also other, more specific regulations in several aspects.

These regional laws establish the main purposes in cultural heritage management.

Hungary - Pécs

The LXIV law about the protection of the cultural heritage.

According to this law built heritage should

be assigned to international, national and local levels and it should be maintained, protected, used and presented accordingly.

Germany – Nuremberg

The regional "Bavarian Monument Protection Law" is the legal basis for cultural heritage protection in the state of Bavaria.

It regulates responsibilities and determinations and which measures are subject to approval and co-financing.

Croatia - Rijeka

The "Law on protection and preservation of cultural heritage" regulates the types,

measures, works and financing of protection of cultural heritage in Croatia.

Slovenia – Ljubljana

The most important law in this context is the Cultural Heritage Protection Act of 2008, which defines most procedures concerning the protection of cultural heritage.

Other legislative details concerning the matter can be found in e.g. the Public-Private Partnership Act or the Construction Act.

Poland – Warsaw / Bydgoszcz

The Act on the Protection and Guardianship of Monuments (APGM) is a national law and features a closed catalog of heritage protection forms.

This law is supported by the "Act on spatial planning and space management", "Act on public private partnership" and "Act on organizing and running cultural activity."

Czeck Republic - City of Usti nad Labem

The cultural heritage protection is mainly governed by the statute No. 20/1987 Coll. on State Monument Preservation. This statute is currently valid legislation providing

protection of cultural monuments. In many parts this Statute is obsolete but a new bill prepared by the Ministry of Culture.



OVERVIEW POLICIES

Italy – Genoa / Milan

Cultural heritage safeguard and use

The law must balance between economic initiative and the preservation of cultural heritage. In this regard, with several rules and

a Code of cultural heritage, Italian legislators are trying to intervene in every aspect. One of the main goals of the regional law is to obtain a strong recognition of the private role.

Hungary - Pécs

Cultural heritage protection, General meeting 37 / 2002

The decree made by the city council lists built heritage under local protection and allocates a specified sum for support.

Germany – Nuremberg

National Valuable Cultural Monuments Program (since 1950)

Guidelines for the granting of funds for protection of monuments

Protection of cultural heritage in urban development (Städtebaulicher Denkmalschutz)

Guideline for the promotion of urban development

Croatia - Rijeka

Strategy of development of Primorje-Gorski Kotar County to strengthen the competitiveness of small and medium entrepreneurs

Strategy of development of the City of Rijeka for revitalization of industrial and technical heritage

Slovenia – Ljubljana

The National Program for Culture 2014-2017 is the main strategic instrument for cultural policy development planning.

The Sustainable Urban Strategy of the Municipality of Ljubljana 2014-2020 is an exemplar of local efforts and policies.

Poland – Warsaw / Bydgoszcz

National program for the protection of historical monuments (2014 – 2017)

National Strategy for Regional Development (2010–2020) and Culture Development (2004–2020)

Strategy of Development of the Mazowieckie Voivodeship

Strategy of development of the Capital City and Culture Development of Warsaw 2020

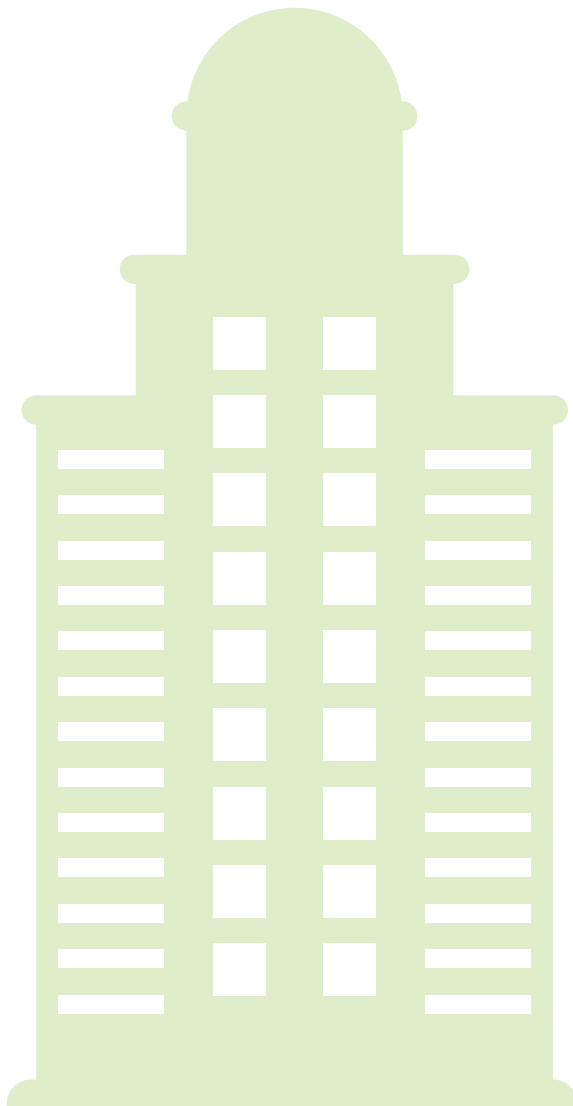
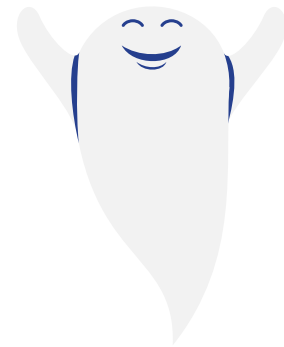
Czech Republic - City of Ústí nad Labem

