

**Historic Scotland Operational Policy Paper No2/06
Historic Scotland's Support for the Voluntary Sector
Environmental Report**

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Non-Technical Summary

- 0.1 Historic Scotland (HS) are in the process of reviewing how we support the voluntary heritage sector. As part of the review, preparation of a new operational policy commenced in late 2005. Views are currently being sought on the future direction of the operational policy, through Operational Policy Paper No2/06, which was published for public consultation on 3 July 2006. The consultation will close on 25 September 2006. The consultation document is available on Historic Scotland's website at <http://www.historic-scotland.gov.uk/voluntarysector.pdf>.
- 0.2 HS consider that the new operational policy has the potential to result in significant environmental effects and therefore have undertaken a strategic environmental assessment (SEA). This Environmental Report sets out the results of that environmental assessment, and provides information on mitigation measures.
- 0.3 The environmental assessment has been undertaken using the modified Dutch e-test as the assessment method. This method asks if the strategic action will result in consequences for: energy consumption and mobility; consumption and stocks of raw materials; waste streams; atmospheric, soil and water emissions; the use of land; and protected environmental features.
- 0.4 The results show that strategic actions associated with the operational policy tend to fall into two categories: educational or office-based activities and project activities. These strategic actions have the potential to affect the environment in two key ways:
- The environmental effects normally associated with educational or office-based activities e.g. water and energy use; waste generation; transport emissions. The majority of the voluntary sector funding provided by Historic Scotland is for educational or office-based activities.
 - The environmental effects resulting from projects, i.e. from operations and activities or, more rarely, land-take. These could result from *inter alia* emissions to air, use of traditional building materials, etc. Only two projects funded to date from voluntary sector funding, the Scottish Lime Centre and the re-roofing of the Ballachulish boat sheds, have been identified as having the potential for such impacts.
- 0.5 The assessment has shown that the proposed process for assessment of funding applications does not ask for information about the potential environmental impact of the activity for which funding is requested. At present the intention is to assess applications against a set of corporate objectives. Once funding has been awarded, there is no mechanism in place to manage environmental impact.
- 0.6 As a way of preventing or managing adverse impact, Historic Scotland propose the following:

- including environmental impact as a factor when deciding on funding applications. Applicants will be asked to consider the potential effects of their proposal on the environment, through a checklist.
 - a condition of funding will be included to the effect that applicants must comply with environmental legislation.
- 0.7 Those applications which are identified as having potential environmental impacts and which are funded will be monitored to ensure that environmental impacts are managed appropriately.
- 0.8 The Environmental Report accompanying the consultation document is now available for consultation. The consultation on the Environmental Report will last 4 weeks, with a closing date of **25** October 2006. Please send your comments on the Environmental Report to:

hs.policy@scotland.gsi.gov.uk or

Supporting the Voluntary Sector Consultation
Investment and Projects Team
Historic Scotland
Room 2.6 Longmore House
Salisbury Place
Edinburgh EH9 1SH

or by fax to: 0131 668 8788.

If you have any queries please contact Martin Fairley on 0131 668 8691.

1.0 Introduction

- 1.1 Historic Scotland (HS) are in the process of reviewing how we support the voluntary heritage sector. As part of the review, preparation of a new operational policy commenced in late 2005.
- 1.2 HS consider that the new operational policy has the potential to result in significant environmental effects and therefore have undertaken a strategic environmental assessment (SEA). The purpose of this report is to set out the results of that environmental assessment, and to provide information on mitigation measures.
- 1.3 The remainder of this report provides the following information:
- the requirement for SEA;
 - the background to the operational policy;
 - information about the policy itself;
 - the context in which this policy has been developed, including the environmental protection objectives contained in legislation and policy;
 - the approach to the environmental assessment;
 - the assessment results; and
 - the conclusion.
- 1.4 A non-technical summary is provided as the preface to this Environmental Report.

2.0 Strategic Environmental Assessment

- 2.1 The Environmental Assessment (Scotland) Act 2005 came into force on 20 February 2006. Under Section 5(4), plans, programmes and strategies (including policies) with the potential to result in significant environmental effects are to be subject to environmental assessment prior to adoption.
- 2.2 Historic Scotland consider that the new operational policy on voluntary heritage sector support has the potential to result in significant environmental effects and therefore have undertaken a strategic environmental assessment (SEA). However, as the first formal preparatory act predates the coming of the Act into force, HS have undertaken this SEA on a voluntary basis. The operational policy is not considered to be a qualifying plan or programme under the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.
- 2.3 Views are currently being sought on the future direction of the operational policy, through Operational Policy Paper No2/06, which was published for public consultation on 3 July 2006. The consultation will close on 25 September 2006. The consultation document is available on Historic Scotland's website at <http://www.historic-scotland.gov.uk/voluntarysector.pdf>.
- 2.4 This Environmental Report, which accompanies the consultation document, is now available for consultation. The consultation on the Environmental Report

will last 4 weeks, with a closing date of 11 October 2006. Please send your comments on the Environmental Report to:

hs.policy@scotland.gsi.gov.uk or

Supporting the Voluntary Sector Consultation
Investment and Projects Team
Historic Scotland
Room 2.6 Longmore House
Salisbury Place
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or by fax to: 0131 668 8788.

If you have any queries please contact Martin Fairley on 0131 668 8691.

