

**SCOTTISH HISTORIC ENVIRONMENT POLICY 1
SCOTLAND'S HISTORIC ENVIRONMENT**

ANALYSIS REPORT

October 2006

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This report was prepared by Gordon Barclay, Historic Scotland Policy Group.

1. INTRODUCTION

1.1 Scottish Historic Environment Policy (SHEP) is a new series of policy documents that both sets out Scottish Ministers' vision and strategic policies for the wider historic environment and provides greater policy direction for Historic Scotland.

1.2 SHEP 1 is the overarching policy statement for the historic environment. It provides a framework for more detailed strategic policies and operational policies that inform the day-to-day work of a range of organisations that have a role and interest in managing the historic environment. These include the Scottish Executive, local authorities and the range of bodies that are accountable to Scottish Ministers. SHEP 1 and the subsequent documents in the series are intended to sit alongside and complement the Scottish Planning Policy series and other relevant Ministerial policy documents. They are also intended to be relevant documents in the statutory planning, Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) processes.

1.3 The Consultation document was published on 31 March 2006 and responses were invited by 23 June 2006 and invited views on Scottish Ministers' vision and overarching policies for the historic environment.

1.4 Approximately 350 copies of the consultation were sent to a wide variety of consultees. A list of respondents is in the Annex. Forty-six responses were received. Of these 17 were received from Local Authorities or associations of Local Authority workers; 16 were received from the public and voluntary sector; 6 were received from professional bodies, professional organisations and academics and 7 were received from public bodies. In most cases the comments formed the official response of the body. During the consultation period Historic Scotland ran a workshop with the Built Environment Forum Scotland (BEFS). The workshop was attended by 23 individuals and representatives of organisations with an interest in the historic environment. Historic Scotland has received a report from the workshop; the points made in discussion reflected closely those made by respondents to consultation and are included in this analysis.

2. THE CONSULTATION DOCUMENT

2.1 Scottish Historic Environment Policy 1 – *Scotland's Historic Environment* – was not as structured a document as most Scottish Executive consultations; for example, there was not a numbered series of questions. As a consequence, there was no uniformity of structure in the responses, which posed certain problems in analysis. Many respondents also took the opportunity to make contributions on matters outside the scope of the consultation, or of greater relevance to future SHEPs, or Historic Scotland Operational

Policies. Contributions that had limited relevance to the SHEP 1 consultation have not been included in this analysis but have been collated for further attention.

2.2 The first stage in the analysis was to identify recurring broad themes. Each response was then broken down into individual sections, paragraphs or even sentences which were then allocated to one or occasionally more than one of 16 'themes'. Many points were made by more than one respondent and the next stage was to summarise each theme. The third stage was to identify key issues. This document is the outcome of the third stage.

3. RESPONSES

GENERAL COMMENTS

3.1 The vast majority of respondents welcomed the document and many complemented its clarity and conciseness; it was also described as realistic. Some respondents felt that more detail was needed (although some detail requested might be more appropriately inserted in further subject-specific SHEPs). The value of the document was seen as clarifying existing policy, in contributing to the planning process, in emphasising the value of the historic environment, and in stressing the crucial part of Scotland's identity and the identity of its regions. One respondent described the document as 'disappointing' and 'seriously flawed' for various reasons, in part relating to its lack of ambition. Many respondents wished to see even greater separation between wider strategic policy and Historic Scotland's operational policy: one argument was that this would encourage greater buy-in from other organisations. The emphasis on the intelligent management of change was commended. There were concerns that the purpose and audience of SHEP 1 were not clear. More emphasis on the value of the historic environment in Scotland's success was desired.

ACCESS, ENJOYMENT AND UNDERSTANDING

3.2 Considerable emphasis was placed on understanding the historic environment as a prerequisite for managing it or interpreting it. Respondents noted that active investigation of the past, for example through excavation, was underemphasised. Stress was laid on a wide range of information being needed: 'academic', 'technical' and for the wider audience. There should be greater emphasis on the educational opportunities offered by the historic environment and on education about the historic environment - including provision of information to owners of historic properties to assist them.