The grant programs are run by the Ministry of Culture which sets the conditions for applicants.

Concept of Development of Culture and Monuments Preservation in Ústí nad Labem region 2014-2020



CONCLUSIONS AND RECOMMENDATIONS





OVERALL CONCLUSIONS

Every partner city experienced that cultural heritage is a powerful factor in social, economic, environmental, territorial and cultural development through the activities it generates and the policies which underpin it. Therefore, an integrated approach focusing on the conservation, protection, revitalization and promotion of heritage at a local, national and international level is needed.

In many countries most of the programs as well as the allocation of financial resources focus on the preservation of nationally important cultural monuments. Our research shows that the importance of a possible conversion of unused buildings needs to be given more prominence in the context of cultural heritage protection.

Numerous buildings, which are now architectural monuments, enrich our living environment only because they have been upgraded to other uses after losing their original function. The historical structure is a valuable item of heritage not only in terms of uniqueness, artistic value and its function as a witness for history, but also in terms of potential usability. Conversion is ecologically and economically sensible and necessary. In particular, the demolition of buildings with a monumental character not only causes irreparable cultural damage, but also represents a concrete material loss.

That is why it is important to demand and promote new uses for unused heritage buildings that are no longer needed in their original function. Heritage buildings have been and will be revitalized throughout Europe into areas for trade, commerce and services, such as museums, cultural and meeting places, kindergartens and youth clubs. Here the creative and cultural industries are one of the most important players in terms of reutilization, as they generate economic growth and innovations. And they still have a high demand for working space.

It would be desirable to have a national strategy for the conversion of unused cultural heritage buildings, which sets the stage for a sustainable cooperation between various sectors such as cultural industries, tourism, education, science and the private sector. A strategy that facilitates access to the desired objects and provides financial means for revitalization.

At the same time, it should be a political task to raise public awareness for the added value of new uses for monuments and thus to create national acceptance for conversion concepts.

It requires a structured decentralized approach to implement this type of project. A local coordination office could initiate, plan, steer and ensure the sustainability of funded projects between relevant local departments and the other sectors. Furthermore, it should connect owners and project planners with investors and point out possible governmental financial support in a transparent way.

Legislation on heritage protection needs to be adapted to the needs of revitalization. This includes, for example, the special consideration of heritage grade industrial buildings where production will no longer take place. Their mere size and nature will impose special requirements.



When planning a conversion, seemingly unsolvable conflicts occur between planning regulations, such as fire protection, escape routes, sound insulation and energy efficiency, and conservation regulations that aim to preserve the original structure.

Careful rebuilding and respect for historical heritage must be an imperative principle, but there needs to be room for creative scope on the implementation of remodelling measures. Mastering the balancing act between preservation and revitalization seems to be one of the central tasks for all those involved.



SPECIAL RECOMMENDATIONS TO CULTURAL HERITAGE VALORIZATION PROJECTS

It is hard to give an overarching binding recommendation for action, as the management of cultural heritage is a very sensitive topic and differs greatly from country to country.

For, to realize conversion concepts of listed buildings in a sustainable way, project managers must inform themselves sufficiently about the guidelines in their country, region and city, expand their own knowledge, speak with experts and, above all do intensive networking and raise public awareness for the necessity of their project.

In relation to the holistic planning of the re-use process the following points should be considered:

1. Check the legal status and ownership of the building
Is the building state-owned or privately owned? What kind of monument protection takes effect? Is it completely or only partially listed? Does anyone have any claims on the building?
2. Check the condition and value of the building
During this process, do also take the artistic, historical or scientific value for future generations into consideration.
3. Submit your ideas to the responsible monument protection authority
Before talking to the authorities, develop a clear vision and check the possible uses, restrictions and required approvals.
4. Develop your business plan with the help of professionals
Participation in trainings, analysis and optimization of costs, integration and connection of additional business models for cross-financing, exchange with other best practice models
5. Use a maximum of regional and national networking to promote your project
Cultural platforms, tourism associations, foundations and associations for monument protection, local associations, district associations, press, educational institutions, museums, colleges, business clubs, associations of cultural industries, associations of self-employed, business associations



POLICY HANDBOOK

