

STATE MONUMENTAL HERITAGE POLICY

Public thematic report

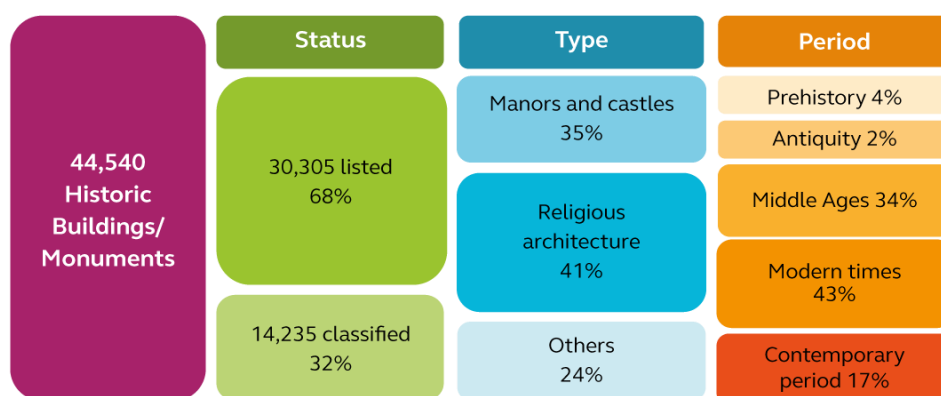
Executive Summary

June 2022

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Established in the 19th century out of a desire to save the nation's heritage, the State's monumental heritage policy has continued to expand with the development of legal arrangements to increase the scope of protection.

Distribution of monuments according to status, type and period



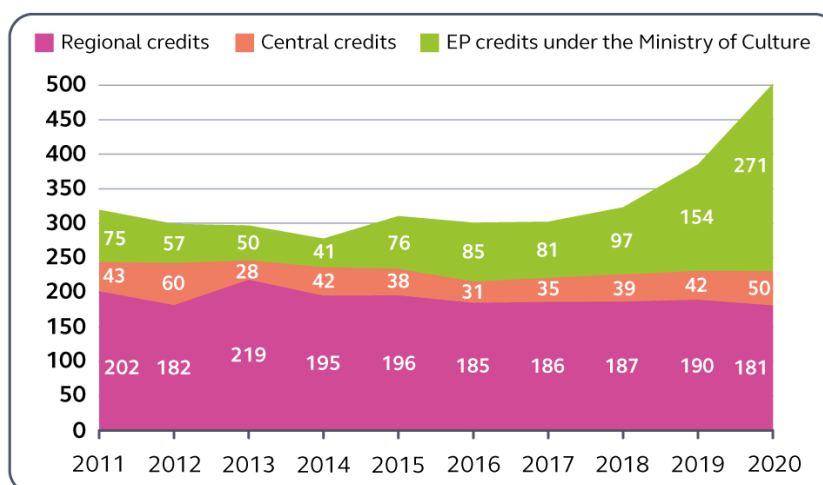
Source: Ministry of Culture, Conservation Review 2020

Although the rate of increase in the number of buildings covered by the system of historic monuments in the strict sense of the term (44,540 to date) has slowed down over the last twenty years, all the systems created over the last two centuries (classified or listed historic buildings and monuments, their surroundings, protected areas, remarkable heritage sites, etc.) have led to the protection of several hundred thousand buildings and their surrounding areas.

A long-standing policy facing the challenges of protecting a vast heritage

The scale of this policy is reflected in the resources that the state devotes to it. Public spending on monumental heritage is significant and mainly focused on conservation. Before the health crisis, it stood at more than €1.3 billion and was divided equally between the State and local authorities. Between 2019 and 2021, this effort grew significantly with the large increase in State credits allocated to major works, mainly on key monuments or included in the recovery plan. In addition, in order to encourage the conservation of privately owned monuments, the State long ago developed an appropriate and effective tax system.

Breakdown of expenditure on historic monuments (action 1 P 175, implemented in payment credits, € million)



Source: RAP 2011-2020 reprocessed by the Court of Auditors. Funds for public institutions (EP) include the Notre-Dame contribution fund

Although the State and local authorities can claim to have made a constant effort, the overall expenditure is still poorly understood. The Ministry of Culture does not have comprehensive knowledge of the consolidated expenditure of the State. The budgetary yellow paper entitled “*Effort financier de l’État dans le domaine de la culture et de la communication*” (Financial effort of the State in the area of culture and communication) is incomplete with regard to the expenditure of other ministries responsible for historical monuments and the State aid received by local authorities for local heritage. As for the effort made by the latter, its estimate is even less precise and is moreover proving to be irregular over time.

