

Organisation of the protection of cultural heritage in the Netherlands

The way in which the preservation of listed sites is organised in the Netherlands is a reflection of the way government in general is enacted in the country. The Netherlands is made up of 12 provinces, each in turn sub-divided into 467 local authorities. The Netherlands has a population of around 16 million inhabitants. National, provincial and local government, as well as many private organisations (NGOs), each in their own way, have a responsibility for protecting the cultural heritage.

The Dutch state is responsible for drawing up national legislation which enables listed sites to be preserved through official channels. From a European-wide perspective, protecting the cultural legacy is a national responsibility, which means that intervention by the European Community is minimal. Statutory regulations which are drawn up by provincial government and local authorities are complimentary to, and not at odds with, national legislation.

The Dutch overseas territories (the Caribbean islands of Aruba, Bonaire, Curaçao, Saba, Sint Eustatius and Sint Maarten) are likewise responsible for organising the way in which they protect and maintain their cultural heritage.

The first piece of legislation regulating the protection and maintenance of national cultural heritage was drawn up in 1961. In the preceding period, the restoration of major historic buildings sometimes received the financial support of the Dutch state on an ad hoc basis. The 1961 act set out the responsibilities of the state and laid out the conditions for determining the “listed status” of a building or for awarding an urban or rural landscape with a protected status. In 1988, this Act was replaced by the present Historic Buildings Act, which forms the basis for the protection of listed buildings, in conjunction with a number of other related statutory regulations. National legislation relating to the protection of the cultural heritage is currently under review in the Netherlands. At the end of 2005, the Dutch parliament is expected to amend the 1988 Historic Buildings Act to take into account the current situation.

In addition to legislation specific to the preservation of listed buildings, legislation relating to spatial planning in the Netherlands is also instrumental. The overlap between the management of historic buildings and spatial planning continues to swell.

The state

A total of around 50,000 sites in the Netherlands currently fall under the protection of the Dutch state. It is expected that this number will grow to around 60,000 in the future. Furthermore, there are around 405 urban and rural landscapes in the Netherlands which have received official protection status. These are larger clusters of the urban/rural fabric (e.g. historic neighbourhoods or fortified towns) which together are considered important enough for official protection. In addition there are approx. 13,000 archaeological sites which fall under the protection of the state.

How does a building acquire listed status?

Various criteria are used for this in the Netherlands.

The building must be at least 50 years old. Its general importance is determined by its beauty, its contribution to science and technology, or its major cultural-historical

significance. Finally, the building must be of national importance or have a unique value.

Up until now, only buildings built before 1940 received official protected status. A survey is currently being conducted into the historic value of buildings built between 1940 and 1955, known as the post-war reconstruction period. The aim of this exercise is to identify and give protected status to the most important edifices of this later architectural period. In view of the aforementioned, it can be concluded that the protection of the cultural heritage in the Netherlands is an ongoing process.

From restoration to preservation

Up until the 1970s the protection of historic sites in the Netherlands focussed primarily on restoration activities.

Partly as a result of the establishment of the *Monumentenwacht*, preservation policy has steadily changed from a *curative* one to a *preventative* one.

This led in the 1990s to a completely different perspective on the preservation of historic sites being adopted.

During this period, the Dutch government decided to release extra resources to accelerate the restoration procedure for sites of national historic importance for upgrading the structural condition of all historic buildings. The thinking behind this was that, if a historic building is structurally sound, less money is required to ensure preservation of its physical condition than when little or no maintenance is carried out in the intervening period between the two restorations.

This is precisely the same line of thinking as has been held by the *Monumentenwacht* since the 1970s.

From 2006 onwards, a new system will be put in place. Grant-awarding regulations for restoration and maintenance will be gradually changed to a single regulation for the preservation of historic sites.

National expenditure

State expenditure on the restoration and maintenance of historic sites in the last few years has been as follows:

2001	: 124 million euros
2002	: 109 million euros
2003	: 73 million euros
2004	: 90 million euros
2005 / 2010	: 360 million euros

Implementation of national policy

Responsibility for implementing national policy for the protection of the cultural heritage in the Netherlands lies with the Dutch Ministry of Education, Science and Culture. In order to carry out policy, the secretary of state, in addition to his own department at the ministry, has a number of other government departments at his or her disposal. Firstly, there is the *Rijksdienst voor de Monumentenzorg* (RDMZ), which is the ministerial agency charged with the protection of historic sites in the Netherlands. This agency is instrumental in developing new policy as well as being responsible for reviewing all historic building restoration plans and for allocating all grants for the restoration and maintenance of listed buildings.

Actual payment of grants is disbursed by a special organisation specifically set up for this purpose, the *Nationaal Restauratie Fonds* (NRF), which functions as a kind of

cultural heritage bank, initially derived from the organisation of Dutch local authorities. The NRF oversees funding and develops new forms of funding for the restoration and maintenance of historic buildings. An example of the latter is the so-called "restoration mortgage". Instead of receiving 40% of the costs of subsidy, the owner can choose to take out a mortgage amounting to around 80% of the total costs. Of course, this loan must be repaid, but interest rates are held down, at around 2% below current interest rate levels. This means that current rates of interest repayment, for example, are around 1%.