- 2.5 Good practice in environmental assessment suggests that the assessment be undertaken at the stage of having a draft policy, and should include consultation. However, the policy preparation process does not include a stage whereby a draft policy is subject to public scrutiny. Rather, the views of the public and stakeholders are canvassed in the early stages of policy preparation in accordance with good policy practice, with consultation taking place over a 12-week period (see Section 4).
- 2.6 Accordingly, to ensure that the assessment and accompanying consultation have both been undertaken at an early and effective¹ stage of the policy preparation process, and in the interests of best use of available resources, Historic Scotland consider that the environmental assessment is best carried out at this stage of policy formulation and consultation. Should the policy change significantly from what has been anticipated in the environmental assessment, changes will be assessed.
- 2.7 Once the consultation is complete, the policy will be drafted and submitted to the Historic Scotland Board for approval, accompanied by the information from the Environmental Report. Following publication of the policy, a statement will be prepared and circulated in accordance with the requirements of Section 18(3) of the Act, setting out how the information contained in the Environmental Report and the views expressed during the SEA consultation have been taken into account in the preparation of the policy.
- 3.0 Background to the Operational Policy
- 3.1 Historic Scotland have provided financial support for the voluntary heritage sector since approximately 1991. This funding currently takes place under the aegis of the Historic Environment Grants Programme (Figure 1). To date funding has been provided in two ways:

¹ Section 16(3) of the Environmental Assessment (Scotland) Act 2005

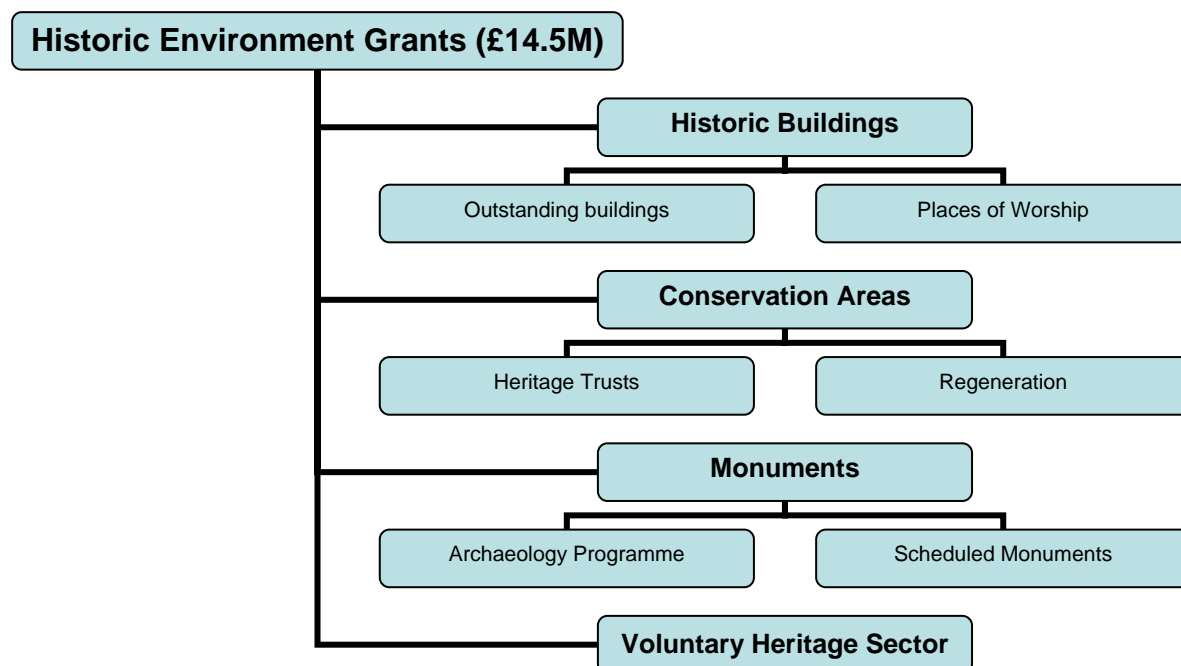


Figure 1. Historic Environment Grants

- providing financial assistance for the “core” activities of organisations, where they have a continuing role in the delivery of particular policy objectives. Such funding often takes the form of supporting staff and office costs.
- providing financial assistance to enable the completion of specific projects.

The majority of funding falls into the first category.

- 3.2 Examples include funding of the Council for Scottish Archaeology, the Buildings at Risk Register, and Doors Open Day; support for the Scottish Lime Centre and the work of the British Trust for Conservation Volunteers in re-roofing the historic boat sheds at Ballachulish; and sponsorship of conferences and publications. A list of organisations and activities funded in the years 2004-5 and 2005-6 is provided in Annex I.
- 3.3 In May 2005, the Minister for Tourism, Culture and Sport announced the launch of the Historic Environment Grants Programme, which brought together a range of Historic Scotland grants and funding programmes under a set of broad guiding principles. The launch also included a commitment for Historic Scotland to review how we support the voluntary heritage sector. That review is now underway.

3.4 At the same time, Historic Scotland are in the process generally of consolidating and improving our working practices, with the intention of publishing operational policies.² Accordingly, the review of the voluntary heritage sector will culminate in the publication of a formal operational policy. Operational policies set out the framework within which Historic Scotland will deliver Ministerial policy and the Corporate Plan targets. The place of operational policies within HS's operating framework is discussed in Annex II.

4.0 Voluntary Heritage Sector Funding: the Operational Policy

4.1 A key activity in developing policy is to seek the opinions of stakeholders, including the public. Accordingly, as noted in Paragraph 2.3, a consultation document was published on 3 July 2006 to ask questions on the future direction for this operational policy. Key facts about the policy are provided in Table 1.