3.3 Some respondents stressed the need for people to be able to get involved in work on their historic environment or to have responsible access to it - particularly locally. One respondent noted the economic constraints on some people, that made visits to historic properties difficult.

AIMS, VISION & UNDERSTANDING

3.4 Although some respondents valued the setting out of existing policy, there was disappointment that the document was not sufficiently inspirational, aspirational and visionary. Greater leadership and direction on responsibilities for and the preparation of policies on the historic environment within the SE and to local government was seen as being required. One respondent asked for more 'horizon-scanning' - consideration of future challenges the historic environment might face.

THE NATURE AND DEFINITION OF THE RESOURCE

3.5 One respondent noted that the historic environment is constantly growing - we make new 'history' constantly. Many respondents were concerned that the document overemphasised the 340 properties in the care of Historic Scotland. They also felt that too much emphasis was placed on designated sites and buildings to the detriment of the wider (unregulated) historic environment, for example wider landscapes, townscapes, villages and the great mass of our pre-1919 vernacular building stock, which is vulnerable to inappropriate and potentially damaging maintenance and change. Further clarification of the definition of 'historic environment' was sought. There was concern that the document overemphasised the 'built' part of the heritage, and neglected landscapes and those parts of the historic environment in agricultural use. There were also concerns that the setting of monuments and buildings was not adequately dealt with.

POLICY CONTEXT AND AIMS

3.6 A number of respondents were concerned that existing policy statements were not adequately dealt with in the document - the Stirling Charter for example. Clarification was also sought on the relationship of SHEP 1 to this sort of existing document. Suggestions were made as to how the relationships could be presented clearly.

3.7 Fuller cross-referencing to other Scottish Executive policy strands - in particular in the preparation of Scottish Planning Policies - was seen as important. In particular duplication and contradiction was to be avoided. One respondent suggested that there should be greater read-across to the revision of 'A policy for Architecture'. The historic environment was seen as a vital part of Scotland's cultural identity and, through aspects of 'character' and 'sense of place', significant in cross-cutting relationships with community involvement, social justice and community regeneration.

3.8 Respondents asked that there be an overview of the issues facing the historic environment, such as energy, affordable housing, waste management etc. Linkages to Sustainable Development policies and to developing policy on landscapes (cf the European Landscape Convention) were seen as important.

3.9 Respondents stressed the importance of policy development in relation the historic environment in relation to Green Tourism, skills development, availability of building materials, local designation and management of assets.

3.10 In the other direction, one respondent suggested that the historic environment should be recognised more fully in Scottish cultural policy and that the historic environment had a part to play in the delivery of the 'Curriculum for Excellence'.

3.11 Respondents encouraged Ministers to review fiscal and regulatory incentives to encourage owners and property developers to safeguard historic features. There was a desire for clearer statements on the roles and responsibilities of organisations in government and other sectors, including those operating in Scotland although with headquarters elsewhere.

3.12 The importance of the historic environment being given due weight in wider policy discussions was stressed.

THE MARINE HISTORIC ENVIRONMENT

3.13 It was noted by one respondent that the marine historic environment was not sufficiently taken account of in a document that was intended to deal with the whole of Scotland's historic environment.

MATERIALS AND SKILLS

3.14 Many respondents laid considerable emphasis on the importance of the availability of traditional materials and skills if we are to maintain historic structures are to be maintained. It was noted that truly sustainable repair and maintenance required indigenous and locally available materials, not those transported. Respondents noted the need for cross-cutting government policy in this area, through the planning system in particular, and through the encouragement of re-opening of quarries. It was noted that using 'energy rich' products in building contradicted other strands of policy on sustainability and climate change. One respondent emphasised that best practice is shared between bodies, and does not flow one way from Historic Scotland. Respondents noted a serious shortfall in formal conservation training.

ROLE OF HS AND OTHER PLAYERS

3.15 Many respondents noted that SHEP 1 placed too much emphasis the role and work of Historic Scotland. It was suggested that more emphasis should be given to the work of others in the public sector, the role of commercial and individual owners, and the work of the voluntary sector. 4.16 Respondents wanted greater separation of policy for the wider sector and operational policy for Historic Scotland.

