

11 August 2009

Policy Team  
Historic Scotland  
Room 2.9  
Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Dear Sir / Madam

### **The Ancient Monuments and Listed Buildings (Amendment) (Scotland) Bill**

Thank you for you the opportunity to respond to the above consultation paper.

A global organisation, the Royal Institution of Chartered Surveyors (RICS) is the principal body representing professionals employed in the land, property and construction sectors. In Scotland, we represent over 10,000 members comprising chartered surveyors (MRICS or FRICS), technical surveyors (AssocRICS), trainees and students. Our members practise in sixteen land, property and construction markets and are employed in private practice, central and local government, public agencies, academic institutions, business organisations and non-governmental organisations.

If you have any queries, please do not hesitate to get in touch.

Yours faithfully



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Head of Communications  
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## General

RICS Scotland is supportive of the move towards tidying up the legal processes associated with Scotland's historic environment. The clarity and certainty that this will bring to areas which have previously been open to misinterpretation, is to be welcomed.

**Section 1:** Includes introductory and background information on the Bill process to date. Explains in broad terms what the Bill will do; comments on the level of consultation undertaken so far; and provides comment on the overall policy aims of the Bill.

## Comments

RICS Scotland does not whole heartedly support the view that Scheduled Monuments should remain in their current state. We firmly believe that each case should be judged on its own merits and an impartial and practical view should be taken. The idea of minimal intervention can only be taken so far and a one size fits all approach it not always the right answer.

(1.18) This is good strengthening of the position and is to be welcomed.

(1.24) RICS Scotland suggests that 'or site' be added to the first bullet point after the word, building.

**Section 2:** Provides you with an outline of the policy aims underpinning each of the amending provisions and should be read in conjunction with the draft Bill.

## Comments

**Section 11:** Financial Support for the preservation etc. of monuments.

This section is sufficient but greater detail on the availability of money needs to be provided.

**Section 14:** Development and understanding of historic etc.

This section is satisfactory, but again, but it will require sufficient financial support.

**Section 16:** Meaning of 'monument' in the 1979 Act

RICS Scotland agrees with this definition.

**Section 17:** Refusal to entertain certain applications for scheduled monument consent.

RICS Scotland does not agree with this suggestion as we feel it is too restrictive. Developers may need to alter plans/proposals to keep their developments on track and to avoid financial penalties.

**Section 3:** Provides you with an initial assessment of the costs associated with the implementation of the Bill.



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RICS Scotland considers this section to be weak. More support and financial assistance is needed from Historic Scotland or Central Government, not less.

[rics.org](http://rics.org)

In our opinion, Historic Scotland's staff are already under considerable pressure and adding greater technical work to their workload will only serve to slow down the process.

**Section 4:** Comprises a Partial Regulatory Impact Assessment for the Bill.

**Comments**

**4.12: Small Firm Impact Test**

RICS Scotland suggests that the greater work and technical detail involved will have a negative financial impact on the administration and costs of small firms.

**Section 5:** Sets out the Scottish Government's initial comments on the equalities impact of the Bill.

No comment

**Section 6:** Comprises a statement on Strategic Environmental Assessment.

No comment

**Section 7:** Comprises the draft Ancient Monuments and Listed Buildings (Amendment) (Scotland) Bill.

No comment

Ends

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