4.2 The policy itself will be drafted using the results of the consultation exercise. In consequence, at this stage of policy development it is difficult to be conclusive about the final policy contents. However, the policy is likely to cover the topics discussed in the consultation document. This sets out the policy context within which this review is taking place (i.e. the strategic review of funding of the voluntary sector in Scotland currently being progressed by the Scottish Executive and others), and seeks views on the following:

- The role of the voluntary sector in the historic environment, including as curators, champions, representatives, service deliverers, providers of professional research and advisory services, and as a focus for volunteering.
- Historic Scotland's objectives for investment in the voluntary sector (see Paragraph 4.3).
- Administrative arrangements for funding, including the provision of funding on a "full cost recovery" basis, and making funding available for a maximum period of 3 years.
- Potential priorities for funding, including the potential for organisations to merge or share common services; the funding of gaps in the support "infrastructure" for the historic environment; ways of providing additional support to the Building Preservation Trusts movement, including the issue of the Buildings at Risk Register.
- A proposal to introduce new administrative arrangements for the Heritage Grants Scheme and the sponsorship fund (in terms of timing of grant applications and decisions, as well as grant duration).
- A proposal to base formal offers of grant on the agreed Scottish Executive model conditions, including *inter alia* agreed outcomes (these allow Historic Scotland to measure performance during the period covered by the offer).

² This was a recommendation of the report of the review of the structure and functions of Historic Scotland undertaken in 2003-4 by the Scottish Executive Education Department (recommendation 6; <http://www.scotland.gov.uk/Resource/Doc/47210/0023797.pdf>).

4.3 The thrust of the policy is that Historic Scotland are seeking to achieve the delivery of some of Historic Scotland's corporate objectives by the voluntary sector. These corporate objectives, included in the consultation document, comprise:

- i. to care for, protect and enhance the historic environment;
- ii. to secure greater economic benefits from the historic environment;
- iii. to increase public appreciation and enjoyment of the historic environment;
- iv. to ensure that the historic environment delivers benefits for communities;
- v. to promote and develop knowledge and skills; and
- vi. to build capacity in the voluntary historic environment sector.

Table 1. Key Facts

Name of Responsible Authority	Historic Scotland
Title of policy	Operational Policy Paper No 2/06 Historic Scotland's support for the voluntary sector
What prompted the policy*	Ministerial commitment
Policy subject	Historic Scotland's financial support for the voluntary heritage sector
Period covered by policy	2006-
Frequency of updates	Review every five years
Policy area	National: policy covers all of Scotland
Policy purpose and/or objectives	Review and update existing working practices
Contact point/policy owner	Martin Fairley

* e.g. a legislative, regulatory or administrative provision

4.4 The first three goals derive from Historic Scotland's Framework Document³; the last three were agreed through the consultation undertaken on Historic Environment Grants⁴. It is likely that these six objectives will also be used as criteria for assessing funding applications.

4.5 An example of how the corporate objectives may be achieved by funding of the voluntary sector is set out in Figure 2.

³ The Framework Document sets out the terms of the management, performance and future development of Historic Scotland and is available at http://www.historic-scotland.gov.uk/framework_document_2004.pdf

⁴ available at http://www.historic-scotland.gov.uk/grants_conclusions_and_next_steps_2005.pdf

5.0 Relationship with other Policies, Plans and Programmes

- 5.1 The environmental assessment has taken into account the environmental protection objectives contained in European, UK and Scottish environmental legislation and policy. A list is contained in Annex III.
- 5.2 The Historic Scotland policy context within which this policy is being developed is set out in Annex II. As noted in Paragraph 4.2, this review is taking place in the context of the strategic review of funding of the voluntary sector in Scotland currently being progressed by the Scottish Executive and others.

6.0 Approach to the Environmental Assessment

- 6.1 Given the strategic nature of the operational policy, Historic Scotland have used the Dutch "e-test" for the assessment⁵. The questions used in the e-test form the assessment criteria against which the strategic actions of the policy have been tested (rather than SEA objectives used for the environmental assessment of plans and programmes).
- 6.2 The e-test asks if there will be consequences for:
- energy consumption and mobility;
 - consumption and stocks of raw materials;
 - waste streams and atmospheric, soil and surface water emissions; and
 - the use of available physical space, i.e. land take.
- 6.3 To this list has been added: "will there be consequences for environmental features protected at international, European, national, regional or local level?" "Consequences" have been considered as arising from: land take (resulting from projects); changes to land use; and/or activities.
- 6.4 The assessment has therefore considered the potential impacts (both positive and negative) on the following environmental parameters:
- biodiversity, fauna and flora;
 - population;
 - soil;
 - water;
 - air quality and climatic factors;
 - material assets;
 - cultural heritage, including architectural and archaeological heritage;
 - landscape; and
 - the inter-relationship between these.

⁵ For more information see <http://assess.eic.or.jp/2-4strategic/4workshop/s-48.pdf#search=%22Dutch%20e-test%20Japan%22>

