ASSESSMENT METHODS OF ARCHITECTURAL HERRITAGE

A summary on Legal Framework, Methodologies and Practise in Denmark, Norway and Sweden

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PREFACE

Aknowledgments

This report is a part of the Ukrainian and pan-European project UREHERIT (2023-2026) funded by Creative Europe. It aims to support Ukrainian architect with knowledge, methods and strategies for restoring and rebuilding Ukrainian cultural heritage. Furthermore, the project strives to knowledge share between European and Ukrainian architects. The report is produced by The Royal Danish Academy, Henriette Ejstrup and Ulrik Stylsvig Madsen in the autumn of 2023. The content of the report is continuously discussed with Olena Oliynyk, National Union of Architects of Ukraine (NUAU), and conclusions and recommendations are co-authored with the same.

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Reading Guide

Following report is a screening of methods for assessing architectural heritage. The aim of the report is to give an overview of methods used in Denmark, Norway and Sweden and discuss these. The report is to be considered as a catalogue of inspiration to architects and other building and conservation professionals as a basis for developing assessment tools fit for their aims and contexts The report is structured around 4 main chapters starting with a PREFACE with information's of origins and a short summary of the report in an ABSTRACT. The next chapter is an introduction to THE LEGAL FRAMEWORK IN DANISH BULDING PRESERVATION. This is followed by a presentation of 4 broadly acknowledge ASSESSMENT TOOLS IN SCANDINAVIA understood as Denmark, Norway and Sweden. The strengths and weaknesses of the methods are discussed in the chapter STRENGTHS AND CHALLENGES ACROSS THE TOOLS. Finally, the report contains a BIBLIOGRAPHY AND LINKS section of literature referred to during the report as well as relevant links and aAPPENDIX containing a machin translation of the Danish Listed Building Act to english and a example of a Conservation value assessment and a SAVE assessment.

ABSTRACT

Following report is a screening of methods for assessing architectural heritage. The aim of the report is to give an overview of four different methods from Norway (Urban Heritage Analysis (DIVE)), Sweden (Kulturhistorisk värdering av bebyggelse (Cultural Historical Evaluation of Buildings)) and Denmark (Survey of Architectural Values in the Environment (SAVE) and Fredningsgennemgangen) as well as discussing the advantages and disadvantages of the methods.

SAVE and Fredningsgennemgangen work within the same system of classification in an architectural context, but variate in the depth and length of the descriptions. Kulturhistorisk värdering av bebyggelse has a broader view focusing on cultural historical layers but also architectural and technical aspects of a building or object. DIVE is developed in the context of city planning, and has a strong focus on cultural-historical values as well as architecture. Both DIVE and Kulturhistorisk värdering av bebyggelse are centred around deep and meticulous desperations. SAVE can also be used for deep descriptions, but often the method takes form as a screening tool, which shows to be very agile, when assessing a large building mass. It is important that the SAVE screening is used actively in municipal management, e.g. doing in-dept studies of buildings screened with a high SAVE value, if applications for works on the building are being filed. Furthermore, re-assessment of the buildings should be done by the municipal routinely (e.g. each 5-10 years) to secure updated and relevant data of the building stock.

THE LEGAL FRAMEWORK IN DANISH BUILDING PRESERVATION

In Denmark Building preservation is regulated in to levels: by The Listed Building Act (in Danish: **Lov om bygningsfredning og bevaring af bygninger og bymiljøer** popular called **Bygningsfredningsloven**) and **The Planning Act** (In danish: Lov om Planlægning popular called **Planloven**). If a building is listed under the Listed Building Act, more restrictions applies, than if a building is worthy of preservation, which falls under the Planning Act. The ministry of Castles and Culture supports a public acsessible database called Buildings Listed and Worthy of Preservations (in danish: **Fredede og bevaringsværdige bygninger** popularly called **FBB**)[1], where constructional data on the building from the Public Buildings and Housing Register[2] are avaiable along with any relevant preservation description and SAVE assessments can be accessed publicly.

Listed Buildings

The Listed Building Act was adopted in 1918, but was introduced as early as 1905, where discussion on preservation of Danish national monuments was risen.[3] In the beginning of the 20th century, Denmark had suffered terrestrial loss in the 2. Schelswig war in 1864 followed by the 1. World war from 1914-1918. Furthermore, a public interest in history and archaeology had emerged - combinations that both lead to the interest and discussion on buildings as heritage, which might had led to the Listed Building Act.[4] Today the Listed Building Act is administered by the Agency of Culture under the Ministry of Culture.

According to the legal framework, a building can be listed for reasons related to architecture, cultural history and/or relation to the surrounding build environment When a building is listed the main structures in- and exterior, as well as permanent fixtures are protected by the listing and the owner must apply for permission at the Agency of Culture, before any changes or other construction works can be initiated on the building. Depending on the nature of the changes, the applications can contain technical drawing and descriptions of existing and future conditions, building historical or archaeological investigations and formulations of positions on restorations or transformations. The agency can ask for further specifications, documentations or impose constructional or material conditions, before a permit can be obtained. Furthermore, the municipal is not obliged to process any application on the case,

1 See link under bibliography Ministry of Castles and Culture, 'Fredede Og Bevaringsværdige Bygninger'.
2 In Danish 'Bygnings og boligregister' in short called BBR administered by The Danish Property Assessment Agency. See link in bibliography under The Danish Property Assessment Agency.
3 Bendsen, Jannie Rosenberg, Mogens Andreassen Morgen, and Jens Lindhe, 2018.
4 Ibid.

before the owner have the permission from the agency. If the application gets rejected by the agency, the owner has the right to appeal the case to the Ministry of Culture. The case will then be handed over to an extern, non-governmental architectural advisor (den kongelige bygnignsinspektør) for professional judgment, as well as the legal judgment of the case will be handed over to the legal department of the Ministry of Culture.

In the case of unauthorized building works, the agency has several levels of sanctions or penalties. If it is the case of ongoing building works, the agency can shut down the construction site immediately and demand n adequate application, before the works can be resumed. If it is not possible to implement the works with consideration to the significant conservation values, the agency can demand a restoration of the building, to the same situation as it was, before the works were initiated. If this demand is not met by the owner, the agency can report the case to the police, who will undertake a regular investigation and potential trial of the case. If this end in a court decision, the statement will typically be financial penalties. Generally, the same procedure applies, if illegal works are being discovered later e.g. in relation to change of owner, sale, other construction applications, etc.. The legal consequences are connected to the owner, also if the illegal building works are established before the current ownership.

Buildings or building parts (e.g. old cellars or foundations with later constructions above) from 1536[5] or earlier, are automatically listed, whereas other buildings have to be raised as an object for listing by The National Association for Building and Landscape Culture **(Landsforeningen for Bygnings- og Landskabskultur)** or the Ministry of Culture. If an owner or a citizen wishes to raise a building for a potential listing, One must go through on of these two organisations. During the process of becoming a listed building, the Agency will make a building historical investigation and an inspection of the building. Finally, a **preservation description** is written, summarizing the most important and valuable aspects of the building. The document works as a directive for both the owner and the agency in any coming applications. The Case workers in the Agency consists mainly of architect and architectural historians. This differs from the other scandinavian countries, where antiquaries mainly holds similar positions.

The Agency have an arms-length principle to new listings, de-listings as well as applications for building works of extraordinary or principle characters. The arms-length principle is effectuated by and organ called 'The Historic Building Council' (DA: Det Scærlige Bygningssyn), which consists of relevant professionals e.g. architects, historians, museum professionals, representatives from the schools of architectures and relevant NGOs. The participants of the council are nominated by relevant cultural institutions and NGOs and are appointed for a four-year period by the Ministry.[6] The council is presented to cases with relevant desriptions, drawings and documentations. The council will then discuss the case and finally formulate a statement on their position to the case. If the council cannot reach a common position, the members who stand out-side the statement will be noted as opposers. The agency cannot list a building without a positive votation of opinion from the Council, but the agency can act against a recommendation of listing or delisting as well as building work of the council. Afterwards, the Agency can use the statement in its further procedure of the case. All minutes from meetings with the Council are public assessible, and if the agency chooses not to follow the council's recommendations, it must put forth relevant arguments in its decision.

5 The reformation has formally been used as a distinction between buildings from the middle ages, and buildings from the renaissance.
6 Agency for Castles and Culture, 'Det Særlige Bygningssyn'. Accessed 21 February 2024

The owner of listed building or buildings worthy of preservation can apply the Minister of Culture for financial support in relation to construction works. Furthermore, owners of listed buildings can be exempted for property tax, which is a governmental method of financial compensation for having buildings that might be more expensive, than average regarding operation and maintenance. In 2023 the total amount of buildings in Denmark was calculated to 4,8 million (all typologies included).[7] According to the Danish Agency of Culture and Castles there are approximately 7000 listed buildings distributed on 4000 properties.[8] This corresponds to 0,14% of the total national building stock.

Buildings Worthy of Preservation

Besides the listed buildings, Denmark also have another classification system of semi-protected buildings, Buildings Worthy of preservation. Buildings Worthy of preservation was introduced in 1990 to secure historic urban structures, where building facades often defined the architectural outline of the street courses or monument with significant cultural-historical meaning locally or regionally. Hence, a protection, that only applies to the façade was introduced.

Buildings worthy of preservation are regulated by the municipals under The Planning Act. In accordance with the Act, no works may be carried out on the facade without prior permission from the municipality. Neither must demolition of the building be commenced, without municipal permission.[9] Similar to the listed buildings, the municipal can ask for further specifications, documentations or impose constructional or material conditions before a permit can be obtained. If works on the building are supporting or improving the historic architectural value of the building, The Ministry of Culture as well as local municipal conservation committees can provide economic assistance. The criteria for economic support are assessed and contentiously developed in each specific case by the committee, to secure that the preservation value of the building is being secured and supported.

A building can be appointed worthy of preservation by being formally mentioned as such in local or municipal plans. Mostly, the architectural values are described shortly within the framework of the SAVE (Survey of Architectural Values) system, which also works as the guidelines for both the municipal and the owner in any coming works on the building. Local preservation committees and, in some cases, the Minister of Culture can provide financial support for construction work on buildings worthy of preservation.

In 1997 the SAVE manual was translated into English in a slightly shortened version called InterSAVE.[10]

The ministry of culture and castles states, that approximately 350.000 buildings are registered as worthy of preservation, which corresponds to approximately 7% of the total national building stock.[11] As the municipal holds no legal response to evaluate the buildings in a preservation perspective, it is assumed, that more buildings could fall under the category.

7 Danmarks Statestik, 'Bygninger Efter Område, Ejerforhold, Anvendelse Og Arealintervaller - Statistikbanken - Data Og Tal', accessed 21 February 2024

8 Danish Agency of Castles and Culture, 'Fredede Og Bevaringsværdige Bygninger', accessed 21 February 2024

9 Ministry of Culture, *Bekendtgørelse Af Lov Om Bygningsfredning Og Bevaring Af Bygninger Og Bymiljøer*, 2018.

10 Minestry of Environment and Energy and The National Forest and Nature Agency. 'InterSAVE', 2000,

11 'Danish Agency of Castles and Culture, 'Fredede Og Bevaringsværdige Bygninger', accessed 21 February 2024; Danmarks Statistik, 'Bygninger Efter Område, Ejerforhold, Anvendelse Og Arealintervaller - Statistikbanken - Data Og Tal'. Accessed 21 February 2024

ASSESSMENT TOOLS IN SCANDINAVIA

This chapter introduces 4 different tool from Norway, Sweden and Denmark. Two of them (Survey of Architectural Values in the Environment (SAVE) and Fredningsgennemgangen) originates in Denmark. Both tools works within the same system of classification in an architectural context, but variates in the depth and length of the descriptions. The Swedish tool (Kulturhistorisk värdering av bebyggelse (Cultural Historical Evaluation of Buildings)) have a broader view including multiple cultural historical layers as well as architectural and technical of a building or object, whereas the Norwegian tool (Urban Heritage Analysis (DIVE)), is developed in the context of city planning.[12]

Survey of Architectural Value in the Environment (SAVE)

Survey of Architectural Value in the Environment is often shortened to SAVE, and is an assessment system that can be utilized when assessing main features both in landscapes, cities, and buildings. When SAVE is used for assessing buildings, it takes form as a screening tool, where the assessment works as a screening tool to form the basis for a qualitative overview over a large mass of buildings in a region. SAVE consists of 5 criteria, which is summarized in an overall SAVE value. The criteria are valued on a scale from 1-9, where 1-3 is of high preservation value, 4-6 middle preservation value and 7-9 low preservation value. The 5 criteria are:

1) Architectural value (proportions, harmony of the composition, outstanding work of a certain architect)
2) Cultural-historical value (evidence of social functions, evidence of evolution in craftsmanship or technology)
3) Environmental value (degree of harmony with the environment)
4) Originality (degree of original exterior preserved, possibility of rehabilitation) Technical state (whether in good or bad repair).