PARTNERSHIPS

3.16 The commitment to partnership was welcomed but greater emphasis on the roles of organisations beyond HS and RCAHMS - in conservation, management, recording, education and outreach - was wanted. The importance of relationships to planning authorities (including National Parks) was commended. Improved contacts with other 'heritage' and 'cultural' sectors - museums, natural heritage, museums, libraries, archives - were recommended. Respondents encouraged Ministers to consider wider

partnerships, with bodies dealing with social issues such as citizenship, learning, young people.

3.17 The recognition of the key role of local authorities as agents and owners was welcomed. Ministers were asked to highlight the role of the development control system in the protection and management of the historic environment. Respondents asked Ministers to note the statutory nature of some relationships. It was suggested that formal protocols be set up between Historic Scotland and local authorities.

3.18 Greater clarity in describing the various relationships was sought, as well as a framework within which effective working relationships will flourish. A higher profile for the private and business owners of the majority of Scotland's historic assets was sought. Suggestions were made about additional bodies that might be mentioned. It was suggested that the term 'historic environment community' should be used to describe the sector. Ministers were encouraged to account of the different needs of the various parts of the sector.

3.19 It was suggested that the document could encourage the creation of operational policies on the historic environment by other players.

3.20 Respondents noted the need for government support and encouragement for NGOs and local community bodies in carrying out work in the sector.

REGENERATION

3.21 Respondents supported the Ministers' proposals. The point was made strongly that individual elements of the historic environment should be maintained to avoid them needing regeneration. The role of the historic environment in preventing degeneration was seen as equally important as its role in stimulating regeneration. Considerable emphasis was placed on the value of the historic environment in sustaining and maintaining communities, and of maintaining local distinctiveness. Concern was expressed that support was being channelled to cities at the expense of the historic environment outwith them.

3.22 It was suggested that a stronger link could be made with successful place-making and sustainable communities.

SUSTAINABILITY

3.23 The Ministers' approach to sustainability and inclusion was endorsed. One respondent noted that sustainability must be closely defined to avoid it becoming all things to all people. It was suggested that sustainability should pervade the document more fully, while there should also be an overarching sustainability statement.

INVESTMENT/VALUE

3.24 The investment in the historic environment and the recognition of the role of the historic environment in Scotland's success was welcomed. Concern was expressed that too much tourism investment in the historic environment went to 'honey pots' and too little to sites in the wider community. Comment was made that grants should be easier to obtain and be better supervised. It was suggested by a number of respondents that the word 'economic' should be removed from the heading of chapter 8, to make sure that all aspects of the historic environment's potential are recognised. Investment was needed in more locally important heritage assets.

LEGISLATION/POWERS

3.25 A respondent suggested that in SHEP 1 it should be explicit that, in a regulated environment, there would inevitably be cases where people will feel aggrieved that they are not permitted to change or remove an asset. It was also suggested that there should be a commitment to ensuring that the legal framework was robust and fit for purpose.

3.26 A view was expressed that Historic Scotland's powers to enter into management agreements were too limited.

IMPLEMENTATION

3.27 Ministers' intentions to promote high quality standards of repair, maintenance and conservation were welcomed. Concerns were expressed about 'ownership' of SHEP1, that its title would allow people without a specific job-role in the historic environment to sideline it. Respondents noted problems with the repair and maintenance of the historic environment, with a specific reference to the dangers of falling masonry from older buildings. Respondents desired that there would be a rigorous approach to promotion, enforcement and delivery. Concerns were expressed about the inadequacy of powers or use of powers to ensure repair and maintenance. It was suggested that there should be greater recognition that finding a viable use for a building is the key to its survival. Concerns were expressed that the application of 'exemplary good practice and principles' was an impediment to repair.

3.28 It was noted that there were no indicators associated with the key outcomes, and that the inclusion of indicators would assist with monitoring and review.

3.29 It was suggested that there was a need to determine criteria for identifying locally important elements of the historic environment.