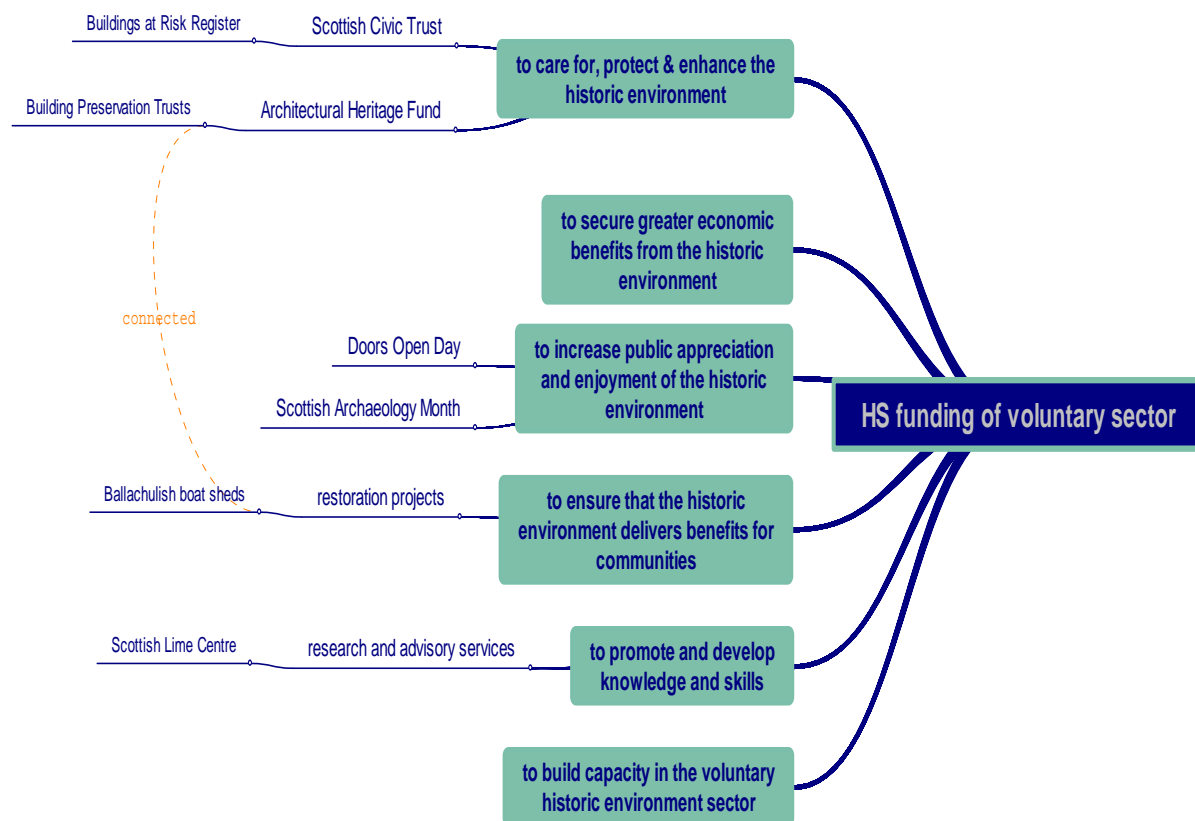


Figure 2. Achievement of HS Corporate Objectives through Voluntary Sector Funding

- 6.5 A scoping exercise was undertaken in July 2006. Comments were received from the Scottish Environment Protection Agency (SEPA) and Scottish Natural Heritage (SNH) and have, in the main, been incorporated into the environmental assessment. As a result of the scoping exercise, human health was not included in the scope of this assessment.
- 6.6 Table 2 provides a summary of the environmental parameters considered and the full range of potential impacts which could occur as a result of the policy's strategic actions. This table has been used as an aide-memoire in the assessment.
- 6.7 The operational policy is a high-level, strategic policy with no locational proposals. As such the characterisation of the baseline environment has been through the identification of the parameters in Table 2. This information has provided the basis for the assessment: HS have not included baseline environmental data in the Environmental Report. An assumption has been made that the baseline, in general, comprises a good quality environment.

Table 2. Environmental parameters and potential impacts

Environmental parameter	Features of interest	Potential impacts⁶ associated with strategic actions
biodiversity, fauna and flora	<ul style="list-style-type: none"> designated sites (international, European, national, regional, local) protected species (international, European, national) species on Scottish Biodiversity List or identified in Local Biodiversity Action Plans ecosystem interests National Parks 	<ul style="list-style-type: none"> loss of habitat damage to habitat (or improvement) disturbance changes to hydrological regime reduction/improvement in air quality contribution to habitat networks sustainable use of biodiversity
population	communities	noise; disturbance; visual impact; severance; reductions/ improvements in amenity i.e. landscape quality and open space provision, including opportunities for informal open air recreation
soil	<ul style="list-style-type: none"> agricultural land quality contaminated land 	loss; degradation; opportunity for reclamation
water (both surface and groundwater)	<ul style="list-style-type: none"> quality resources (including flooding) 	<ul style="list-style-type: none"> improvements to/ deterioration in quality change to hydrological patterns
air	air quality	emissions; dust generation
climatic factors	greenhouse gas emissions	changes in emissions
material assets	<ul style="list-style-type: none"> land use e.g. recreation and access; agricultural land; public open space natural resources used to produce e.g. energy, paper, water waste generation 	<ul style="list-style-type: none"> loss; damage, changes to access use of energy, paper, water
cultural heritage	<ul style="list-style-type: none"> historic environment National Parks 	loss; damage; effects on setting; changes in hydrological patterns; decreased air quality affecting buildings; amenity ⁷ opportunities for access to the historic environment
landscape	<ul style="list-style-type: none"> designated areas (national, regional, local) e.g. National Scenic Area, Special Landscape Area National Parks historic landscape 	loss; damage; intrusion; setting, severance, improvement of landscape quality

⁶ "Impacts" includes negative and positive effects.

⁷ Note: it is unlikely that Historic Scotland would give financial support to projects that have negative effects on the historic environment. These criteria are part of an objective assessment method and are included for completeness.

6.8 Environmental problems pertinent to this policy include the neglect of historic buildings and the potential for them to fall into decline as a result. No other relevant environmental problems have been identified as a result of this assessment.

7.0 Alternatives

7.1 As this operational policy represents a consolidation and improvement of existing policy, no alternatives have been identified or assessed. If the public consultation exercise identifies alternatives to the policy process outlined in the consultation document, these will be considered in due course. Alternatives identified in this way will be reviewed for their environmental implications.

8.0 The environment without the Operational Policy

8.1 A key issue in publishing the operational policy is to make Historic Scotland's policies accessible and transparent to the general public, as well as other governmental and non-governmental organisations, with a view to delivering joined-up policy implementation. Were the operational policy not to go forward, the implications for the environment in general are minimal: Historic Scotland's responsibilities to the historic environment and other components of the environment would not change.