Money which is reimbursed in this way is deposited in a "revolving fund", which, in turn, is used to help finance new restoration projects.

A separate organisation exists for archaeological monuments, the *Rijksdienst voor het Oudheidkundig Bodemonderzoek* (ROB). This body does the same work with respect to archaeological sites as the RDMZ does for existing historic buildings.

A decision has recently been taken to merge the activities of the RDMZ and the ROB to form a single government agency for the protection of all cultural heritage sites in the Netherlands. The new organisation will come into existence on 1 January 2006 at the latest.

With regard to the management of all historic real estate owned by the state, a separate agency exists, the *Rijksgebouwendienst*. Execution of its activities is carried out in close cooperation with the RDMZ and the *Monumentenwacht*.

It should be noted that state-owned buildings in the Netherlands are not insured for fire and other damage. The reasoning behind this is that the financial risks involved in the event of a major catastrophe are lower than the crippling annual costs involved with taking out an overly-expensive insurance policy. Governments in many other European countries have also been adopting this approach.

Grant-awarding schemes

As stated previously, new legislation for the preservation of historic sites will come into effect in 2006. A key role in this will be played by the NRF's restoration mortgage. In addition, tax allowances for maintaining historic dwellings will be extended considerably. This will be overseen by a special tax department.

At the moment there are schemes in place for the allocation of grants for the restoration of listed buildings and historic stately homes, the maintenance of historic buildings, the upkeep of historic parks and country estates and a special regulation for the preservation of (wind)mills. Most of these schemes will disappear after the introduction of the new legislation.

Provinces and local authorities can formulate their own grant-making schemes for the restoration and maintenance of historic sites. In the case of local authorities these often target locally protected sites.

Provincial government

The Dutch provinces have a limited role to play in preservation. Two of the twelve provinces maintain their own register of provincial listed sites, which forms the basis for the preservation of buildings which have a provincial significance (in total around 405 sites). To a larger or lesser degree, most provinces top up the funds granted by national government for the restoration of sites of national historic importance. Some provinces do this for all nationally recognised listed buildings, others do this to a much lesser extent, usually for the more significant sites.

The provincial authorities however have a primary responsibility towards the upkeep of their own provincial preservation agencies (*monumentenwachten*), which are after all seen as provincial organisations. All provincial *Monumentenwachten* cooperate closely with each other and are affiliated in a national federation (*Federatie Monumentenwacht Nederland*).

The provinces are also responsible for coordinating cooperation between the different national organisations which operate within their boundaries. To this end a so-called 'preservation support unit' has been set up in each of the provinces. Overall expenditure spent by the provinces for the preservation of listed buildings amounts to approx. 25 million euros in 2005.

Local government

Local authorities are responsible for supervising the restoration and maintenance of listed sites. They issue restoration permits and ensure that restoration work is carried out in the proper manner. If a local authority cannot carry out these activities on its own, e.g. because it is too small to employ qualified workers, the work will fall under the auspices of the Dutch state.

Recently, the ministry has installed a separate 'listed buildings inspectorate', charged with making sure that local authorities carry out their preservation responsibilities properly.

In addition to their responsibilities vis-à-vis sites that are protected under the national register, the 457 local authorities in the Netherlands have accredited a further 36,000 sites with local protection status. In 2005, the budget invested by the local authorities amounted to a total of 16.5 million euros or thereabouts.

Private bodies

The Netherlands has hundreds of larger and smaller private organisations actively involved with cultural heritage.

This includes Europe's largest organisation in this field, *Europa Nostra*, based in The Hague, as well as many small societies who dedicate their activities to the preservation of a single local historic site. All kinds of private preservation societies are represented in the Netherlands.

Against initial expectations, the entire network of private bodies is relatively transparent in nature.

From a national point of view, there is the *Nationaal Contact Monumenten* (NCM), based in Amsterdam. This is an umbrella organisation which draws together the work of many national and regionally-based private organisations.

For example, there are separate national organisations dedicated to the preservation of (wind)mills, stately homes, churches, industrial heritage, gardens, country estates, parks, farms, professional restoration contractors and *Monumentenwacht*, to name but a few. Church-based communities occupy a special place.

Some national organisations have provincial branches or have cooperative links with, for example, the *Monumentenwacht*.

At a local level, all kinds of small and large organisations are active in a wide range of cultural heritage and (local) history projects.

Private organisations are funded accordingly. Most national organisations receive subsidies from national government, regional organisations from the provinces and local organisations from the local authorities.

This summary provides an indication of how the protection of the cultural heritage in the Netherlands is regulated. It is as diverse as the inhabitants of the country itself.

26-07-2005