Overview of public spending

Public budgetary and tax expenditure on historic buildings/monuments and heritage spaces (payment credits, € million)	2019 implementation	2020 implementation	2021 implementation
Ministry of Culture - Historic Buildings and Monumental Heritage (action 1 - P 175)*	385	502	687
Ministry of Culture - heritage sites and teaching part École de Chaillot CAPA (fractional share 2 - P 175)	10	10	10
Ministry of Culture - staff costs (P 224)	85	87	90
Recovery plan for the culture sector (P 363 competitiveness) payment credits voted	-	-	230
Total Ministry of Culture (excluding educational expenditure)	480	599	1017
Other ministries owning historical buildings/monuments (estimate)	60**	60**	60**
DSIL and other territorial grants (FNADT, DETR)	not available	not available	28
Recovery Plan (P 362 Ecology) payment credits voted	-	-	146
Total other ministries	60	60	234
Direct tax expenditure for historic buildings/monuments + Heritage Foundation labels	84	81	74
Tax expenditure linked to donations and sponsorship (excluding major operators)	31	31	31
Total tax expenditure	115	112	105
Total estimated state expenditure	655	771	1355
Local authority expenditure for the maintenance of municipal heritage 2017 estimate	310	310	310
Departments (intervention credits and own assets) 2017 estimates	243	243	243
Regions (mainly intervention credits) 2017 estimates	110	110	110
Total local authorities	663	663	663
Total estimated public expenditure	1318	1434	2018
European funds: ERDF and Interreg	A few million euros per year		

Figures in italics are estimates.

* Total expenditure including funds for Notre Dame de Paris transferred to the newly created public institution EPRNDP (total of €152 m in payment credits between 2019 and 2021) and matching Incentive and Partnership Funds - FIP (€7 m in 2020) and from the Heritage at Risk Mission - MPP (€5.3 m in 2020).

** Expenditure by the other ministries involved varies substantially depending on the scheduling of the work.

Source: Chorus, Annual performance reports for the Culture Mission, Budget Directorate, State Property Directorate (DIE), Ways and Means Volume 2 PLF 2021 and 2022, Yellow Paper 2021 Financial effort of the State in the area of culture and communication

Implementation of this policy is also based on a structured organisation divided between central administration, decentralised departments (regional directorates of cultural affairs - DRAC) and operators (mainly the Centre des monuments nationaux – CMN (Centre for National Monuments) and the Operator for the Ministry of Culture's property programmes – OPPIC) and on recognised scientific and technical expertise, both in terms of project ownership and project management.

Nevertheless, despite these resources, the latest assessment of the state of health of historic buildings/monuments carried out in 2018 showed that almost a quarter of them are in a worrying state.

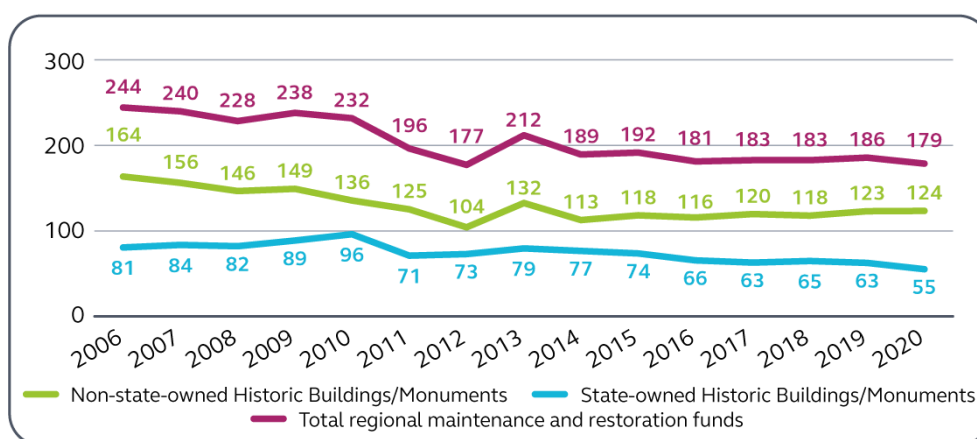
Persistent structural weaknesses in the face of new challenges for the heritage policy

A major reform of conservation project ownership and management took place in 2009. Traditionally the State has been responsible for all classified buildings/monuments, but now it is the owners who are in charge of conservation operations, whether they are local authorities (51% of historic monuments) or private owners (43%).

In the area of project management, the exclusivity enjoyed since the beginning by the chief architects of historic buildings/monuments for all classified monuments has been discontinued. They have in fact only retained the exclusive right to manage the work on listed buildings/monuments belonging to the State.