9.0 Assessment Results

9.1 Analysis of the strategic actions associated with the operational policy has shown that they tend to fall into two categories: educational or office-based activities and project activities.

9.2 These strategic actions have the potential to affect the environment in two key ways:

- The environmental effects normally associated with educational or office-based activities e.g. water and energy use; waste generation; transport emissions. The majority of the voluntary sector funding provided by Historic Scotland is for educational or office-based activities.
- The environmental effects resulting from projects, i.e. from operations and activities or, more rarely, land-take. These could result from *inter alia* emissions to air, use of traditional building materials, etc. Only two projects funded to date from voluntary sector funding, the Scottish Lime Centre and the re-roofing of the Ballachulish boat sheds, have been identified as having the potential for such impacts.

It should be noted that the strategic nature of this policy has made it difficult to identify cumulative, secondary or synergistic effects.

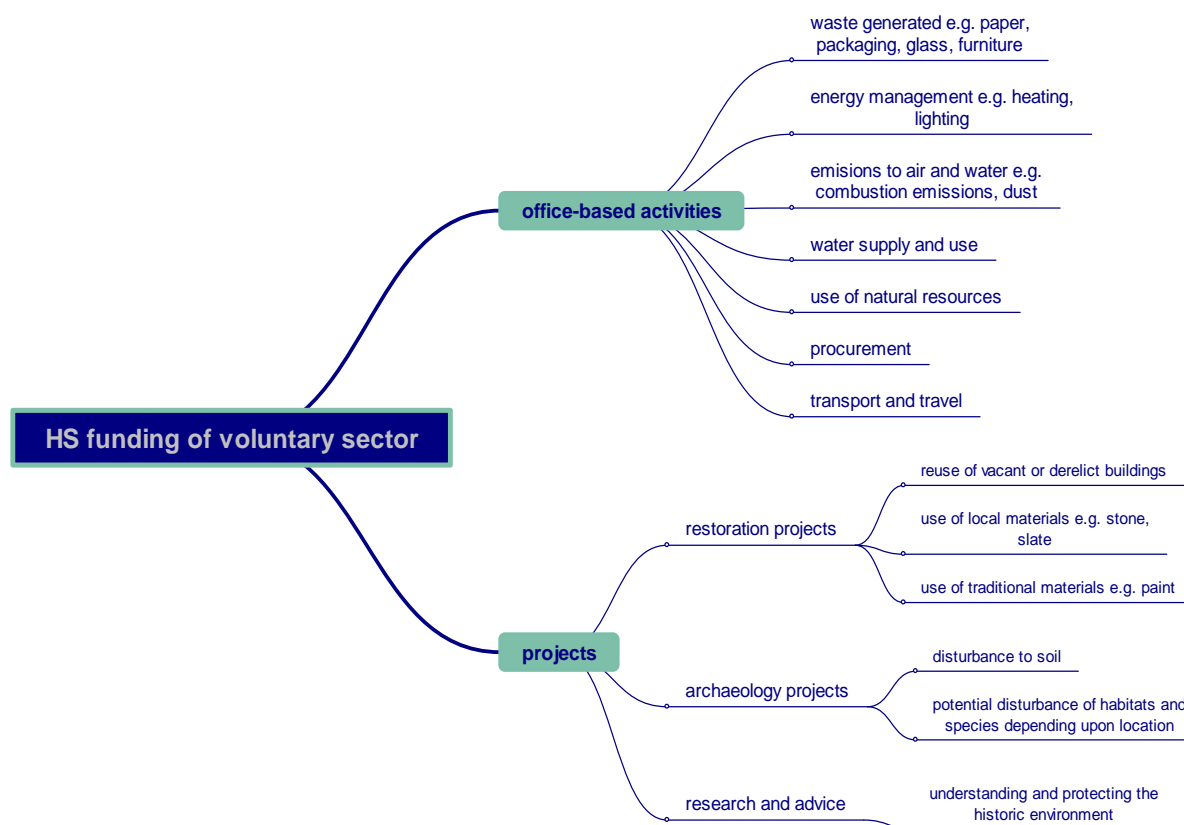


Figure 3. Potential effects of the Operational Policy

9.3 The results are illustrated in the network diagram set out in Figure 3 and in the tables provided in Annex IV.

9.4 The assessment has shown that the proposed process for assessment of funding applications does not ask for information about the potential environmental impact of the activity for which funding is requested. At present the intention is to assess applications against the corporate objectives set out in paragraph 4.3. Once funding has been awarded, there is no mechanism in place to manage environmental impact.

10.0 Mitigation

10.1 The assessment has identified the potential for adverse environmental impact as a result of office-based and project-based activities. As a way of preventing or managing adverse impact, Historic Scotland propose the following:

- including environmental impact as a factor when deciding on funding applications. Applicants will be asked to consider the potential effects of their proposal on the environment, through a checklist (see Annex V).

- a condition of funding will be included to the effect that applicants must comply with environmental legislation.

10.2 Those applications which are identified as having potential environmental impacts and which are funded will be monitored to ensure that environmental impacts are managed appropriately.

11.0 Conclusion

11.1 This environmental assessment has identified and assessed the likely significant environmental impacts of Historic Scotland's operational policy on our support for the voluntary sector. The assessment has shown that most funding is provided to support office-based or educational activities, which result in a number of environmental impacts to do with the use of electricity, water and paper, the generation of paper waste, and emissions from travel between offices.

11.2 The potential for impact on other aspects of the environment arises from activities which support conservation (e.g. the re-roofing of the boat sheds at Ballachulish) or the provision of research and advisory services, e.g. the activities of the Scottish Lime Centre. These activities use natural resources e.g. traditional building materials, and can also give rise to atmospheric emissions e.g. through lime burning. Measures to identify and manage environmental impacts have been identified and will be included in the funding application and award process. The results will be monitored over the lifetime of the funding provided.