The SAVE screening is fast and relates only to the exterior of the building. Preferably the registrant is educated within the realm of cultural heritage, history or likewise. If not, they are at least supervised and quality assured by a person of relevant professional background. The registrant is provided with

12 Other established methods in Denmark like Screening af Kulturmiljøer - SAK (screening of cultural environment), Kulturmiljø i planlægningen - KIP (Cultural environment in planning) and Kulturmiljømetoden (The Method of Cultural Environment) is worth mentioning but are not highlighted in present report. Furthermore, the methods mentioned are build upon a century of academic and practical studies within Building Archaeology, Building Historical Investigations and The Phenomenological Method

data from the Public Buildings and Housing Register (BBR)[13], where square meters, construction type, materials, source of heating and function are described. The registrant then evaluates the facades and roof of the buildings and formulates a short description and value (1-9) on each criterion. Finally, the SAVE value is defined on the basis of the other values and a short summarising texts is written formulating the most important architectural values of the building.

The method should not take more than 10-30 minutes depending on the size of the building and the description is no longer than short sentences/paragraphs for each theme.[14] The owner of the buildings is informed beforehand of the registration, as the municipal have no authority to enter the property without the permission of the owner. Dialog between the owner and the registrant are important to secure, that misunderstandings on the assessment does not occur. Furthermore, the owner often has valuable knowledge on the building's development, history, condition etc. SAVE was translated into a shortend english version in 2000, but never reached a bigger international reputation.[15]

Registration	The SAVE mapping is divided into the mapping of built structures and the registration of individual buildings. The two types of mapping can be used together or separately.	The mapping of built structures: - Dominant features - Settlement patterns - Special elements in the environment The registration of individual buildings: - Architectural value - Cultural-historical value - Environmental value - Orginality - Condition
Valuation	In the mapping of built structures, each of the three points is analysed. In the registration of buildings, each of the subcategories in the mapping is valued on a scale from 1 to 9.	
Final assessment	The final assessment of the built structures consists of a list of recommendations for the development of the area. The final assessment of buildings consists of an overall SAVE value (from 1-9) summarised by the values in the subcategories.	

Figur 1: The structure of the SAVE assessment system

Vurdering af fredningsværdier (VAF) (Assessment of conservation values)

An assessment of Conservation Value is formulated when a building is taken under treatment as an object for possible listing. The method is interlinked with SAVE, as the methodology follows each other. Where the themes in SAVE is meant as a tool for easy screening of a large building mass, VAF is a thorough description of same themes. VAF starts with a **description of the building**, as found when the listing is commenced. The description is followed by a building historical review based on e.g.

13 See fote note 2

14 Didriksen, Kaspar, Tove Jensen, Arne Høi, and Morten Stenark. SAVE – Kortlægning og registrering af bymiljøers og bygningers bevaringsværdi. København: Kulturministeriet, 2011. See link to manual in Bibliography

15 Minestry of Environment and Energy and The National Forest and Nature Agency, 'InterSAVE', 2000. See link to manual in Bibliography

historicaldocumenta and other relevant sources and building archaeological investigations. After the general introduction, the specific conservational values are thoroughly described under the headlines:

1) Environmental value (degree of harmony with the environment)
2) Cultural-historical value (evidence of social functions, evidence of evolution in craftsmanship or technology)
3) Architectural value (proportions, harmony of the composition, outstanding work of a certain architect)

The Review is finalized by a summarization of **the essential conservation values** (DA: De bærende fredningsværdier). VAF can also contain an end-paragraph on recommendations of works directed to improve or strengthen the conservation values, e.g. by changing elements, that are not fit for the architectural period of the building or improving specific technical states of it.[16]

Description	A brief and accurate description of the building complex and the history of its development.	Building description: Overall structure: - Building type - Overall site and orientation The individual building: - Volume of the building - Construction type - Choice of materials - Details - Interior structure - Current function
Valuation	A systematic valuation of the environmental, cultural-historical and architectural qualities of the site and buildings.	Environmental value: - Orientation and arrival conditions - The building's impact on its surroundings - The building's relationship to the landscape - Connection with other buildings Cultural and historical value: - Functional history - Style and period - Representative or unique - Materials, constructions and craftsmanship - Traces of functional history Architectural value: - Overall valuation of the facility - Shape and form - Expression - Spatiality - Materiality - Originality - Detailing - Experience
Main heritage values	A definition of the building's core conservation / heritage values based on the previous valuations.	- Wholeness and surroundings - Shape and expression - Facades, gables and roof surfaces - Layout and spatial organisation - Exterior and interior detailing - Choice of materials - Originality
Recommendations	A description of specific conditions that can strengthen the conservation / heritage values in the future	

Figur 2: The structure of tThe Conservation Review

16 Agency for Castles and Culture, Vejledning til vurdering af fredningsværdier, 2010. See link to manual in Bibliography

The method has been used by the Agency of Culture and Castles to secure a comparable and transparent management of the listed buildings. The method is open sourced and thereby accessible to all, but it is essential, that the person doing the investigations have the relevant insight in architecture, history, building technology and/or culture geography. In the context of the agency, relevant professionals, such as historians and architects have prepared the descriptions. Furthermore, quality assurance was made by sharing documents between the worker, discussing and questioning each other's reviews. The method is more rigorous, than SAVE, which means, that the length of the description's variates in each specific case.

Kulturhistorisk värdering av bebyggelse (Cultural Historical Evaluation of Buildings)

Cultural Historical Evaluation of Buildings originates in Sweden and is targeting buildings and monuments, but is also applicable to smaller or bigger scale. The method is used by the Directorate of Cultural Heritage, which is the governmental management organ for cultural heritage, cultural environments and cultural landscapes of historic importance.

Cultural Historical Evaluation of Buildings takes point of departure in defining and describing cultural historical characteristics as the focal point of conservation. It relates to the specific building or facilities, but also applies to a broader build environment. The method is descriptive and based on clearly defined definition of specific cultural-historical values, that can be directly related to legal protection, documentation and maintenance. The method is iterative, as the first phase, the basic cultural-historical valuation and goal-setting must be fine-tuned in the same way as, for example, economic, technical and other forms of assessment, which is done later in the methodology securing, that the balancing of the subjects takes place at a later stage in the process. In short, the system consists of following steps:

1) to define and describe different conservation motives and make a balanced assessment of the different criteria.
2) choose the level of ambition for conservation.
3) link motivation and level of ambition to applicable follow-up measures - i.e. assess what kind of protection the building or the built environment must have, how it must be documented and how it must be cared for.

The system is divided in four steps. Step 1 defines in text and images the most important criteria and motifs of the building. The motives are sorted in two groups: documentary value (i.e. traditional, mainly historical properties such as building historical value, architectural historical value and personal historical value) and experiential value (architectural value, identity value, patina, etc.). The motifs are listed in a table checklist for further systematic cultural-historical analysis and writings on the particular motif. Step 2 sorts the motifs into different levels of conservation ambitions; e.g. different efforts of protection according to national practise and legislation, care and documentation. Step 3 concerns the cultural-historical value as a positive asset in relation to ensure adequate care and protective regulations according to the national Planning and Building Act or equivalent. Step 4 concludes the analysis by linking the cultural historical motive writing and the analysis of the level of ambition to a cultural historical risk objective for

the management of the building or the built environment thereby providing the basis actions in relation to appropriate protection, documentation, care and financial support. Furthermore, it points to needed actions or suggestions in relation to e.g. utilization and revitalization.[17]

The method is very rigorous and the descriptions are often long because of the deep research. It is important, that the registrant have a relevant professional background such as architect, historian or cultural geography, and have the knowledge on doing academic research. The method has been criticised for being difficult in practise, as some of the criterias has been used in ways, where values can be hard to decode and understand hence creating arguments for conservation that are difficult to defend.[18]

Identification Basic motifs	Assessment of current basic motifs	Historical properties: - Historical building value - Construction value - Patina - Architectural historical value - Socio-historical value - Personal historical value Aesthetic and social qualities: - Architectural value - Artistic value - Environmental value - The value of identity - Continuity value - Heritage value - Symbolic value
Adaptation Strengthening motifs	Assesssment of strengthening motifs and national, regional and local value	- Quality - Authenticity - Clarity - educational value Representative (national, regional, local)
Valuation Weighted justification	The different motifs are summarised into a weighted motivation	- Main motive (the dominant basic motifs) - Additional motifs - Strengthening motifs
Level of ambition For preservation, documentation and value	How strongly should conservation be asserted and how should the building be documented and valued	
Follow-up regarding form of protection documentation maintenance	The translation of the cultural-historical assessment into practical references to ensure the preservation goal	

Figur 3: The structure of Cultural Historical Evaluation of Buildings

17 Unnerbäck, Axel. 'Kulturhistorisk värdering av bebyggelse'. Riksantikvarieämbetet, 2002. See link to manual in Bibliography

18 Kristoffer Ärnbäck, 'Värderingsprocess i Förändring? En Undersökande Fallstudie Om Kulturhistorisk Värdering i Plattform – Kulturhistorisk Värdering Och Urval' (Göteborg University, 2016), chrhttps://gupea.ub.gu.se/bitstream/handle/2077/45264/gupea_2077_45264_1.pdf?sequence=1&isAllowed=y.

Plattform Kulturhistorisk värdering och urval (Platform for Cultural-Historical Evaluation and Selection)

The method is developed on the basis and experiences of Unnerbäcks method in 2017. As the method is developed in the wake of a rising political debate on climate crisis, it has also tried to incorporate aspects of ecology as a parameter in its assessment methodology.

The cultural-historical evaluation and selection process is structured around four different phases. First the descriptive phase is commenced with the goal to identify which expressions reflect which cultural-historical periods and events. In second phase is the starting point of the value assessment where the cultural-historical context is defined and described. In the analyzing phase, it is assessed by three criteria how and to what degree values described in the first phase can be handled: 1) Possibility of knowledge and understanding, which assesses the cultural-historical information content and its readability. 2) Cultural-historical unity that look upon the degree of wholeness and remains of the different elements and operates with the concept of time context (remains from limited shorter period of time) and process context (remains from different stages in a longer course of development). 3) Cultural-historical relevance that aims to clarify the phenomenon's role as characteristic or otherwise particularly significant for its time and context.

The planning phase intents to prioritize and plan interventions on the bases of level of threats and general conditions. Here it is determined what should be highlighted for further processing and what can be removed. The decisive phase possible protection regulations, resource distribution methods for administration, mediation and follow-up are described.[19]

Description	Determining the cultural and historical context of the project	Descriptions of: - Cultural and historical background - Physical and intangible properties
Analysis	Cultural-historical assessment and valuation	The assessment builts on three criteria: - Possibilityfor knowledge and under standing - Cultural-historical integrity - Cultural-historical relevance
Planning	Prioritising and planning possible inteversions	Based on: - General conditions - Level of threats
Decision making	The final decision is made regarding the valuation of the project.	Based on: - Rules and regulations - Forms of financing - Actions for care and development - Communication efforts - Monitoring and evaluation methods

Figur 4: The structure of the Platform

19 Cissela Génetay and Ulf Lindberg, 'Rapport Från Riksantikvarieämbetet Plattform Kulturhistorisk Värdering Och Urval Grundläggande Förhållningssätt För Arbete Med Att Definiera, Värdera, Prioritera Och Utveckla Kulturarvet.' (Riksantikvarieämbetet, 2015), https://raa.diva-portal.org/smash/get/diva2:1234521/FULLTEXT01.pdf.

