

Consultation on Ancient Monuments and Listed Buildings (Amended) (Scotland) Bill- response
from Ballater and Crathie Community Council.

This Bill is described as an amending one which will 'streamline, simplify and clarify the system for protecting and managing' the historic environment. It will 'harmonise provisions' which deal with levels of fines, the removal of the 'defence of ignorance' and harmonise elements of the historic environment legislation with the planning regime at the same time as it will remove (Section 6) the necessity to consider Strategic Environmental Assessment under Section 7 (1) of the Environmental Assessment (Scotland) 2005 Act. Of course a new Planning bill is under consideration now so it is probable that will become irrelevant. Nevertheless the summarily applied fines question is of considerable relevance to the load under the harrow when the rise is of 500%. This could have an Impact on the Small Firms (4.12) who are owners, as well as those who become aware of any interest by Authorities in their property if it is of quality.

The implication of 4.13 is that the standards and interest of historic Scotland are not a fixed matter of measurements but taste or popular interest, is chilling. The implication that there no are fixed standards but changing whims of particular officials must reduce respect from the previous standards of the work of the Royal Commission on Ancient and Historical Monuments, Scotland and the Ministry of Works. That there is to be a dead hand and no development of any scheduled monument while listed buildings must also be kept 'in active use' 'at the discretion' of an officer who can enter land and issue 'stop notices' , is not what had been expected in a country which had enjoyed a reasonable and accessible system of courts of law. 1.18 The right of an official so to act may place a considerable burden on members of the public, as may the absence of an official when cases of Acts of God, weather or malicious damage call for immediate action. That the consultation only concerns itself with the duties and burdens of government and local government is a further indication of control by 'Bureaucracy' rather than 'Queen in Parliament' and the possibilities of oppressive governance by Historic Scotland, its officials and official interests. Fines are to escalate, presumably with inflation. Nothing is mentioned about deflation, or control of 'recoverable' expenses.

It is not clear if the default position accepts deterioration in the state of Scheduled Monuments, or what measures or grants might be involved in maintaining their state if not under the guardianship of Historic Scotland.

In the meantime we in the countryside observe neglect and official actions and delays in the practical works which involve real conservation, without the courtesies of local public information. The action of other authorities have also considerably reduced, in many instances, the spare cash available for owners to do what they would like to conserve and protect monuments or buildings e.g: .milk prices , 'chipping sheep', death duties, planning delays and overwhelming form-filling..

The Sections 8-10 suggestions on activities at sites show to a remarkable extent the un-joined up provision of some matters under the present system. Aberdeenshire, certainly, and probably other authorities, has been forced by the asymmetric allocation of block grants to close many village public facilities rather than try to reach the required modern standards in replacing them. It should not be the part of a highly technical Agency to take their place and cost to families is such that what should be a low cost family-cum-educational day's excursion rises beyond their budgets. It is also unfortunate that the reduction of knowledge-content in education seems to have called for populist rather than accurate approaches to some historical narratives. Art History we understood to be an academic subject, but that 'Art' should come under the wing of Historic Scotland is surprising - it is necessary or otherwise known? At what level does the in-house expertise extend to choice of 'consultation' on artistic and practical 'crafts' come? And what provision is made for development of local practical construction work and examination of the standards required?

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