Annex I. Voluntary Body Funding 2004-5 and 2005-6

Organisation	2004-2005
Scottish Civic Trust	72,000
Buildings at Risk	58,400
Architectural Heritage Society of Scotland (AHSS)	41,200
Council for Scottish Archaeology	40,000
Scottish Redundant Churches Trust	32,000
Doors Open Days	25,320
Doors Open Days publicity	23,500
Garden History Society	16,000
Scottish Lime Centre	17,668
International Council on Monuments and Sites	8,200
Association of Preservation Trusts	5,500
Buildings of Scotland Trust	5,000
Society for the Protection of Ancient Buildings	500
Historic Environment Advisory Council for Scotland	51,500
Built Environment Forum Scotland	45,000
SPONSORSHIP FUND	20,505
Renaissance tour – Charles McKean	5,000
Scottish Design Awards 2004	2,500
The Village Storyteller – Crookston Castle	2,000
AHSS – conference	2,000
St Mary's Cathedral – leaflet	1,700
Scottish Design Awards 2005	1,250
Scottish Archaeology Month Grant	1,200
Church Buildings Renewal Trust – conference	1,000
Society for Historical Archaeology - conference	800
New Lanark – anniversary event	800
Friends of Govan – annual lecture	600
Theoretical Archaeological Group – conference	500
East Lothian and Edinburgh Archaeological Conference	500
Gatehouse Development Initiative – a notice	400
Book of Deer Project	255

Organisation	2005-2006
Scottish Civic Trust	73,800
Buildings at Risk	41,000
Architectural Heritage Society of Scotland (AHSS)	41,000
Council for Scottish Archaeology	47,000
Scottish Redundant Churches Trust	39,312
Doors Open Days	35,162
Garden History Society	17,666
Scottish Lime Centre	43,904
International Council on Monuments and Sites	8,300
Association of Preservation Trusts	6,000
Buildings of Scotland Trust	2,500
Built Environment Forum Scotland	46,410
British Trust for Conservation Volunteers	2,308
Scottish Council for Archaeology and the Problem of Erosion (SCAPE)	35,000
SPONSORSHIP FUND	13,620
Robert Gordon University Conference	6,000
Scottish Archaeological Forum Conference	975
Sanday Development Trust Leaflet	360
The Garden History Society in Scotland - promotional stand at Gardening Scotland 2005	250
Public Monuments and Sculpture Association - Edinburgh Database	3,035
Crookston Castle Resident Storyteller	2,000
Scottish Design Awards 2004	1,000

Annex II. Historic Scotland's Policy and Operational Context

Historic Scotland is an Executive Agency of the Scottish Executive Education Department (SEED). All functions performed by the Agency, which lies within the Tourism, Culture and Sport portfolio, are carried out on behalf of Scottish Ministers. Lead responsibility for advising Scottish Ministers on any policy matters affecting the historic environment rests with Historic Scotland.

The framework for the operation of the Agency is set out in the Framework Document 2004. This sets out Historic Scotland's mission and aims, and the roles, responsibilities and accountability of the various players including the Scottish Ministers, the Chief Executive, SEED and others.

The mission of Historic Scotland is to safeguard Scotland's historic environment and to promote its understanding and enjoyment. In support of this mission, Historic Scotland will pursue the following aims:

- to care for, protect and enhance the historic environment;
- to secure greater economic benefits from the historic environment;
- to increase public appreciation and enjoyment of the historic environment;
- to achieve continuous improvement in the performance of the Agency; and
- to support the other policies of the Scottish Executive.

The Framework Document requires the preparation of:

- the Corporate Plan
- strategic policies for the Agency
- operational policies for the Agency

The Scottish Ministers are responsible for setting the policy and resources frameworks within which Historic Scotland operates. They exercise these responsibilities in the light of advice from the Secretary, SEED and others, as they consider appropriate, by:

- approving the Framework Document for the Agency;
- approving the Corporate Plan for the Agency;
- approving strategic policies for the Agency; and
- setting targets for the Agency and monitoring its performance.

The current Corporate Plan sets out, for the period 2005-2008, the context within which work is undertaken, the financial resources available, objectives and activities, key performance targets, operational targets and other important measures. Performance is reported in the Annual Review.

Strategic policies will be provided by the Scottish Historic Environment Policy (SHEP) series, the Agency's first major Ministerial policy series. The SHEP series will set out Ministerial policy, within a wider SE policy context, usually also providing a brief outline of the framework within which Historic Scotland will deliver Ministers' policies. It will set out fundamental principles underpinning the management of the historic environment and provide policy direction for HS. Three SHEPs have been published to date:

- SHEP 1: *Scotland's Historic Environment* provides a framework of more detailed strategic and operational policies for managing the historic environment. This is in draft at the time of writing.
- SHEP 2: *Scheduling; Protecting Scotland's Nationally Important Monuments* includes a new set of criteria and guidance to determine whether ancient monuments are of national importance.
- SHEP 3: *Gardens and Designed Landscapes* sets out Scottish Ministers' views on the future identification and protection of historic gardens and designed landscapes across Scotland. This is in draft at the time of writing.

The SHEP series is intended to sit alongside and complement the Scottish Planning Policy series and other relevant Ministerial policy documents.

Operational Policies for the Agency will be set out in the Operational Policy series, the framework within which Historic Scotland will deliver Ministerial policy and the corporate plan targets. A large amount of Operational Policy already exists, either formally published or in internal documents. The intention is to review and revise operational policy, and to publish updated or refreshed policies as they become available.

The relationship of these documents is set out in Figure All.1.