The results of these two very important reforms are disappointing. In terms of volume, the expected increase in conservation operations has not materialised, in particular because local authorities have not sufficiently organised their project ownership practices. As a result, the scientific and technical control assumed by the State compensates for their shortcomings and makes use of resources that put the roles of the DRAC out of balance.

Implementation of regional credits for the maintenance and restoration of historic buildings/monuments* (in payment credits, € million)

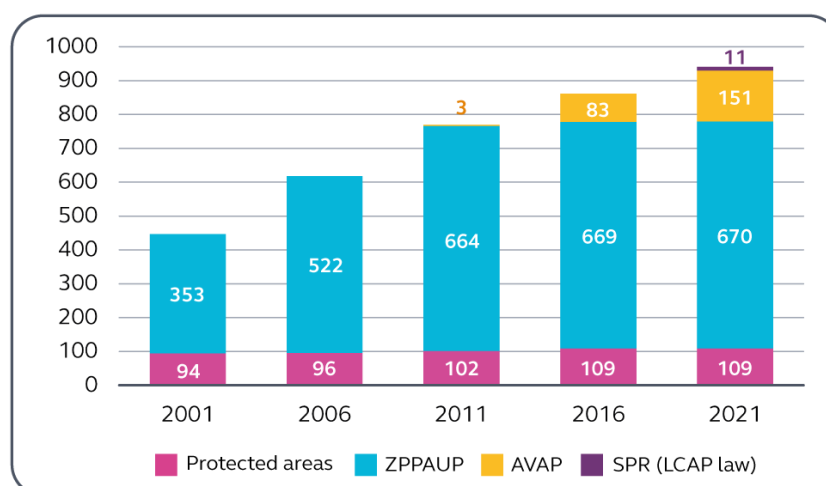


**Excluding national monuments managed by the Centre for National Monuments.
Source: RAP 2006 to 2020 - Court of Accounts restatement*

The reform of project management has certainly led to an increase in the number of heritage architects, but their uneven regional distribution and their inconsistent technical level are two weak points. The reform of the roles of chief architects of historic monuments and, moreover, the reduced availability of French building architects have also weakened the top level of expertise in architecture and heritage.

The modernisation of legal protection systems remains incomplete, while the reform of heritage sites is slow in coming to fruition. This last reform was intended to provide uniform and effective tools for “remarkable heritage sites” by generalising the delimited perimeters of the surroundings and merging all the former protected areas into a single system. However, the merger process is proceeding at a very slow pace and the complex way in which the statuses overlap is still proving harmful. As a result, monuments and sites are still protected on a piecemeal basis, to the detriment of a comprehensive approach to enhancement.

Changes in the protections ruled for heritage areas (2001-2021)



Source: Court of Auditors, on the basis of the annual balance sheets of protected areas, Ministry of Culture

In this context, the weakening of the human resources in charge of implementing this policy is a matter of increasing concern. Widespread retirements in the coming years, with competitive procedures organised irregularly, unattractiveness due to insufficient remuneration and career prospects, the growing share of freelance work among chief architects of historic monuments and the excessively administrative nature of the tasks of building architects in France require the overall management of human resources to be reconsidered. The state should act to prevent a depletion of technical skills that would have serious consequences in the years to come. In addition, the initial and ongoing training of architects authorised to work on historic monuments must be strengthened, in particular by establishing a genuine professional doctorate. Given the importance of public conservation orders and the proven risks of bottlenecks, it is also essential for the Ministry to have a reliable forecast available of the number of staff in the heritage sectors.

Forecast trends in departures from technical professions by 2024

Trade	2019	2020	2021	2022	2023	2024
Heritage Curator of the inventory of Historic Buildings/Monuments	1	0	6	3	2	2
State Architects and Planners	10	10	10	2	4	2
Head of documentary studies	6	2	4	1	1	2
Cultural and heritage services engineer	12	7	8	8	4	8
Cultural department and French Buildings technicians	13	10	8	16	14	12
Total for all professions	42	29	36	30	25	26

Source: Ministry of Culture

An overall strategy requiring more cross-cutting approaches

The dominant approach of heritage policy in favour of the conservation and legal protection of monuments and sites leaves too little room for an integrated approach involving advice to local authorities and consultation with local stakeholders. However, such an approach is essential for small and medium-sized old towns with a remarkable heritage but facing real economic and social difficulties. The State must be much more active in promoting development strategies for urban heritage districts.

In terms of enhancement, it is essential for the State to strengthen its action on the economic side. Despite the advantageous tax tools they benefit from, most private entrepreneurs who operate monuments open to the public find it difficult to develop a sustainable economic model based on seasonal activity. They must be able to count on more regular, fluid and efficient cooperation between the cultural administration and tourism development players.