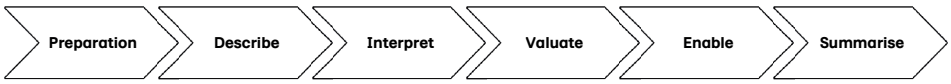
Urban Heritage Analysis (DIVE)

The DIVE-analysis originates in Norway and addresses historic and cultural environments as both qualitative and functional resources. It is used by the Directorate of Cultural Heritage, Riksantikvaren as well as it is compatible with methods in other areas and professions, e.g. archaeology, landscape planning and urban design and -planning. The tool takes point of departure in a cross-disciplinary and cross-sector methodology, as well as public participation, communication and dissemination of results are central.

DIVE has four main steps; Describe, Interpret, Valuate and Enable. First, the registrar describes, what today's landscape and environment tell about the area's origins, development and character on thebasis of relevant sources. Next step, the registrar analysis why certain elements and characteristicsof the area have a particular significance for the society? In the 3rd step, the registrant valuates on the basis of the two first steps, which historical elements and characteristics are of special value, if they be developed and their tolerance to changes. In the last step, the registrar points to concrete proposals on, how the area's prioritised historical characteristics and resources be enables, managed and developed.

DIVE is designed as a flexible tool for reporting and can be adjusted to different circumstances in relation to scale and object thereby match the evolving rationale of urban development, planning and heritage management.[20]

All thought the method is open sourced, the main principles of DIVE points to a meticulous description, which calls for relevant professionals to execute the act. Again, historians, cultural geographers and architects would be relevant. Furthermore, a system of securing quality, by e.g. proofreading by externs is essential.



STAGE (work phases)	**OBJECTIVE**	**RELEVANTE SUBTASKS**
Preparation	Input	Organisation and work plan for the analysis
Describe § 1	Historical character of the area of analysis	Establish a knowledge base, collect, describe and progress information about the origins, development and character of the area
Interpret § 2	Historical meaning of the area	Explore the area's historical legibility and communicative contents, integrity, authenticity and overall condition
Valuate § 3	Value and potential of the area	Assess the value, development potential, vunerability, tolerance and capacity for change of the cultural and historical resources
Enable § 4	Active intervention	Define the potential field of action for the cultural heritage, suggest strategies and principles, instruments and concrete measures for management and development
Summerise	Output	Summary of the contents, results and recommendations of the analysis

Figur 5: The structure of DIVE

20 Riksantikvaren, DIVE : Urban Heritage Analysis, 2004. See link to manual in Bibliography.

STRENGTHS AND CHALLENGES ACROSS THE TOOLS

In the above, four Scandinavian methods of architectural and cultural-historical assessment methods have been presented. An essential common for all four is, that they have been developed and supported by governmental agencies and is open source public assessable for all citizens and companies. We see this as a clear strength, as the tool can be utilized, adapted, discussed and further developed in transparently, for non-profit and in a context of political plurality, but it is essential to the methods, that relevant professionals, such as architects, historians, cultural geographers or others with a building professional, architectural and historical background are executing the investigation. Furthermore, a system of unbiased quality assurance to validate the descriptions are central. The methods seem robust and adaptable with a wide range of contexts and cases, thereby providing comparable methods across different scales and needs. The following discussion takes point of departure in the critiques of the Danish methods with perspectivations to the Swedish and Norwegian methods.

Regarding the execution of the methods, SAVE has been criticised for its evaluation scale from 1-9. Although the numbers indicate a measurable value, the final value of the assessment is a qualitative weighing of the most important categories hence not being an average of the numbers given in each category. Furthermore, the differentiation within the categories from high (1-3), middle (4-6) and low (7-9) has been criticised for being redundant and creates more confusion than necessary. On the contrary, the possibility to differentiate within a category might make it easier to discuss a wider mass of the same typology. Opposing the numerical summarization is the thorough descriptions in **DIVE** and **Cultural Historical Evaluation of Buildings**, which are very operational for further management of a build environment. But they are also long processes, involving another type of economy and time. In this aspect SAVE as a screening method for a large building mass is very agile, but it is most important, that the screening is used actively, in municipal management, securing high valued buildings by doing in-dept studies of them, if applications for works on the building are being filed. Furthermore, re-assessment of the buildings should be done by the municipal routinely (e.g. each 5-10 years) to ensure, that data is correct and no illegal building works have changed the high valued buildings. Moreover, it is relevant to re-assess, as the general view and interest in a specific architectural period have a tend to emerge only after decades.

It has been discussed whether SAVE has a one-sided focus on cultural-historical value, not including intangeble values. In general, SAVE takes point of departure in conservational strategies establishedin the Venezia Charter[21], focusing on buildings as physical monuments thereby making the materials centre for conservation.

21 ICOMOS, The Venezia Chartre, 1964

This is closely connected with traditional European archaeological methodologies as well. The critique of SAVE points to emerging discussions in conservation, where the authorized heritage discourse (AHD), defined as experts' 'objective' assessments of heritage, are being opposed by a an anthropological view questioning, if the non-authorized (public) discourse should be represented as well, thereby including embedded intangible uses and cultures of a monument or place.[22] Historic uses, meanings and feelings as framed by ICOMOS in the Burra Charter[23] and The Nara Document[24], are included in the SAVE assessment but are difficult to manage for the municipals and the authorities have close-to-non legal leverage to enforce intangible values in the physical heritage. The legal framework is built upon the assumption of the physical (material) part of a building being the valuable entity, and the part, that is possible to make statement on e.g. how to conserve, maintain etc. The purpose clause (§ 1., stk 2) in the Listed Building Act is to ensure, that the buildings that are protected have an appropriate **function** that takes the buildings' special character into account and serves to maintain them in the longer term. This is widely being interpreted, as the Agency of Culture being obliged to find ways for the owners to establish (new) functions in the listed buildings, if needed, to keep them relevant for the society. Intangible parts, like uses and histories/emotions to/of the building are not addressed directly within the Listed Building Act. On the contrary, the Danish Museum Act **(Museumsloven)**, which addresses archaeological and historical monument (e.g. burial mounds, earth and stone dikes) and objects, has a purpose clause stating it is to secure cultural and natural heritage in Denmark and develop the significance of these in interaction with the world around us.[25] In practise the act operates purely with dispensations, if landowners apply for permissions to change monuments on their land. In comparison to the Listed Building Act works dynamically with permissions and refusals of building works based upon each specific case, the Museum Act is being interpreted much more restrictive.

By making thorough and in-depth descriptions of the objects of investigations both the Swedish **Cultural Historical Evaluation of Buildings** and Norwegian DIVE have strategies for incorporating intangible heritage in its assessments. Kulturhistorisk värdering av bebyggelse differentiate between antiquary value and value of experiance (phenomenological), thereby opening up to a more differentiated system of protection of specific building parts. The DIVE method operates with multiple iterations of assessments, where the areas and intentions of conservation of preservations are being connected with relevant legislations, strategies and plans of maintenance. By using in-depth descriptions in multiple iterations, it is often possible to finding legal authority and manageable levels of protections, that might relate to a variety of different legislations. Furthermore, DIVE includes a potential of development of the specefic area subjected to the investigation pointing directly into aspects of future local planing. Conclusively, Denmark have different levels of protection based on whether the object for preservation is a building or a archaeological monument. One addresses the continued use of the building with as-best-as-possible new functions, that matches the physical robustness of the building, and the other in a non-outspoken manner pointing to the intangible value of the monuments. Maybe a combination of the two Acts could start to address some of the intangible heritage in the built environment in Denmark?

22 Smith, Laurajane. Uses of Heritage, 2006.
23 Australian ICOMOS. The Burra Charter, 2013
24 ICOMOS, The NARA Document on Authenticity, 2014.
25 Bekendtgørelse af museumsloven, 2014.

RECOMMENDATIONS

On the basis of the screening and discussion of the Scandinavian experiences with cultural heritage assessment tools we recommend, that a Ukrainian national tool is developed to secure transparent and comparable assessment of architectural heritage across the nation or regions. Furthermore, it is important to gain an over view of the building stock to point to both rank and prioritise, where to take action. The comparability is central to secure, that the right areas of action are being prioritized politically, economically and professionally. The experiences from Scandinavia shows, that such tool is viable, when they

- are based in a unified methodology that are adaptable to different scales (building/ monument to landscape/townscape).
- are based in a unified methodology, that both can be a quick screening of a large building stock and a deep research of particular areas.
- combines descriptive and numeral grading system.
- combines multiple area of knowledge
- are based on a consistent procedure for violations of the guidelines within both listed and buildings worthy of preservation. .

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APPENDIX

1 Bygningsfredningsloven

The following texts is a machine translation of the Danish Preservation Act into English. The translation is done with the free version of deepl on the 14. December 2023. The precision of the text is tested by proofreading randomized text samples. The Danish and the English text is layout side-by-side for easy recognition in case of needs for fact checking uncertainties or clarifying of the translation. The texts are aligned by each chapter.

Links:
https://www.deepl.com/translator
https://www.retsinformation.dk/eli/lta/2018/219

Bekendtgørelse af lov om bygningsfredning og bevaring af bygninger og bymiljøer	**Executive Order of the Act on the Preservation of Buildings and Urban Environments**
Herved bekendtgøres lov om bygningsfredning og bevaring af bygninger og bymiljøer, jf. lovbekendtgørelse nr. 970 af 28. august 2014, med de ændringer, der følger af § 26 i lov nr. 628 af 8. juni 2016, lov nr. 677 af 8. juni 2017 og lov nr. 1551 af 19. december 2017.	The Danish Act on the Preservation of Buildings and Urban Environments, cf. Consolidation Act no. 970 of 28 August 2014, with the amendments resulting from section 26 of Act no. 628 of 8 June 2016, Act no. 677 of 8 June 2017 and Act no. 1551 of 19 December 2017.
Kapitel 1 Formål og område	Chapter 1 Purpose and scope
§ 1. Loven har til formål at værne landets ældre bygninger af arkitektonisk, kulturhistorisk eller miljømæssig værdi, herunder bygninger, der belyser bolig-, arbejds-, og produktionsvilkår og andre væsentlige træk af den samfundsmæssige udvikling.	§ 1. The purpose of the Act is to protect the country's older buildings of architectural, cultural-historical or environmental value, including buildings that illustrate housing, labour and production conditions and other significant features of social development.
Stk. 2. Ved lovens administration skal der lægges vægt på, at de bygninger, der værnes, får en hensigtsmæssig funktion, der under hensyntagen til bygningernes særlige karakter tjener til deres opretholdelse på længere sigt.	(2). In the administration of the Act, emphasis must be placed on ensuring that the buildings to be preserved are given an appropriate function which, taking into account the special character of the buildings, serves to maintain them in the long term.
Stk. 3. Til fremme af lovens formål yder kulturministeren vejledning med henblik på at sikre, at bygningsfrednings- og bevaringsinteresserne tilgodeses i administrationen af planloven, byfornyelsesloven og tilsvarende lovgivning. Til	(3). To promote the purpose of the Act, the Minister of Culture shall provide guidance to ensure that the interests of building preservation and conservation are taken into account in the administration of the Planning Act, the Urban Renewal Act and similar

fremme af lovens formål skal kulturministeren endvidere formidle bygningskulturarven.

Stk. 4. Offentligheden inddrages i videst muligt omfang i frednings- og bevaringsarbejdet.

§ 2. Hvad der i denne lov bestemmes om bygninger, gælder også bygningsværker, bygningsdele og lignende samt de i § 3, stk. 2, nævnte bygningsomgivelser.

legislation. To promote the purpose of the Act, the Minister of Culture must also disseminate the building cultural heritage.

Paragraph 4. The public shall be involved to the greatest possible extent in the preservation and conservation work.