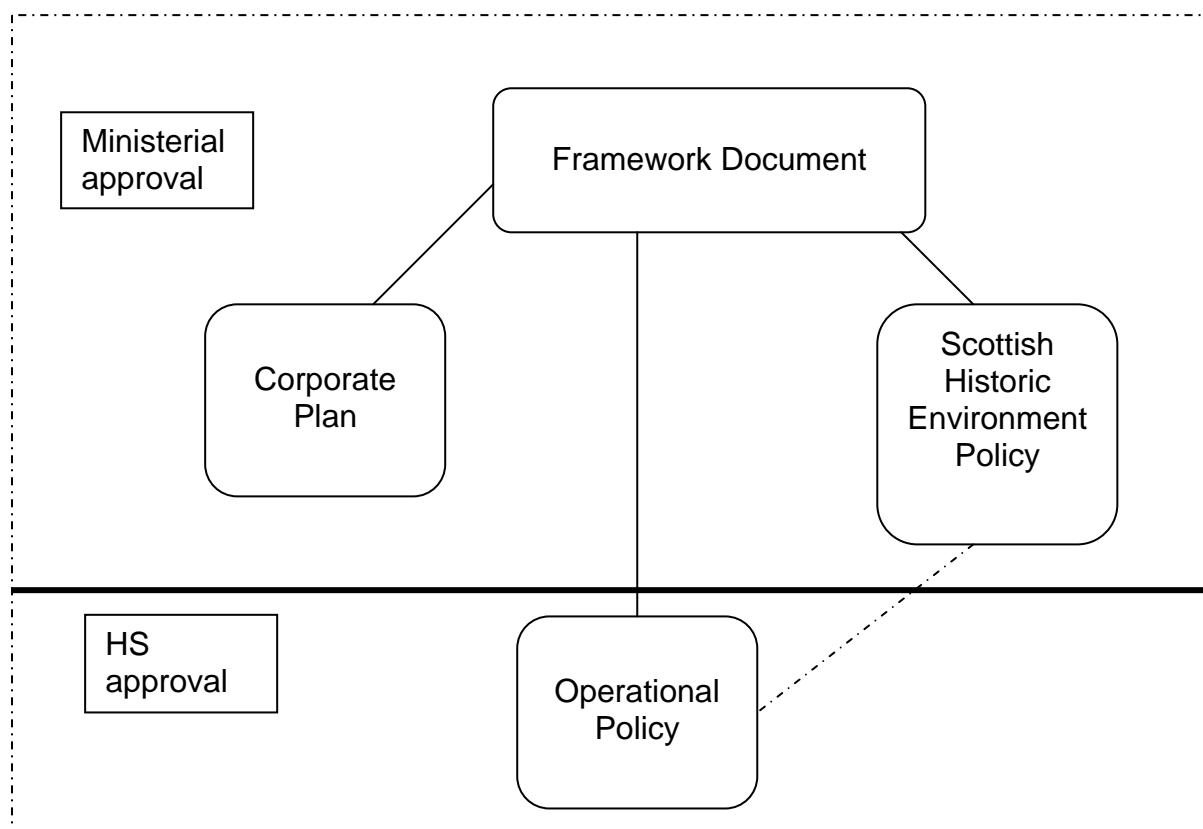


Figure All.1. Relationship of Framework Document, Corporate Plan, SHEPs and Operational Policies

Annex III. European, UK and Scottish Environmental Legislation and Policy

Environmental issue / protection objective	Legislation/Policy	Responsibility
air quality / to protect ambient air quality	Air Framework Directive ⁸	Duty to assess and manage ambient air quality
	UK Air Quality Strategy	Sets standards for the following pollutants: benzene, 1,3-butadiene, carbon monoxide, lead, nitrogen dioxide, particles (pm10), and sulphur dioxide
climate change / to reduce emissions of gases which contribute to climate change	Kyoto Protocol (International Charter ratified by the UK Government)	Reduce greenhouse gas emissions
	UK and Scottish Climate Change Programmes	Sets out the policies to deliver the UK's commitments under the Kyoto Protocol
cultural heritage / to protect and where appropriate enhance the historic environment	UNESCO World Heritage Convention 1972	Provides for the identification, protection, conservation and presentation of cultural and natural sites of outstanding universal value
	ICOMOS International Charter on the Conservation and Restoration of Monuments and Sites (the Venice Charter, 1964) UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris, 1972) ICOMOS Florence Charter for Historic Gardens, 1981 European Convention on the Protection of Architectural Heritage of Europe (Granada, 1985) European Convention on the Protection of the	Provide for the protection of archaeological sites; architectural features; historic gardens; underwater heritage; and historic landscape.

⁸ implemented through UK's Air Quality Strategy (AQS)

Environmental objective	issue / protection	Legislation/Policy	Responsibility
		Archaeological Heritage (revised) (Valetta, 1992) UNESCO Convention on the Protection of the Underwater Heritage (Paris, 2001) European Landscape Convention, 2004	
		Ancient Monuments and Archaeological Areas Act 1979 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 Protection of Wrecks Act 1973	Provide for the protection of archaeological sites and their setting; listed buildings and architectural features; conservation areas; and underwater heritage.
		NPPG5 Archaeology and Planning NPPG18 Planning and the Historic Environment	Provide guidance for the protection of the historic environment within land-use planning.
		Passed to the Future	Scottish Minister's policy for the sustainable management of the historic environment
water quality and resources / to protect and improve water quality (including aquatic habitat) and the sustainable use of water resources		Water Framework Directive ⁹ Water Environment and Water Services (Scotland) Act 2003	Duty to: <ul style="list-style-type: none"> • Prevent deterioration and enhance status of aquatic ecosystems, including groundwater; • Promote sustainable water use; • Reduce pollution; and • Contribute to the mitigation of floods and droughts. (Source: http://www.sepa.org.uk/wfd/about/index.htm)
		SPP7	Sets out the Scottish Executive's planning policy on new development and flooding
biodiversity, flora and fauna / to protect biodiversity		Habitats Directive Birds Directive	Duty to protect natural habitats, includes provisions to designate Special Areas of Conservation as part of the Natura 2000 network Duty to protect all wild birds and their habitats,

