

Monument restoration and maintenance is not given optimal subsidization said the Court

The Court examined whether subsidies for the restoration and maintenance of non-movable heritage were granted according to the law and regulations in the period 2003- 2006; it also checked whether funding was transparent. As long as the Flemish Region has no complete picture of the most precious heritage, the selection of a project cannot be optimal. The minister was late in communicating the selection criteria of the priority restoration works to the Flemish Parliament and the notice of advice he received from the government department contained insufficient guarantees that the subsidy beneficiaries would be treated on an equal basis. The subsidy claimant is led to select the less complex maintenance premium system, but this is also the system that provides less quality guarantees. The minister ought to state the grounds for his restoration projects more precisely and provide better information to the Flemish Parliament.

Introduction

The Flemish Region allocates subsidies for the maintenance and restoration of protected monuments. In the initial 2007 budget appropriations for these subsidies accounted for 85% of the Monuments and Landscape programme. Since 1 July 2006 subsidy management has been under the administration of the internal autonomized agency 'Ruimtelijke ordening - Onroerend erfgoed Vlaanderen (IVA RO-Vlaanderen)' (town and country planning – non-movable heritage Flanders) reporting to the Flemish Ministry for Town and Country Planning, Housing Policy and Non-Movable Heritage. The private and public sectors as well as the government department for religious affairs are entitled to a maintenance and restoration premium. The ministry examines on a case by case basis whether the activities are eligible for subsidization. Depending on the available appropriations the projects approved are granted a premium that same year or only later.

Funding transparency

The Flemish Region restricts subsidies to protected heritage. The thematic heritage protection policy announced is still not fully operational while the former geographical approach is now largely unused. There is thus a risk that valuable not yet protected monuments would be excluded from subsidization. It was only in the 2007 budget documents that the minister informed the Flemish Parliament about the priority order for dealing with the restoration applications (successively private sector, public sector and sector religious affairs) and its consequences (waiting lists in the sector religious affairs). The Flemish Parliament has little knowledge of the financial implications of the maintenance and restoration works. It thus does not appear clearly from the budget documents that, notwithstanding 2006, considerable amounts of appropriations have remained unused. The overall need is not reflected either. All commitments made were not subject to prior budgetary authorisation by the Flemish Parliament nor entirely reflected in the books of the Flemish Region. This is more particularly true for the long-lasting commitments.

Funding regularity

The Flemish Government has not worked out any appropriation funding for multi-year maintenance plans nor a subsidy regulation for maintenance works of smaller not protected heritage. The subsidy claimant selects himself between the maintenance and the restoration premium: the nature of the works is not necessarily predominant here. As the maintenance premium regulation is less

complex he finds it therefore more advantageous on the basis of an identical subsidy percentage to carry out the work in small parts as maintenance work. This regulation, though, offers the Region less quality guarantees.

There are generally enough appropriations available for the maintenance premiums. But for restoration premiums selections have to be made. By way of programmes the minister makes a selection among the projects eligible for subsidies and the works that are granted subsidies that same year. For the selection of *strategic files* there is no clear statement of reasons on which the decision is based. The *active selection* is based on selection criteria, but in 2006 the minister changed the criteria and the Flemish Parliament was only notified after the fact. Moreover preparatory work by the government department offers insufficient guarantees that files are assessed on an equal basis.

The subsidy regulation contains a series of measures that should guarantee a regular and appropriate spending of the premiums. The government department says it cannot possibly follow up all activities strictly.

Minister's reaction

In his answer dated 27 July 2007 the Flemish minister for town and country planning stated that the selections for the list and protection of heritage is dependent on developments and new perspectives. He stressed that monuments to restore are selected after objective assessment. He is willing to implement the interaction between maintenance and restoration premiums, as well as the appropriation system properly into the new basic decree governing non-movable heritage. The minister also pointed out that he can count on much support from his and Monument Watch for the controls and back up.