§ 2. The provisions of this Act concerning buildings shall also apply to buildings, parts of buildings and the like as well as the building surroundings mentioned in section 3(2).

Kapitel 2

Fredning

Chapter 2

Preservation

§ 3. Kulturministeren kan frede bygninger og selvstændige landskabsarkitektoniske værker af væsentlig arkitektonisk eller kulturhistorisk værdi, som er over 50 år gamle. Uanset deres alder kan bygninger og selvstændige landskabsarkitektoniske værker dog fredes, når det er begrundet i deres fremragende værdi eller i andre særlige omstændigheder.

Stk. 2. I det omfang en bygnings eller et selvstændigt landskabsarkitektonisk værks umiddelbare omgivelser i form af gårdsrum, pladser, fortove, haver, parkanlæg og lignende er en del af den samlede beskyttelsesværdige helhed, kan fredningen omfatte sådanne omgivelser.

§ 4. Bygninger opført før år 1536 er uden særlig beslutning fredet efter denne lov.

Stk. 2. Kulturministeren kan begære en meddelelse om, at en bygning er opført før år 1536, tinglyst på den pågældende ejendom.

§ 5. §§ 3 og 4 gælder ikke for kirkebygninger, så længe de er omfattet af loven om folkekirken.

§ 6. Forinden kulturministeren træffer beslutning om fredning, skal han skriftligt underrette:

1) bygningens ejer og bruger,

2) kommunalbestyrelsen,

3) museumsrådet og kulturmiljørådet, i det omfang et sådant råd er oprettet i det pågældende lokalområde,

§ 3. The Minister of Culture may preserve buildings and independent landscape architectural works of significant architectural or cultural-historical value which are more than 50 years old. Regardless of their age, buildings and independent landscape architectural works may be preserved when justified by their outstanding value or other special circumstances.

Paragraph 2. To the extent that the immediate surroundings of a building or an independent landscape architectural work in the form of courtyards, squares, sidewalks, gardens, parks and the like are part of the overall entity worthy of protection, the preservation may include such surroundings.

§ 4. Buildings erected before the year 1536 are protected under this Act without a special decision.

Subsection 2. The Minister of Culture may request that a notice stating that a building was erected before 1536 be registered on the property in question.

§ Sections 3 and 4 do not apply to church buildings as long as they are covered by the Danish National Church Act.

§ 6. Before the Minister of Culture makes a decision on preservation, he shall notify in writing:

1) the owner and user of the building,

2) the municipal council,

4) en forening, som er bemyndiget efter § 24, stk. 4, og

5) de foreninger og lignende med lokalt tilhørsforhold, som har interesse i bevaringsspørgsmål, og som over for kulturministeren har fremsat skriftlig anmodning om at blive holdt underrettet om fredninger.

Stk. 2. I underretningen fastsættes en frist på mindst tre måneder for indsendelse af bemærkninger til fredningen.

Stk. 3. Fra det tidspunkt, den i stk. 1 nævnte underretning er kommet frem, må der ikke uden tilladelse fra kulturministeren foretages bygningsarbejder og lignende, som går ud over almindelig vedligeholdelse. Reglerne i § 10 finder tilsvarende anvendelse.

Stk. 4. Samtidig med underretningen efter stk. 1 foretager kulturministeren offentlig bekendtgørelse af forslaget med oplysning om fristen efter stk. 2. Offentlig bekendtgørelse kan ske udelukkende digitalt.

§ 7. Efter udløbet af fristen efter § 6, stk. 2, beslutter ministeren inden tre måneder, om bygningen skal fredes.

Stk. 2. Kulturministeren underretter de i § 6, stk. 1 nævnte personer, myndigheder, foreninger m.fl. om afgørelsen og foretager offentlig bekendtgørelse herom. Offentlig bekendtgørelse kan ske udelukkende digitalt.

Stk. 3. Fredningen skal respekteres af alle indehavere af rettigheder over ejendommen, uanset hvornår rettigheden er stiftet. Fredningen tinglyses på ejendommen på kulturministerens begæring. Er den fredede bygning beliggende på et umatrikuleret areal, træder en offentliggørelse af fredningen i Statstidende i stedet for en tinglysning.

§ 7 a. Kulturministeren kan beslutte, at for en bygning, som er fredet efter denne lov, og hvis væsentlige arkitektoniske eller kulturhistoriske værdi alene eller i overvejende grad findes i bygningens ydre og i bygningens hovedstruktur, finder regler udstedt efter § 10, stk. 6, anvendelse.

Stk. 2. En beslutning efter stk. 1 tinglyses på ejendommen på kulturministerens begæring.

3) the museum council and the cultural environment council, to the extent that such a council has been established in the local area in question,

4) an association authorised under section 24(4), and

5) the associations and the like with local affiliation who have an interest in conservation issues and who have submitted a written request to the Minister of Culture to be kept informed about preservation.

Subsection 2. The notification sets a deadline of at least three months for the submission of comments on the preservation.

(3). From the time the notification referred to in subsection (1) has been received, no building work and the like that goes beyond ordinary maintenance may be carried out without the permission of the Minister of Culture. The rules in § 10 shall apply correspondingly.

(4). At the same time as the notification under subsection (1), the Minister of Culture shall publicly announce the proposal with information about the deadline under subsection (2). Public announcement may be made exclusively digitally.

§ 7. After expiry of the deadline under section 6(2), the Minister shall decide within three months whether the building is to be listed.

(2). The Minister of Culture shall notify the persons, authorities, associations, etc. mentioned in section 6(1) of the decision and make a public announcement of the decision. Public announcement can be made exclusively digitally.

(3). The protection must be respected by all holders of rights over the property, regardless of when the right was established. The preservation is registered on the property at the request of the Minister of Culture. If the protected building is located on an unregistered area, publication of the preservation in the Danish Official Gazette shall replace registration.

§ 7 a. The Minister of Culture may decide that for a building which is listed under this Act and whose significant architectural or cultural-historical value is solely or predominantly found in the exterior of the building and in the main structure of the building, rules issued under section 10(6) shall apply.

§ 8. Kulturministeren kan ændre omfanget af en fredning.

Stk. 2. Kulturministeren kan ophæve en fredning, når fredningsværdierne er gået tabt eller ikke længere kan opretholdes.

Stk. 3. § 6, stk. 1, 2 og 4, og § 7 finder tilsvarende anvendelse.

§ 8 a. Kulturministeren udarbejder og ajourfører oversigter over fredninger efter loven, herunder fredningernes bærende fredningsværdier.

(2). A decision under subsection (1) shall be registered on the property at the request of the Minister of Culture.

§ 8. The Minister of Culture may change the scope of a preservation order.

(2). The Minister of Culture may cancel a conservation when the conservation values have been lost or can no longer be maintained.

(3) § 6, (1), (2) and (4) and § 7 shall apply mutatis mutandis.

§ 8 a. The Minister of Culture prepares and updates lists of protected areas under the Act, including the fundamental conservation values of the protected areas.

Kapitel 3

Fredningens retsvirkninger

Chapter 3

Legal effects of the protection

§ 9. En fredet bygning skal af ejeren eller brugeren holdes i forsvarlig stand, herunder tæt på tag og fag.

§ 10. Alle bygningsarbejder vedrørende en fredet bygning kræver tilladelse fra kulturministeren, hvis arbejderne går ud over almindelig vedligeholdelse, jf. dog stk. 5 og 6. Det samme gælder opsætning af lysinstallationer, antenner, parabolantenner og lignende samt skiltning på facader herunder tagflader.

Stk. 2. Ansøgninger og tilladelser efter stk. 1 skal være ledsaget af de nødvendige planer, tegninger og beskrivelser til forståelse af projektet. Tilladelse kan gøres betinget af gennemførelse af foranstaltninger, som ikke er omfattet af ansøgningen.

Stk. 3. Kulturministeren kan fastsætte nærmere regler om indholdet af ansøgninger om tilladelse efter stk. 1 samt om, at ansøgninger skal indsendes gennem kommunalbestyrelsen.

Stk. 4. Såfremt der ikke inden tre måneder af kulturministeren er taget stilling til en ansøgning om tilladelse efter stk. 1, kan de af ansøgningen omfattede arbejder iværksættes. Kulturministeren kan beslutte, at 1. pkt. ikke gælder for en ansøgning om tilladelse efter stk. 1 vedrørende en fredet bygning, for hvilken der behandles en sag efter § 7 a, stk. 1.

§ 9. A listed building must be kept in proper condition by the owner or user, including close to the roof and trusses.

§ 10. All construction work on a listed building requires a licence from the Minister of Culture if the work goes beyond ordinary maintenance, cf. however subsections 5 and 6. The same applies to the installation of lighting installations, antennas, satellite dishes and the like as well as signage on facades including roof surfaces.

(2). Applications and licences under subsection (1) must be accompanied by the necessary plans, drawings and descriptions for understanding the project. Authorisation may be made conditional on the implementation of measures not covered by the application.

(3). The Minister of Culture may lay down further rules on the content of applications for authorisation under subsection (1) and that applications must be submitted through the local council.

(4). If the Minister of Culture has not decided on an application for a licence under subsection (1) within three months, the works covered by the application may be initiated. The Minister of Culture may decide that the first sentence does not apply to an application for a licence under subsection (1)

Stk. 5. Kulturministeren kan fastsætte nærmere regler om, at visse typer af bygningsarbejder omfattet af stk. 1 kan iværksættes på grundlag af skriftlig underretning.

Stk. 6. Kulturministeren kan fastsætte nærmere regler om, at visse typer af bygningsarbejder omfattet af stk. 1 vedrørende en fredet bygning, som er omfattet af § 7 a, stk. 1, kan iværksættes uden tilladelse.

§ 11. Nedrivning af en fredet bygning kræver tilladelse af kulturministeren.

Stk. 2. Til vurdering af en ansøgning efter stk. 1 kan kulturministeren kræve oplysninger om formålet med nedrivningen og om den fremtidige anvendelse af den pågældende ejendom. Kulturministeren kan afslå at behandle ansøgningen, hvis de tilladelser, der i henhold til anden lovgivning er nødvendige for en nedrivning, ikke foreligger.

Stk. 3. En nedrivningstilladelse kan gøres betinget.

Stk. 4. § 6, stk. 1, 2 og 4, og § 7 finder tilsvarende anvendelse.

§ 12. Nægtes tilladelse til nedrivning, kan ejeren forlange ejendommen overtaget af staten mod erstatning. Påhviler der staten overtagelsespligt, skal der ved erstatningens fastsættelse fradrages støtte i form af tilskud modtaget i henhold til § 16, stk. 1.

Stk. 2. Overtagelsespligten efter stk. 1 påhviler dog kun staten, hvis der er et væsentligt misforhold mellem ejendommens afkastningsgrad og afkastningsgraden for ejendomme med en lignende beliggenhed og benyttelse, men som ikke er omfattet af nedrivningsforbud.

Stk. 3. Kan der ikke mellem kulturministeren og ejeren opnås enighed om statens overtagelse af ejendommen eller vilkårene herfor, afgør taksationsmyndighederne efter lov om offentlige veje spørgsmålet om berettigelsen af ejerens krav efter stk. 1, jf. stk. 2, og fastsætter erstatning for statens overtagelse af ejendommen. Om sagens behandling for taksationsmyndighederne og om erstatningens fastsættelse og udbetaling finder §§ 52-56, 63-64 og 66-67 i lov om offentlige veje tilsvarende anvendelse.

Stk. 4. Spørgsmålet, der kan afgøres af taksationsmyndighederne, jf. stk. 3,

concerning a listed building for which a case is being processed under section 7a(1).

(5) The Minister of Culture may lay down detailed rules to the effect that certain types of building work covered by subsection (1) may be initiated on the basis of written notification.

(6) The Minister of Culture may lay down detailed rules to the effect that certain types of building work covered by subsection (1) concerning a listed building covered by section 7a(1) may be carried out without a licence.§ 11. Demolition of a listed building requires a licence from the Minister of Culture.