⁹ implemented in Scotland through the Water Environment and Water Services (Scotland) Act 2003

Environmental objective	issue / protection	Legislation/Policy	Responsibility
			includes provisions to designate Special Protection Areas (SPA)
		Nature Conservation (Scotland) Act 2004 Scottish Biodiversity Strategy	Duty to further the conservation of biodiversity
		Wildlife and Countryside Act 1981	Provides schedules of protected species Provisions to designate Sites of Special Scientific Interest
		National Parks and Access to the Countryside Act 1949	Provision to declare National Nature Reserves
		NPPG14	Gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning
cultural and natural heritage / as for cultural heritage and biodiversity		National Parks (Scotland) Act 2004	Establishes the National Parks (Loch Lomond and the Trossachs, and the Cairngorms) and sets out their statutory aims
sustainable development / to achieve sustainable development		UK and Scottish Sustainable Development Strategies	Identifies the principles to help achieve the goal of sustainable development

Annex IV. Results of environmental assessment

Office-based activities

<i>Will there be consequences for:</i>	<i>land take</i>	<i>changes to land use</i>	<i>activities</i>	<i>Comments</i>
energy consumption and mobility	no	no	yes	electricity use; travel between offices
consumption and stocks of raw materials	no	no	yes	water use; paper use
waste streams	no	no	yes	office waste generated (mainly paper)
atmospheric emissions	no	no	no	emissions from travel included under "mobility"
emissions to soil	no	no	no	No emissions to soil.
emissions to surface water	no	no	no	No emissions to water.
the use of available physical space	no	no	no	No land used for these activities (use of already existing offices).
protected environmental features	no	no	no	

Project-based activities

<i>Will there be consequences for:</i>	<i>land take</i>	<i>changes to land use</i>	<i>activities</i>	<i>Comments</i>
energy consumption and mobility	no	no	no	
consumption and stocks of raw materials	no	no	yes	use of traditional building materials, e.g. slate, limestone, sand and aggregates etc. These materials are obtained from existing sources.
waste streams	no	no	no	
atmospheric emissions	no	no	yes	lime burning permitted by SEPA for educational purposes (30 per annum)
emissions to soil	no	no	no	
emissions to surface water	no	no	no	
the use of available physical space	no	no	no	No additional land used for these activities as facilities are already in place e.g. listed boat sheds, Scottish Lime Centre buildings.
protected environmental features	no	no	no	

Annex V. Assessment of environmental impacts

AV.1 The environmental issues against which impacts should be assessed include:

Environmental Parameter	Criteria
biodiversity, fauna and flora	<p>Will work be undertaken in or affect a designated site i.e. Special Protection Area; Special Area of Conservation; Ramsar site; Site of Special Scientific Interest; National Nature Reserve?</p> <p>Will the natural heritage features within a National Park be affected?</p> <p>Will work affect species and/or habitats protected at the European level and/or included in Biodiversity Action Plans (national and/or local)?</p> <p>Does the work require permits or licensing?</p> <p>Do you need to consult environmental agencies e.g. SNH?</p>
population	<p>Will work affect the local community in terms of e.g. noise and vibration, dust or general disturbance?</p> <p>Will pedestrian/vehicular movements be affected e.g. severance?</p>
human health	not applicable
soil	<p>Will agricultural soil be affected and, if so, what class (prime land is Class 1, 2, and 3.1)?</p> <p>Will the work be undertaken in an area of peat/bog (see also biodiversity in this case)?</p> <p>Will the work exacerbate existing erosion problems?</p> <p>Will soil protection measures be required e.g. conservation of topsoil?</p> <p>Is the land contaminated?</p>
water	<p>Will the work directly or indirectly affect a watercourse e.g. working in the watercourse or adjacent to it?</p> <p>Are there issues re water quality e.g. potential for sediment runoff adversely affecting water quality; oil/diesel spills; etc?</p> <p>Does the work require permits or licensing?</p> <p>Do you need to consult environmental agencies e.g. SEPA?</p>
air	Will the work generate significant amounts of dust?
climatic factors	Not applicable.
material assets	Will the work affect other land uses e.g. industrial, commercial, residential, agricultural or recreational (including access)?
cultural heritage, including architectural and archaeological heritage	<p>It is likely that there will be positive impacts as a result of knowledge generation. What negative impacts on the historic environment may ensue?</p> <p>Will the cultural heritage features within a National Park be affected?</p>
landscape	<p>Will there be effects on landscape characteristics?</p> <p>Will views be affected (visual impact) e.g. local residents; recreational users, etc?</p> <p>Will the landscape features within a National Park be affected?</p>
the inter-relationship between these issues	

AV.2 Impacts need to be considered in terms of their:

- (a) short, medium and long-term effects;
- (b) permanent and temporary effects;
- (c) positive and negative effects; and
- (d) secondary, cumulative and synergistic effects.

AV.3 If negative impacts are identified, measures for their mitigation must be identified (avoid; reduce; remedy; offset). In any case, project management should include procedures for dealing with environmental issues/emergencies on site (e.g. oil/diesel spills) and reference to these should be included.

AV.4 There is a requirement to assess alternatives. When it comes to negative impacts as a result of a particular method of investigation, the identification of alternatives and the reason(s) for their rejection is required.

AV.5 The bidder should consider whether monitoring is required and, if not, explain the reasons for not recommending monitoring of negative impacts.