As an essential condition for an effective monumental heritage policy, the management tools leave clear room for improvement. This applies both to policies shared with local authorities in terms of protection and inventory and to the competences exercised by the DRAC in conjunction with all heritage stakeholders, particularly in terms of allocating state aid and carrying out the review of the condition of the assets. The record of the condition of the assets should thus be designed as a shared tool for knowledge and monitoring of protected buildings, regardless of their ownership.

However, improved management tools and procedures cannot replace an overall cross-cutting strategy. State monumental heritage policy is excessively partitioned between its three pillars: protection, conservation and enhancement. A heritage policy must be based on a strategy to promote the place of historical heritage in society, at all levels and with all stakeholders. In this respect, the effects of the health crisis on the number of visitors to heritage sites are creating a new context for reconsidering the links that the French have always had with their heritage and for pursuing the emerging discussions and activities on the enhancement and use of monuments, an essential condition for their conservation, and consequently for their transmission to future generations.

Recommendations

The following summary is organised into four themes:

Public expenditure on monumental heritage

1. Consolidate the total annual expenditure of the State in the budget document entitled “*Effort financier de l’État dans le domaine de la culture et de la communication*” (Financial effort of the state in the area of culture and communication) and track the financial efforts of local authorities in favour of monumental heritage more regularly and more precisely (*Ministry of Culture*).
6. Standardise the conditions for modulating the aid granted by the DRAC to historic buildings/monuments according to pre-established and published criteria (*Ministry of Culture*).

Protection of historic buildings/monuments

7. Draw up a regularly updated health report on the condition of each listed or classified building, to be shared with all stakeholders in the heritage chain (*Ministry of Culture*).

Conservation and enhancement of historic buildings/monuments

2. Review the reform relating to the chief architects of historic buildings/monuments and adopt forward-looking management of staff in accordance with the objectives to be achieved (*Ministry of Culture*).
3. Strengthen the roles of the architects of the buildings of France among public and private project developers and for the preventive conservation of state heritage (*Ministry of Culture*).
4. Accelerate the effective implementation of the 2016 law on the freedom of creation, architecture and heritage (LCAP) with regard to the delimited perimeters of the surroundings and remarkable heritage sites (*Ministry of Culture*).

Taxation

5. Undertake an inter-ministerial assessment of the tax arrangements applicable to historic buildings/monuments (*Ministry of Culture and Ministry of the Economy, Finance and Recovery*).

Appendix: protection of monumental heritage abroad

The cooperation and cultural action departments (SCAC) of the French embassies in the United States, Germany, the United Kingdom, Italy, Spain and Belgium were sent a questionnaire on the monumental heritage policies implemented in their respective countries.

The distribution of heritage protection competences depends on the political and administrative organisation of each State.

In federal states, heritage protection is primarily a state responsibility. However, Germany and Belgium differ from the United States in that jurisdiction lies exclusively with the Länder and the regions, whereas Washington maintains a national register of protected buildings. There is no national list in Germany or Belgium. Interconnection between two levels of protection norms is also characteristic of the British system and Spanish system, where national legislation coexists with the rules of the autonomous communities. Across the Channel, protection policy is the responsibility of each of the four nations, but the systems are similar and coordinated nationally by the Ministry of Culture.

While the number of degrees of protection varies, each State under review has a list of protected monuments.

The logic of listing buildings of artistic and historic interest applies in all six States. Only in the United Kingdom (3 levels) or the United States are there several levels of protection. Like France, Germany offers protection systems for buildings and for sectors. In the United Kingdom, England and Wales provide near-automatic protection for any building built before 1700 that remains in a condition approaching its original state.

Statistical comparisons between States are difficult. The 1.8 million properties in the US National Register, the 500,000 buildings protected in the United Kingdom or the one million buildings protected by the German Länder cannot be compared to the 45,000 buildings listed or registered as historic monuments in France. In order to make comparisons, for France it would be necessary to add the monuments protected as “*sites patrimoniaux remarquables*” (remarkable heritage sites), as “surroundings”, as national domains and under protection established by the urban planning documents. The Ministry of Culture has not undertaken such a survey but considers that it would result in the inclusion of several hundred thousand buildings within the scope of protection.

Everywhere, protected buildings are subject to an administrative system of authorisation for works.

In each of the six countries studied, the legal system for the protection of a monument subjects its owner to a system of authorisation to carry out restoration or alteration works and places it under the potential control of the competent authorities.

As in France, the constraints to which private owners are thus subjected entitle them to public funding and tax benefits.