§ 11. Demolition of a listed building requires a licence from the Minister of Culture.

(2).For the assessment of an application under subsection (1), the Minister of Culture may require information about the purpose of the demolition and the future use of the property in question. The Minister of Culture may refuse to process the application if the permits required for demolition under other legislation are not available.

Subsection 3.A demolition licence may be made conditional.(4) Section 6(1), (2) and (4) and section 7 shall apply mutatis mutandis.

§ 12. If a demolition licence is refused, the owner may demand that the property be taken over by the State against compensation. If the state is obliged to take over the property, aid in the form of grants received pursuant to section 16(1) shall be deducted when determining the compensation.

(2).However, the obligation to take over under (1) shall only be incumbent on the state if there is a significant discrepancy between the property's rate of return and the rate of return for properties with a similar location and utilisation, but which are not subject to a demolition ban.

(3). If no agreement can be reached between the Minister of Culture and the owner on the state's takeover of the property or the terms thereof, the valuation authorities under the Public Roads Act shall decide the question of the justification of the owner's claim under subsection (1), cf. subsection (2), and determine compensation for the state's takeover of the property. Sections 52-56, 63-64 and

kan ikke indbringes for domstolene, før overtaksationskommissionens afgørelse foreligger.

Stk. 5. Søgsmål til prøvelse af overtaksationskommissionens afgørelse skal anlægges inden 8 uger efter, at afgørelsen er meddelt den pågældende.

§ 13. Påhviler der staten en overtagelsespligt, men tilkendegiver kulturministeren ikke at ville overtage ejendommen, meddeles dette ejeren, der herefter uanset § 11 kan nedrive den fredede bygning.

Stk. 2. § 12, stk. 1, gælder ikke for fredede bygninger, der tilhører eller efter lovens ikrafttræden har tilhørt staten, regioner, kommuner, kirker, præsteembeder eller offentlige stiftelser.

Stk. 3. Kulturministeren kan fastsætte regler om, at de i stk. 2 nævnte ejere forud for overdragelse af en fredet ejendom skal lade tinglyse en meddelelse om, at lovens § 12, stk.1, ikke gælder for ejendommen.

§ 14. Ved brandskade eller anden væsentlig skade på en fredet bygning skal ejeren søge om tilladelse til istandsættelse af bygningen efter § 10 eller søge om tilladelse til nedrivning af denne, jf. § 11.

§ 15. Kulturministeren kan efter aftale med vedkommende ejer fastsætte særlige bevaringsbestemmelser for en fredet bygning, herunder om at bygningen ikke skal være omfattet af reglen i § 12, stk. 1.

Stk. 2. Bestemmelser efter stk. 1 skal tinglyses og skal herefter respekteres af alle indehavere af rettigheder over ejendommen, uanset hvornår rettigheden er stiftet.

66-67 of the Public Roads Act shall apply mutatis mutandis to the proceedings before the valuation authorities and to the determination and payment of compensation.

(4) The question that can be decided by the valuation authorities, cf. subsection (3), cannot be brought before the courts before the decision of the Valuation Commission is available.

(5).An action for review of the decision of the Valuation Commission must be brought within 8 weeks after the decision has been notified to the person concerned.

§ 13 If the State is obliged to take over the property, but the Minister of Culture does not wish to take over the property, this shall be notified to the owner, who may then demolish the listed building notwithstanding section 11.

(2) § 12 (1) does not apply to listed buildings that belong or after the entry into force of the Act have belonged to the state, regions, municipalities, churches, clergy or public foundations.

(3).The Minister of Culture may lay down rules to the effect that the owners mentioned in subsection (2) shall, prior to the transfer of a listed property, register a notice stating that § 12(1) of the Act does not apply to the property.

§ 14 In the event of fire damage or other significant damage to a listed building, the owner must apply for permission to repair the building under section 10 or apply for permission to demolish it, cf. § 11

§ 15. The Minister of Culture may, in agreement with the owner concerned, lay down special preservation provisions for a listed building, including that the building shall not be subject to the rule in § 12 (1).

(2). Provisions under subsection (1) must be registered and must thereafter be respected by all holders of rights over the property, regardless of when the right was established.

Kapitel 4

Støtte til fredede og bevaringsværdige bygninger

Chapter 4

Aids for listed buildings and buildings worthy of preservation

§ 16. Kulturministeren kan yde støtte til:

1) Bygningsarbejder på fredede bygninger, hvor der kræves tilladelse efter § 10, stk. 1.

2) Sagkyndig bistand og projektudarbejdelse samt udarbejdelse af planer for istandsættelse og fremtidig brug af bygninger, der er indstillet til fredning af Det Særlige Bygningssyn, jf. § 23, stk. 1.

3) Sikring af inventar i fredede bygninger, hvor inventaret ikke er omfattet af fredningen i henhold til § 3 samt inventar i bevaringsværdige bygninger, såfremt inventaret er af betydning for den kulturhistoriske helhed eller har en særlig tilknytning til den pågældende bygning.

4) Landsdækkende og lokale foreninger og lignende med bygningskulturelle formål.

5) Institutioner og lignende, der har til formål at bevare de traditionelle bygningshåndværk og informere og vejlede om bygningskulturelle spørgsmål m.v.

6) Bygningsarbejder på bygninger, som ministeren finder bevaringsværdige, jf. § 19.

7) Lokale bevaringsråd eller lignende, der kan yde støtte til bevaringsværdige bygninger, jf. § 17 og § 19.

Stk. 2. Støtte kan ydes i form af lån, tilskud, sagkyndig bistand, projektudarbejdelse eller materialer. Støtten kan gøres betinget.

Stk. 3. Til løsning af særlige frednings- og bevaringsopgaver kan kulturministeren købe, forvalte, istandsætte og afhænde fast ejendom, erhverve begrænsede rettigheder i sådanne samt modtage og forvalte gaver og arv, herunder i form af kontante beløb.

Stk. 4. Ministeren kan fastsætte nærmere regler om støtteordningerne, herunder om oprettelse af lokale bevaringsråd eller lignende og deres administration af støttemidler

Stk. 5. Op til 20 % af støtten kan tilbageholdes og anvendes til modregning med ejerens eventuelle restancer til det offentlige.

Stk. 6. Støtte ydes inden for de rammer, der fastsættes på de årlige bevillingslove. Betalte renter og afdrag på lån, der er ydet efter denne lov, samt provenu ved drift og afhændelse af fast ejendom efter stk. 3, kan

§ 16. The Minister of Culture may provide support for:1) Building work on listed buildings where a licence is required pursuant to § 10(1).

2) Expert assistance and project preparation and preparation of plans for the restoration and future use of buildings recommended for preservation by the Special Building Inspectorate, cf. § 23(1).

3) Safeguarding of fixtures and fittings in listed buildings where the fixtures and fittings are not covered by the listing pursuant to § 3 and fixtures and fittings in buildings worthy of preservation if the fixtures and fittings are of importance to the cultural-historical entity or have a special connection to the building in question.

4) National and local associations and the like with building cultural purposes.

5) Institutions and the like whose purpose is to preserve traditional building crafts and to provide information and guidance on building culture issues, etc.

6) Construction work on buildings that the Minister deems worthy of preservation, cf. § 19.

7) Local preservation councils or the like that can provide support for buildings worthy of preservation, cf. § 17 and 19.

(2). Support may be granted in the form of loans, grants, expert assistance, project preparation or materials. The support may be conditional.

(3). For the solution of special preservation and conservation tasks, the Minister of Culture may purchase, manage, renovate and dispose of real estate, acquire limited rights in such real estate and receive and manage gifts and inheritance, including in the form of cash amounts.

(4). The Minister may lay down further rules on the support programmes, including the establishment of local conservation councils or the like and their administration of support funds.

(5). Up to 20 per cent of the subsidy may be withheld and used to offset any arrears owed by the owner to the public authorities.

(6). Support is granted within the framework set out

endvidere anvendes som nævnt i stk. 1-3. Uforbrugte midler overføres til følgende finansår.

Stk. 7. Lån ydet efter stk. 1, jf. stk. 2, og lån ydet af Statens Bygningsfredningsfond, jf. § 17, stk. 1, i lov nr. 213 af 23. maj 1979 om bygningsfredning og bevaring af bygninger og bymiljøer, administreres af Udbetaling Danmark.

in the annual appropriation acts. Interest and instalments paid on loans granted under this Act and proceeds from the operation and disposal of real estate under subsection (3) may also be used as mentioned in subsections (1)-(3). Unspent funds shall be transferred to the following financial year.

(7). Loans granted under subsection (1), cf. subsection (2), and loans granted by the Danish Building Preservation Fund, cf. section 17(1) of Act no. 213 of 23 May 1979 on building preservation and conservation of buildings and urban environments, are administered by Udbetaling Danmark.

Kapitel 5

Bevaringsværdige bygninger

Chapter 5

Buildings worthy of preservation

§ 17. En bygning er bevaringsværdig, jf. § 16, stk. 1, nr. 7, når den er optaget som bevaringsværdig i en kommuneplan eller omfattet af et forbud mod nedrivning i en lokalplan eller byplanvedtægt, jf. planlovens § 15, stk. 2, nr. 14.

§ 18. En bevaringsværdig bygning, jf. § 17, må ikke nedrives, før nedrivningsanmeldelsen har været offentligt bekendtgjort, og kommunalbestyrelsen har meddelt ejeren, om den efter planlovens § 14 vil nedlægge forbud mod nedrivningen.

Stk. 2. Kommunalbestyrelsen foretager inden udløbet af de efter byggelovgivningen gældende frister offentlig bekendtgørelse af nedrivningsanmeldelsen med en frist på mindst 4 og højst 6 uger for fremsættelse af indsigelser m.v. Offentlig bekendtgørelse kan ske udelukkende digitalt.

Stk. 3. Samtidig med offentliggørelsen skal kommunalbestyrelsen underrette ejeren samt de i § 6, stk. 1 nævnte personer, foreninger m.fl., herunder om fristen for indsigelser m.v.

Stk. 4. Senest 2 uger efter fristens udløb meddeler kommunalbestyrelsen ejeren, hvorvidt der nedlægges forbud mod nedrivning efter planlovens § 14. Nedlægger kommunalbestyrelsen ikke forbud, foretager kommunalbestyrelsen offentlig bekendtgørelse af sin beslutning. Offentlig bekendtgørelse kan ske udelukkende digitalt.

Stk. 5. Bestemmelserne gælder ikke bygninger, der er omfattet af et forbud mod nedrivning i en lokalplan, i en byplanvedtægt eller i et lokalplanforslag offent-

§ 17 A building is worthy of preservation, cf. § 16(1)(7), when it is listed as worthy of preservation in a municipal plan or covered by a prohibition against demolition in a local plan or urban planning by-law, cf. § 15(2)(14) of the Planning Act.

§ 18 A building worthy of preservation, cf. section 17, may not be demolished before the demolition notification has been publicly announced and the local council has notified the owner whether it will prohibit the demolition in accordance with section 14 of the Planning Act.

(2). Before the expiry of the deadlines applicable under the Danish Building Act, the local council shall publicly announce the demolition notification with a deadline of at least 4 and a maximum of 6 weeks for the submission of objections, etc. Public announcement may be made exclusively digitally.

(3). At the same time as publication, the local council must notify the owner and the persons, associations, etc. mentioned in § 6(1), including the deadline for objections, etc.

(4). No later than 2 weeks after expiry of the deadline, the local council will inform the owner whether a demolition ban will be imposed under section 14 of the Planning Act. If the local council does not impose a ban, the local council shall publicly announce its decision. Public announcement can be made exclusively digitally.

(5). The provisions do not apply to buildings covered by a prohibition against demolition in a local plan,

liggjort efter planlovens § 17.

§ 19. Kulturministeren kan træffe beslutning om, at en bygning, som ikke er omfattet af § 17, er bevaringsværdig.

Stk. 2. § 6, stk. 1, 2 og 4, og § 7 finder tilsvarende anvendelse.