RESOURCES

3.30 There was a very strong feeling that additional responsibilities and burdens, as some respondents felt were envisaged in SHEP 1, could not be placed on organisations, especially local authorities, without adequate staff and funding. Historic Scotland and the

Scottish Executive were seen as having a particular role in dealing with shortages of suitable staff, through training

3.31 Respondents suggested that local authorities should not 'as far as possible' have 'access' to the necessary skills but must have access to them. One respondent suggested that if LAs did not have the necessary skills and knowledge available to them they should not be allowed to make decisions about the historic environment.

3.32 Some respondents argued that the resources available to Historic Scotland were inadequate. The resources available to HS for archaeological excavation were specifically mentioned as being inadequate. One respondent suggested that tasks - eg listed building consent cases for all but Category A listed buildings - should be transferred to local government

THE HISTORIC ENVIRONMENT AUDIT

3.33 The Audit was welcomed. It was seen as important in providing an evidence base to underpin policy development. One respondent suggested that the 'provision and resourcing' of HS itself be subject of the Audit. Suggestions were made about the membership of the stakeholder advisory group.

4. SUMMARY & NEXT STEPS

4.1 The document was generally welcomed. The emphasis on the intelligent management of change was commended as was the clarification of existing policy. Respondents requested clarification of the purpose and intended audience of the document. It was suggested that the document was too concerned with Historic Scotland's work and properties (although this was identified as an issue in the consultation document itself) and overemphasised the legally designated parts of the historic environment. There was a desire for greater 'inspiration', 'aspiration' and 'vision'.

4.2 There was a desire for greater connectedness of historic environment policies to wider Scottish Executive policy areas, and vice versa. Clarification of the status of existing policy documents such as the Stirling Charter was requested.

4.3 The emphasis on partnership, particularly with local government, was welcomed and respondents provided many suggestions as to how these could be better defined and managed. It was suggested that a wider range of partnerships, beyond the historic environment sector, could be explored. Respondents suggested greater emphasis could be given to the role of private and business owners of historic assets.

4.4 Ministers were asked to encourage the creation of strategic and operational policies by bodies that had an impact on the historic environment.

4.5 Respondents expressed views about the level of resources available to local government and Historic Scotland and about the need for appropriate information and skills to be available to local authorities.

4.6 A final version of SHEP 1 is in preparation, taking account of a significant proportion of the comments put forward by consultees, and will be published in 2007.

ANNEX: SHEP 1 CONSULTATION RESPONSES

LOCAL AUTHORITIES

Aberdeenshire Council
Association of Local Government Archaeological Officers
Argyll and Bute Council
Clackmannanshire Council
Comhairle nan Eilean Siar
Dumfries & Galloway Council
Dundee City Council
East Ayrshire Council
Falkirk Council
Fife Council
The Highland Council
North Lanarkshire Council
Renfrewshire Council
Scottish Borders Council
South Ayrshire Council
South Lanarkshire Council
West Dunbartonshire Council

THE VOLUNTARY SECTOR AND THE PUBLIC

The Association for the Protection of Rural Scotland
Built Environment Forum Scotland
Council for Scottish Archaeology
RD Cramond
The Ferryhill Heritage Society
Garden History Society in Scotland
Heritage Railway Association
Historic Houses Association for Scotland
Institute of Historic Building Conservation
The National Trust for Scotland
Paul & Williamson Solicitors
St Andrews Heritage Services
The Scottish Churches Committee
Scottish Civic Trust
Scottish Lime Centre
Caroline Wickham Jones

PROFESSIONAL BODIES AND ORGANISATIONS

The Archaeology Forum
Developing Opportunities for Archaeology
Institute of Field Archaeologists
Royal Institute of Chartered Surveyors Scotland
The Royal Town Planning Institute for Scotland
Scottish Stone Liaison Group

PUBLIC BODIES

Edinburgh World Heritage
Heritage Lottery Fund
Historic Environment Advisory Council for Scotland

SHEP 1 Analysis Report

Loch Lomond and The Trossachs National Park
Scottish Enterprise
Scottish Environment Protection Agency
Scottish Natural Heritage