Stk. 3. Fra det tidspunkt, den i § 6, stk. 1, nævnte underretning er kommet frem, må der ikke uden tilladelse fra kulturministeren foretages nedrivning, ombygning eller på anden måde ændring af bygningens ydre.

§ 19 a. § 18 finder tilsvarende anvendelse for bevaringsværdige bygninger, der er udpeget af ministeren efter § 19.

Stk. 2. Uanset stk. 1 kan kulturministeren i særlige tilfælde beslutte, at ejeren af en bevaringsværdig bygning ikke uden kommunalbestyrelsens tilladelse må nedrive, ombygge eller på anden måde ændre bygningens ydre. Planlovens § 49 finder tilsvarende anvendelse i disse tilfælde.

§ 19 b. Kulturministeren og kommunalbestyrelsen kan ophæve en beslutning efter § 19.

Stk. 2. De i § 6, stk. 1, nævnte underrettes om ophævelsen.

in a town planning by-law or in a local plan proposal published under § 17 of the Planning Act.

§ 19 The Minister of Culture may decide that a building not covered by section 17 is worthy of preservation.

(2) § 6(1), (2) and (4) and § 7 shall apply correspondingly.

(3). From the time the notification referred to in § 6(1) has been received, no demolition, remodelling or other changes to the exterior of the building may be carried out without permission from the Minister of Culture.

§ 19 a. Section 18 shall apply correspondingly to buildings worthy of preservation designated by the Minister under section 19.

(2). Notwithstanding subsection (1), the Minister of Culture may in special cases decide that the owner of a building worthy of preservation may not demolish, rebuild or otherwise alter the exterior of the building without the permission of the local council. Section 49 of the Planning Act applies correspondingly in these cases.

§ 19 b. The Minister of Culture and the municipal council may repeal a decision under section 19.

(2). The persons mentioned in § 6(1) shall be notified of the cancellation.

Kapitel 6

Registrering og planlægning

§ 20. Kulturministeren indsamler oplysninger og foretager registreringer til brug ved varetagelsen af de i § 1 nævnte formål.

Stk. 2. Kulturministeren udarbejder sammenfattende oversigter over fredningsinteresserne.

Stk. 3. Kulturministeren kan i samarbejde med kommunalbestyrelserne foretage kortlægning og registrering af bygningers og bymiljøers bevaringsværdier til brug for bevaringsplanlægningen i kommunerne.

Stk. 4. Kulturministeren fører en offentligt tilgængelig liste over fredninger efter loven.

Chapter 6

Registration and planning

§ 20 The Minister of Culture shall collect information and make registrations for use in the fulfilment of the purposes mentioned in section 1.

(2). The Minister of Culture prepares summarised overviews of the conservation interests.

(3). The Minister of Culture may, in co-operation with the local councils, carry out mapping and registration of the conservation values of buildings and urban environments for use in conservation planning in the municipalities.

(4). The Minister of Culture shall maintain a publicly accessible list of preservations under the Act.

§ 21. Kulturministeren kan udarbejde vejledninger for varetagelsen af de i § 1 nævnte interesser i den kommunale planlægning.

Stk. 2. Kulturministeren kan udarbejde forslag til bevaringsbestemmelser, der kan indgå i den kommunale planlægning i medfør af planloven.

§ 21 a. Kulturministeren kan fastsætte regler om, at kommunalbestyrelsen skal udpege bevaringsværdige bygninger i kommunalplanen, jf. § 17.

§ 21 The Minister of Culture may prepare guidelines for the safeguarding of the interests mentioned in section 1 in municipal planning.

(2). The Minister of Culture may prepare proposals for conservation provisions that may be included in municipal planning pursuant to the Planning Act.

§ 21 a. The Minister of Culture may lay down rules to the effect that the local council must designate buildings worthy of preservation in the municipal plan, cf. section 17.

Kapitel 7

Det Særlige Bygningssyn

Chapter 7

The Special Building Inspectorate

§ 22. Det Særlige Bygningssyn består af indtil 13 medlemmer, der beskikkes af kulturministeren. Der skal blandt medlemmerne være repræsenteret faglige kompetencer inden for arkitektur og kulturhistorie.

Stk. 2. Kulturministeren fastsætter nærmere regler om, hvem der er indstillingsberettiget til Det Særlige Bygningssyn, herunder om indstilling af suppleanter samt om Det Særlige Bygningssyns virksomhed.

Stk. 3. Formanden for Det Særlige Bygningssyn beskikkes af kulturministeren blandt medlemmerne.

Stk. 4. Beskikkelserne gælder for 4 år.

§ 23. Kulturministeren skal forelægge alle forslag om fredninger, jf. § 3, og om ændringer af en frednings omfang, jf. § 8, stk. 1, for Det Særlige Bygningssyn til udtalelse. En bygning kan kun fredes, og omfanget af en fredning kan kun ændres, såfremt Bygningssynet afgiver indstilling herom. Bygningssynets indstilling skal så vidt muligt foreligge, forinden der sker underretning efter § 6, stk. 1. Kulturministeren skal dog foretage underretning efter § 6, stk. 1, når en efter § 24, stk. 4, bemyndiget forening finder, at sagen ikke kan afvente forelæggelse for Det Særlige Bygningssyn.

Stk. 2. Kulturministeren skal forelægge alle ansøgninger om nedrivning af en fredet bygning for Det Særlige Bygningssyn til udtalelse, jf. § 11. Bygningssynets indstilling skal foreligge, forinden der sker underretning efter § 6, stk. 1.

Stk. 3. Kulturministeren indhenter en udtalelse fra

§ 22. The Special Building Inspectorate consists of up to 13 members appointed by the Minister of Culture. Among the members, professional competences within architecture and cultural history must be represented.

(2). The Minister of Culture shall lay down further rules on who is eligible to be nominated to the Special Building Inspectorate, including on the nomination of deputies and on the activities of the Special Building Inspectorate.

(3). The chairman of the Special Building Inspectorate is appointed by the Minister of Culture from among its members.

(4). The appointments are valid for 4 years.

§ 23. The Minister of Culture must submit all proposals for preservation orders, cf. § 3, and for changes to the scope of a preservation order, cf. § 8(1), to the Special Building Inspectorate for its opinion. A building can only be protected and the scope of a preservation order can only be changed if the Special Building Inspectorate submits a recommendation to this effect. The recommendation of the Building Survey must, as far as possible, be available before notification is made pursuant to § 6(1).However, the Minister of Culture must make a notification under § 6(1) when an association authorised under § 24(4) finds that the matter cannot await submission to the Special Building Inspectorate.

Det Særlige Bygningssyn om ophævelse af fredninger, jf. § 8, stk. 2.

Stk. 4. Kulturministeren skal forelægge ansøgninger om bygningsarbejder, jf. § 6, stk. 3, og § 10 for Det Særlige Bygningssyn til udtalelse.

Stk. 5. Kulturministeren indhenter en udtalelse fra Det Særlige Bygningssyn om ansøgning om støtte til sikring af inventar, jf. § 16, stk. 1, nr. 3, og kan endvidere indhente en udtalelse fra Det Særlige Bygningssyn i principielle spørgsmål om administrationen af § 16.

Stk. 6. Kulturministeren skal forelægge sager efter § 7 a, stk. 1, for Det Særlige Bygningssyn til udtalelse.

Stk. 7. Afgørelser i henhold til denne lov, hvorom Det Særlige Bygningssyn har udtalt sig, skal indeholde oplysninger om Det Særlige Bygningssyns indstilling.

Stk. 8. Det Særlige Bygningssyn rådgiver i øvrigt kulturministeren i bygningsfrednings- og bevaringsspørgsmål.

(2) The Minister of Culture must submit all applications for demolition of a listed building to the Special Building Inspectorate for a statement, cf. § 11. The recommendation of the Special Building Inspectorate must be available before notification is made under § 6(1).

(3). The Minister of Culture shall obtain a statement from the Special Building Inspectorate on the cancellation of listed buildings, cf. § 8(2).(4).The Minister of Culture shall submit applications for building works, cf. § 6(3) and § 10, to the Special Building Inspectorate for a statement (5).The Minister of Culture shall obtain an opinion from the Special Building Inspectorate on applications for support for the protection of fixtures and fittings, cf. § 16(1)(3), and may also obtain an opinion from the Special Building Inspectorate on matters of principle concerning the administration of § 16.

(6). The Minister of Culture shall submit cases under section 7a(1) to the Special Building Inspectorate for an opinion.

(7). Decisions under this Act on which the Special Building Inspectorate has expressed an opinion must contain information about the Special Building Inspectorate's recommendation.

(8). The Special Building Inspectorate also advises the Minister of Culture on building preservation and conservation issues.

Kapitel 8

Administration, rådgivning m.v.

§ 24. Kulturministeren kan bemyndige en styrelse under Kulturministeriet til at udøve de beføjelser, der i denne lov er tillagt ministeren.

Stk. 2. Kulturministeren kan fastsætte nærmere regler om styrelsens sagsbehandling i henhold til bemyndigelse efter stk. 1.

Stk. 3. Afgørelser, der er truffet i henhold til bemyndigelse efter stk. 1, kan påklages til kulturministeren, jf. dog § 12, stk. 3. Kulturministeren fastsætter nærmere regler om indgivelse af klager over afgørelser, der er truffet i henhold til bemyndigelse efter stk. 1.

Stk. 4. Kulturministeren kan give en landsdækkende forening på det bygningskulturelle område ret til at

Chapter 8

Administration, counselling, etc.

§ 24 The Minister of Culture may authorise an agency under the Ministry of Culture to exercise the powers conferred on the Minister in this Act.

(2). The Minister of Culture may lay down further rules on the agency's case processing pursuant to authorisation under subsection (1).

(3). Decisions made pursuant to authorisation under subsection (1) may be appealed to the Minister of Culture, cf. however section 12(3). The Minister of Culture shall lay down detailed rules on the submission of complaints against decisions made pursuant to authorisation under subsection (1).

(4). The Minister of Culture may authorise a nati-

få forelagt fredningsforslag for Det Særlige Bygningssyn, jf. § 23, stk. 1. Indstiller Det Særlige Bygningssyn bygningen til fredning, skal kulturministeren foretage underretning efter § 6, stk. 1.

§ 25. Kulturministeren yder faglig rådgivning og anden bistand til andre myndigheder i spørgsmål vedrørende bygningsfredning og -bevaring.

Stk. 2. Kulturministeren vejleder og informerer andre myndigheder og private om frednings- og bevaringsspørgsmål.

onwide association in the field of building culture to submit preservation proposals to the Special Building Inspectorate, cf. § 23(1). If the Special Building Inspectorate recommends the building for preservation, the Minister of Culture must make a notification in accordance with § 6(1).

§ 25 The Minister of Culture provides professional advice and other assistance to other authorities in matters relating to the preservation and conservation of buildings.

(2). The Minister of Culture provides guidance and information to other authorities and private individuals on preservation and conservation issues.

Kapitel 9

Forskellige bestemmelser

Chapter 9

Miscellaneous provisions

§ 26. (Ophævet).

§ 27. Opdeling af fredede bygninger i ejerlejligheder kan kun finde sted med kulturministerens samtykke. Samtykket kan gøres betinget, herunder af fastsættelse af særlige bevaringsbestemmelser, jf. § 15.

Stk. 2. Samtykke efter stk. 1 er ufornødent for fredede bygninger, der kan opdeles efter ejerlejlighedslovens regler om ikke-fredede bygninger.

§ 28. Betingelser, der knyttes til tilladelser, samtykke m.v. i henhold til loven er bindende for ejeren og indehavere af andre rettigheder over ejendommen uden hensyn til, hvornår en sådan ret er stiftet. Betingelsen kan tinglyses på ejendommen.

§ 29. Tilladelser, samtykke m.v. i henhold til loven bortalder, såfremt de ikke er udnyttet inden fem år fra meddelelsen.

§ 30. (Ophævet).

§ 31. Tinglysningsdommeren skal give meddelelse, når fredede bygninger skifter ejer.

§ 32. Kulturministeren eller den, kulturministeren bemyndiger hertil, har, hvis det skønnes nødvendigt, mod behørig legitimation adgang til offentlige og private bygninger og selvstændige landskabsarkitektoniske værker, som er omfattet af loven, for at tilvejebringe oplysninger til brug for afgørelser og til brug for udarbejdelse af oversigter over fredninger

§ 26 (repealed).

§ 27. The division of listed buildings into condominiums may only take place with the consent of the Minister of Culture. The consent may be made conditional, including the laying down of special conservation provisions, cf. section 15.

(2). Consent under subsection (1) is not required for listed buildings that can be divided according to the rules of the Condominium Act on non-listed buildings.

§ 28 Conditions attached to licences, consents, etc. under the Act are binding on the owner and holders of other rights over the property regardless of when such rights were created. The condition may be registered on the property.

§ 29. Licences, consents, etc. under the Act shall lapse if they have not been used within five years from the date of notification.

§ 30 (Repealed).

§ 31. The registration judge must give notice when listed buildings change ownership.

§ 32. The Minister of Culture or the person authorised by the Minister of Culture shall, if deemed necessary, have access, against proper identification, to public and private buildings and independent landscape architectural works covered by the Act, in order

efter loven.

Stk. 2. Adgangen til bygninger eller landskabsarkitektoniske værker efter stk. 1 er betinget af, at kulturministeren eller den, kulturministeren bemyndiger hertil, forgæves har forsøgt at opnå frivillig aftale om adgang med den, som har rådighed over de nævnte bygninger og værker.

Stk. 3. Politiet yder om nødvendigt bistand til at opnå adgang efter stk. 1. Kulturministeren kan efter forhandling med justitsministeren fastsætte nærmere regler herom.

§ 32 a. Kulturministeren påser overholdelsen af denne lov og af de regler, der er fastsat med hjemmel i loven, samt af fredningsbeslutninger og særlige bevaringsbestemmelser.

Stk. 2. Kulturministeren påser, at påbud og forbud efter denne lov efterkommes, og at vilkår fastsat i tilladelser overholdes.

Stk. 3. Kommunalbestyrelsen skal foretage indberetning til kulturministeren, når kommunalbestyrelsen får kendskab til et ulovligt forhold.

Stk. 4. Bliver kulturministeren opmærksom på et ulovligt forhold, skal ministeren søge forholdet lovliggjort, medmindre der er tale om forhold af ganske underordnet betydning.

§ 33. Det påhviler den til enhver tid værende ejer eller bruger af en fredet bygning at berigtige forhold, som er i strid med denne lov eller de i henhold til loven meddelte tilladelser eller særlige bevaringsbestemmelser.

Stk. 2. Efterkommer ejeren eller brugeren ikke et af kulturministeren meddelt påbud om at berigtige et ulovligt forhold, kan det ved dom pålægges ham inden en fastsat frist under tvang af fortløbende bøder at berigtige forholdet.

Stk. 3. Når et ved dom meddelt påbud om at berigtige et ulovligt forhold ikke efterkommes rettidigt og inddrivelse af tvangsbøder ikke kan antages at føre til, at påbuddet efterkommes, kan kulturministeren foretage det nødvendige til forholdets berigtigelse på ejerens eller brugerens bekostning.

Stk. 4. Når et af kulturministeren meddelt påbud om at afhjælpe mangler, der frembyder fare for byg-

to obtain information for use in decisions and for the preparation of lists of protected areas under the Act.

(2). Access to buildings or landscape architectural works under subsection (1) is subject to the Minister of Culture or the person authorised by the Minister of Culture having unsuccessfully attempted to reach a voluntary agreement on access with the person who has access to the said buildings and works.

(3). The police shall, if necessary, provide assistance in obtaining access under subsection (1). The Minister of Culture may, after negotiation with the Minister of Justice, lay down further rules in this regard.

§ 32 a. The Minister of Culture shall ensure compliance with this Act and the rules laid down pursuant to the Act, as well as with conservation decisions and special conservation provisions.

(2). The Minister of Culture shall ensure that orders and prohibitions under this Act are complied with and that conditions laid down in licences are complied with.

(3). The local council shall report to the Minister of Culture when the local council becomes aware of an unlawful act.

(4). If the Minister of Culture becomes aware of an illegal situation, the Minister shall seek to have the situation legalised, unless it is a matter of minor importance.

§ 33. It is the responsibility of the owner or user of a listed building at any time to rectify conditions that are contrary to this Act or the licences or special conservation provisions granted under the Act.

(2). If the owner or user fails to comply with an order issued by the Minister of Culture to rectify an unlawful situation, he may be ordered by a court judgement to rectify the situation within a fixed time limit under the force of consecutive fines.

(3). When a court order to rectify an unlawful situation is not complied with in due time and the collection of penalty fines cannot be assumed to lead to compliance with the order, the Minister of Culture may take the necessary steps to rectify the situation at the expense of the owner or user.

(4). When an order issued by the Minister of Culture

ningens opretholdelse, ikke efterkommes inden en af ministeren fastsat frist, kan ministeren uanset reglerne i stk. 2 og 3 straks lade de pågældende arbejder udføre på ejerens bekostning. Politiet yder om fornødent bistand hertil efter regler, der fastsættes efter forhandling mellem kulturministeren og justitsministeren.

Stk. 5. Kulturministeren kan på ejerens bekostning lade et påbud om at berigtige et ulovligt forhold tinglyse på ejendommen. Når forholdet er berigtiget, skal kulturministeren lade påbuddet aflyse fra tingbogen.

§ 33 a. Kulturministeren kan i særlige tilfælde ekspropriere fredede bygninger, der tilhører private, når ekspropriation er nødvendig for at forhindre, at væsentlige fredningsværdier går tabt.

Stk. 2. Ved ekspropriation til erhvervelse af ejendomsret bortfalder alle rettigheder over det eksproprierede, medmindre andet bestemmes i det enkelte tilfælde.

Stk. 3. Ved ekspropriationens gennemførelse finder bestemmelserne i lov om offentlige veje § 45 og §§ 47-49 tilsvarende anvendelse.

to remedy defects that jeopardise the preservation of the building is not complied with within a deadline set by the Minister, the Minister may, notwithstanding the rules in subsections (2) and (3), immediately have the work in question carried out at the owner's expense. If necessary, the police shall provide assistance in accordance with rules to be laid down after negotiation between the Minister of Culture and the Minister of Justice.

(5). The Minister of Culture may, at the owner's expense, have an order to rectify an illegal situation registered on the property. When the situation has been rectified, the Minister of Culture shall have the order cancelled from the land register.

§ 33 a. The Minister of Culture may in special cases expropriate listed buildings belonging to private individuals when expropriation is necessary to prevent the loss of significant conservation values.

(2). In the event of expropriation for the acquisition of property rights, all rights over the expropriated property shall lapse, unless otherwise determined in the individual case.

(3). In connection with the realisation of the expropriation, the provisions of sections 45 and 47-49 of the Public Roads Act shall apply mutatis mutandis.

Kapitel 10

Straf

Chapter 10

Penalty

§ 34. Medmindre højere straf er forskyldt efter den øvrige lovgivning, straffes med bøde den, der

1) overtræder § 6, stk. 3, § 9, § 10, stk. 1, § 11, stk. 1, § 14, § 18, stk. 1, § 19, stk. 3, § 27, stk. 1, og § 33, stk. 1,

2) tilsidesætter bevaringsbestemmelser fastsat i medfør af § 15, jf. § 16, stk. 2,

3) tilsidesætter vilkår eller betingelser, der er fastsat i en tilladelse efter loven, eller

4) undlader at efterkomme et påbud efter § 32 a, stk. 4.

Stk. 2. Straffen kan stige til fængsel i indtil 1 år, hvis overtrædelsen er begået forsætligt eller ved grov uagtsomhed, og hvis der ved overtrædelsen er

§ 34. Unless a higher penalty is prescribed by other legislation, a fine shall be imposed on anyone who

1) violates § 6(3), § 9, § 10(1), § 11(1), § 14, § 18(1), § 19(3), § 27(1) and § 33(1),

2) disregards conservation provisions laid down in pursuance of section 15, cf. section 16(2),

3) violates terms or conditions laid down in a licence under the Act, or

4) fails to comply with an order under section 32a(4).

1) voldt skade på de interesser, som loven tilsigter at beskytte, jf. § 1, eller fremkaldt fare herfor eller

2) opnået eller tilsigtet en økonomisk fordel for den pågældende selv eller andre, herunder ved besparelser.

Stk. 3. I regler, der udstedes efter loven, kan der fastsættes straf af bøde for overtrædelse af bestemmelser i reglerne.

Stk. 4. Der kan pålægges selskaber m.v. (juridiske personer) strafansvar efter reglerne i straffelovens 5. kapitel.

Stk. 5. Sker der ikke konfiskation af udbytte, som er opnået ved overtrædelsen, skal der ved udmåling af bøde, herunder tillægsbøde, tages særligt hensyn til størrelsen af en opnået eller tilsigtet økonomisk fordel, jf. stk. 2, nr. 2.

Stk. 6. Forældelsesfristen for strafansvaret er 5 år for overtrædelser, som nævnt i stk. 1, og for overtrædelser af bestemmelser i regler udstedt efter loven.

§ 34 a. Der er udpantningsret for udgifter, som det offentlige har krav på at få dækket efter § 33, stk. 3-5. Beløbene kan endvidere inddrives ved indeholdelse i løn m.v. efter reglerne for inddrivelse af personlige skatter i kildeskatteloven.

Stk. 2. Restanceinddrivelsesmyndigheden kan eftergive skyldige beløb efter stk. 1 efter reglerne i opkrævningsloven.

(2). The penalty may be increased to imprisonment for up to one year if the offence is committed intentionally or through gross negligence and if the offence

1) caused damage to the interests that the law aims to protect, cf. section 1, or caused a danger thereof, or

2) obtained or intended a financial advantage for the person concerned or others, including savings.

(3). Rules issued under the Act may provide for a penalty of a fine for violation of provisions of the rules.

(4). Criminal liability may be imposed on companies, etc. (legal persons) in accordance with the rules in Chapter 5 of the Danish Criminal Code.

(5). If there is no confiscation of proceeds obtained by the offence, special consideration shall be given to the size of a financial advantage obtained or intended, cf. subsection (2), no. 2, when determining the fine, including an additional fine.

(6). The limitation period for criminal liability is 5 years for offences as mentioned in subsection (1) and for violations of provisions in rules issued under the Act.

§ 34 a. There is a right of attachment for expenses that the public sector is entitled to have reimbursed pursuant to section 33(3)-(5).
The amounts may also be recovered by deduction from wages, etc. in accordance with the rules for recovery of personal taxes in the Danish Withholding Tax Act.

(2). The arrears collection authority may remit amounts due under subsection (1) in accordance with the rules of the Danish Collection Act.

Kapitel 11

Ikrafttrædelses- og overgangsbestemmelser

§ 35. Loven træder i kraft den 1. januar 1980.

Chapter 11

Entry into force and transitional provisions

§ 35. The Act shall enter into force on 1 January

Stk. 2. Lov nr. 195 af 8. juni 1966 om bygningsfredning ophæves.

Stk. 3. (Udelades)

Stk. 4. For fredninger i henhold til den hidtil gældende lovgivning gælder reglerne i denne lov.

Stk. 5. Bestemmelser om påtaleret i forbindelse med fredninger i henhold til den hidtil gældende lovgivning ophæves.

Stk. 6. De beføjelser, der er tillagt Det Særlige Bygningssyn ved bevaringsbestemmelser, overenskomster, -deklarationer og lignende samt ved konfirmerede fundatser for legater, fonde m.v., udøves af Fredningsstyrelsen, medmindre miljøministeren træffer anden bestemmelse.

Stk. 7. Tilladelser m.v., meddelt før lovens ikrafttræden, bortfalder fem år efter ikrafttrædelsesdatoen, medmindre de på andet grundlag må anses for at være bortfaldet før dette tidspunkt.

Stk. 8. Uanset § 27, stk. 1, kan opdelingen i ejerlejligheder anmeldes til tinglysningsdommeren inden udgangen af marts måned 1980, såfremt ejeren inden den 29. november 1978 havde anmodet en landinspektør om den til opdeling i ejerlejligheder fornødne attestation.

Stk. 9. (Udelades).

§ 36. Loven gælder ikke for Færøerne og Grønland.

1980.

(2). Act no. 195 of 8 June 1966 on building preservation is repealed.

(3) (Omitted)

(4). The rules of this Act shall apply to preservations in accordance with the legislation in force to date.

(5). Provisions on the right to prosecute in connection with preservations under the legislation in force so far are repealed.

(6). The powers conferred on the Special Building Inspectorate by conservation provisions, agreements, declarations and the like as well as by confirmed statutes for endowments, foundations, etc. are exercised by the Danish Preservation Agency unless the Minister for the Environment decides otherwise.

(7). Licences, etc. granted before the entry into force of the Act shall lapse five years after the date of entry into force, unless they must be considered to have lapsed before that time on other grounds.

(8). Notwithstanding section 27(1), the division into owner-occupied flats may be notified to the registration judge before the end of March 1980 if the owner had requested a surveyor to provide the certificate required for division into owner-occupied flats before 29 November 1978.

(9). (Omitted).

§ 36. The Act does not apply to the Faroe Islands and Greenland.

2 Fredningsbeskrivelse (Conservation Review)

All Conservation Review on listed buildings can be found in the public acsessible database Ministry of Culture, 'Fredede Og Bevaringsværdige Bygninger' (FBB), https://kulturarv.dk/fbb/index.htm;jsessionid=124632F4E64B8A53A08CE1756EA267D5

FREDNINGSVÆRDIER

NØRREGADE 12, LØKKEN

HJØRRING KOMMUNE

Besigtigelsesdato:	18.05.2011
Besigtiget af:	Nanna Secher Larsen
Journalnummer:	2011-7.82.07/860-0001
Kommune:	Hjørring Kommune
Adresse:	Nørregade 12, 9480 Løkken
Betegnelse:	Løkken
Fredningsår:	1979
Omfang:	*Stuehuset (ca. 1850)*

BYGNINGSBESKRIVELSE

Nørregade 12 ligger centralt i Løkken by ved byens hovedstrøg, der er udlagt som gågade. Bag huset er en lille have med et udhus, som ikke er omfattet af fredningen. Udhuset rummer værksted og lokum.
Nørregade 12 er en fuldmuret længebygning, der står på en muret, sortmalet sokkel med groft tilhugne syldsten. Det gulkalkede murværk afsluttes øverst af en enkel profileret, hvidkalket gesims. Alle vinduer er af nyere traditionel type, og disse er ligesom for- og bagdør malet mørkegrønne. Alle lysninger samt de murede sålbænke er hvidkalkede. Det helvalmede tegltag bærer en skorsten med sokkel og krave. Skorstenspibe er gulkalket, og sokkel og krave er ligesom forskællingen hvidkalket. Bygningen er fem fag lang, og mod gaden sidder den tofløjede fyldingshoveddør i det nordligste fag. På gårdsiden opdeler bagdøren midten af murfladen med to vinduer til højre og et vindue til venstre for døren. Begge gavle har to vinduer i stueetagen og ét vindue i loftsetagen.
I det indre er husets plan opdelt af et hovedskillerum med forstue og to stuer mod gaden, mens rummene mod haven udgøres af toilet, køkken, bryggers med udgang til haven samt et værelse. Der er indvendigt bevaret bræddelofter med fritliggende bjælker, fodpaneler, oprindelige døre med messinggreb og et brændekomfur. I toilet, køkken og bryggers er ældre klinkegulve. Loftet er indrettet til arkiv.
Hele huset er indrettet som museum, med en møblering svarende til omkring år 1900. I stuerne og i værelset er tillige ophængt billeder og plancher om Løkkens historie.

BYGNINGSHISTORIE

Bygningen er opført i 1850 af skudeskipper Thomas Grønbech, der fra sine sejladser til blandt andet Norge hjembragte materialer til huset i Nørregade 12. Huset blev overtaget af sønnen, Niels Grønbech, hvis datter Johanne Grønbech boede i huset indtil sin død i 1975. Løkken Museum købte huset i 1976. De følgende år blev huset, efter opmåling og gennemfotografering, restaureret med stor

lokal og frivillig hjælp. Ved restaureringen blev gulve, paneler, fodlister og vindueskarme udskiftet. I bryggerset, hvor der i nyere tid havde været indrettet badeværelse, blev den tidligere gruekedel genopmuret. Vinduerne blev udskiftet med nye, nøjagtige kopier af de gamle. Murværket blev istandsat og vandskuret på ny. Den enfløjede fordør blev udskiftet med en tofløjet dør. Ved restaureringen blev et kammer inddraget i forstuen, der i dag er museets indgang og fadeburet ved siden af køkkenet blev indrettet til toilet. I julen 1977 var huset færdigrestaureret og museet åbnede.

KILDER

Ladepladsen, Løkken Museumsforenings blad, nr. 7, 1988

MILJØMÆSSIG VÆRDI

Den miljømæssige værdi ved Nørregade 12 knytter sig til bygningens beliggenhed centralt i Løkken samt til matriklens helhed med forhus, have og udhus, der medvirker til at skabe en autentisk stemning af, hvordan fiskerlejet Løkken så ud før i tiden.

KULTURHISTORISK VÆRDI

Den kulturhistoriske værdi ved Nørregade 12 knytter sig i det ydre til bygningens hvide og gule farvesætning, herunder forskællingen, de hvidkalkede lysninger og den tofarvede skorsten, der er karakteristisk for ældre bygninger i Løkken. På bygningens nordgavl er tillige bevaret en krog, som blev brugt til at hejse tørv ind på loftet.

I det indre knytter den kulturhistoriske værdi sig til planen med et gennemgående hovedskillerum, der opdeler huset på langs med stuer mod gaden og sekundære rum mod haven.

ARKITEKTONISK VÆRDI

Den arkitektoniske værdi ved Nørregade 12 knytter sig til bygningens enkle og regelmæssige opbygning på alle sider, der samles af den ubrudte tagflade og den asymmetrisk placerede skorsten.

I det indre knytter de arkitektoniske værdier sig til rummenes logiske og traditionelle rækkefølge, samt til bræddelofterne med fritliggende bjælker, plankegulvene, klinkegulvene, de ældre døre med ældre dørgreb samt til fodpanelerne og det ældre nagelfaste inventar, herunder brændeovn, gruekedel og brændekomfur.

BÆRENDE FREDNINGSVÆRDIER

De bærende fredningsværdier knytter sig i det ydre til husets regelmæssige inddeling i dør- og vinduesfag på alle sider, husets konstruktion i vandskuret, gulkalket grundmur samt det halvvalmede heltag af røde vingetegl. Hertil kommer den traditionelle materialeholdning og traditionelle detaljer som fyldingsdøre og vinduer.

I det indre knytter de bærende fredningsværdier sig til husets oprindelige plan med stuer mod gaden og sekundære rum mod haven. Hertil kommer alle ældre detaljer, herunder bræddelofter med fritliggende bjælker fyldingsdøre, brændeovn og brændekomfur samt nyere kopier af gerichter og fodpaneler.

Hertil kommer bygningens særlig kulturhistoriske værdi, der særligt afspejles i bygningens traditionelle materialevalg og den regionalt prægede farveholdning og forskælling.

ANBEFALINGER

Ingen angivet

3 Daniavej 105, 9550 Mariager, SAVE

The following assessement on Daniavej 105, 9550 Mariager, is downloaded from the public acsessible database Ministry of Culture, 'Frededе Og Bevaringsværdige Bygninger' (FBB), https://www.kulturarv.dk/fbb/bygningvis.pub?bygning=18268682 accessed the 26th of Feburary 2024.

Bygning - Mariagerfjord, Daniavej 105, bygning 1

BBR-oplysninger

BBR-nummer: **846 - 1443213 - 1**
Kommune: Mariagerfjord
Adresse: Daniavej 105 , 9550 Mariager
Bygningsnummer: 1
Ejendomsnummer: 1443213

Bygningstype: Bygning
Antal etager: 1
Bebygget areal: 70
Totalt bygningsareal: 70
BBR-bygningshistorie:

- Opførelsesår: 1890
- Ombygningsår: 1979

Anvendelse: (UDFASES) Række-, kæde-, eller dobbelthus (lodret adskillelse mellem enhederne).
Arealkilde: Oplyst af teknisk forvaltning
Tagdækning: Tegl
Ydervæg: Mursten (tegl, kalksandsten, cementsten)
Materialekilde: Oplyst af teknisk forvaltning

Matrikel og ejerlav: 6 CL Assens By, Falslev
Zone: Ingen
Ejerforhold: Privatpersoner, incl. I/S

SAVE-undersøgelse

Sag: Kommuneatlas for Mariager Kommune
Notat: Underfacade rustikeret med kvadrefugning Sålbænksgesims 2 symmetriske kviste i bygningen (nr. 75-77-79-81) dsatte side af vej

Aktuel status: Aktiv
Objekt: BEBOELSE
Antal bygninger: 1
Antal andre objekter: 0
Komplekstype:

Beboelseskompleks

Vurdering

Arkitektonisk værdi: 2
Arkitektonisk vurdering: Smuk længebygning med 4 boliger
Kulturhistorisk værdi: 1
Kulturhistorisk vurdering: Tidl. arbejderboligbebyggelse
Miljømæssig værdi: 1
Miljømæssig vurdering: Fint gaderum mellem bygninger og have (hække)
Originalitet: 3
Originalitetsvurdering: Bagfacade sløret af pergola m.m.
Tilstand: 3
Tilstandsvurdering: Skorstenspiber mangler pudsning
Registreringsdato: 29-09-1993
Bevaringsmæssig værdi: 1
Bevaringsmæssig vurdering: Meget fin bebyggelseshelhed med 4 stokke

Bygningskonstruktion

Bygningsdel: Andet
Dør/Port: Fyldingsdør
Oprindelig funktion: Række-, kæde- eller dobbelthus
Gavlkonstruktion: Grundmuret gavl
Gesims: Muret med puds/stuk
Hovedplan: Enfløjet bygning
Sokkel: Markeret, puds eller maling
Sokkel: Pudset sokkel (materialet kan ikke erkendes)
Stilart: Anden stilart
Tagkonstruktion: Saddeltag/heltag
Udsmykning: Andet
Vindue: Fladbuet
Ydermur: Kalket/malet
Ydermur: Puds, overfladebehandling

Bygningsomgivelser

Bebyggelsesmiljø:
Fisker-/færgeleje - Industriområde
Indre forhold: Sammenbygget, tilknytning til andre bygninger på matriklen ikke angivet (tidligere 11)
Ydre forhold: Fritliggende, men med arkitektonisk tilknytning til andre bygninger uden for matriklen (tidligere 20)
Omgivelser:
Natur - Have
Natur - Fjord, hav, bugt
Notat om omgivelser: Rækken af tilsvarende bygninger

Administrative oplysninger
Ændring: Ingen ændringer
Fotoarkiv: B34-11

Fotografier

Motiv: Daniavej, dato ubekendt
Fotograf: Lokalhistorisk arkiv
Dato: 1/1-1000
Type: Optaget fra offentlig vej

Motiv: Daniavej, dato ubekendt
Fotograf: Lokalhistorisk arkiv
Dato: 1/1-1000
Type: Optaget fra offentlig vej

Motiv: Daniavej 105, 1993
Fotograf: Mariagerfjord kommune
Dato: 1/6-1993
Type: Optaget fra offentlig vej

Motiv: Daniavej 105, 2014
Fotograf: By & Land Mariagerfjord
Dato: 6/1-2015
Type: Optaget fra offentlig vej

Motiv: Daniavej 105, 2014
Fotograf: By & Land Mariagerfjord
Dato: 6/1-2015
Type: Optaget fra offentlig vej

Motiv: Daniavej 105, 2014
Fotograf: By & Land Mariagerfjord
Dato: 6/1-2015
Type: Optaget fra offentlig vej