

**INFRASTRUCTURE SERVICES COMMITTEE – 19 JUNE 2008****SCOTTISH HISTORIC ENVIRONMENT POLICY (SHEP) CONSULTATION
DOCUMENT: HISTORIC BATTLEFIELDS****1 Purpose of Report**

- 1.1 This report seeks the endorsement of the Infrastructure Services Committee for its use as the Council's response to this consultation, due by 25 July 2008.

2 Background

- 2.1 The Scottish Historic Environment Policy (SHEP) series sets out Scottish Ministers' policies for the historic environment. The SHEPs have the same authority as the Scottish Planning Policy series and other relevant Ministerial policy documents. This consultation document sets out Scottish Ministers' proposed policies for significant historic battlefields in respect of their identification and protection, the management of change and development within them, and the implementation of these policies.
- 2.2 Scottish Ministers recognise battlefields as an important element of Scotland's historic environment that contributes to our sense of national identity. Major battles have often been commemorated through memorials, music, poetry and literature, keeping the memory of the event alive in the national consciousness. A battlefield is defined here as the area of land over which a battle was fought. A battle is defined as an action involving wholly or largely military forces, normally deployed in formal battle array. The number of combatants will have varied, but is expected to have been in the order of at least 500 on each side.
- 2.3 Battlefields have value for the physical remains and artefacts they contain, which can tell us much about important aspects of Scottish history. The landscape in which a battle took place is important to our understanding about the course of events, and often contributes to our sense of place and history.
- 2.4 Battlefields have the potential to be a valuable resource for education, recreation and tourism, allowing visitors to experience and understand the location of a major and dramatic historical event first-hand. To be effective, though, they require active management and interpretation.

3 Proposals

- 3.1 Like other elements of the historic environment, battlefields are vulnerable to a range of impacts. They are affected by natural processes of erosion and human actions that can diminish their value and potential, disturbing or destroying key evidence which, once lost, can never be recovered. Such impacts can also affect their landscape context, sense of place, amenity value and tourism potential.
- 3.2 Although there is no primary legislation in place to give protection to battlefields at present, existing measures have been applied to parts of battlefields where this has been deemed appropriate. Parts of some battlefields, usually clearly visible physical or built features, have received direct protection as scheduled monuments and listed buildings. Battlefields can be recognised within the planning system. NPPG 18: *Planning and the Historic Environment* (shortly to be replaced by SPP23 – reported to this Committee on 8 May 2008) recognises that ‘...historic battlefields and memorials are particularly significant’ in helping to give an area its particular identity and character.
- 3.4 They can be a material consideration in the planning process, for instance through policies in local or development plans, or through designation as Conservation Areas. However, battlefields do not currently have the same level of recognition as Gardens and Designed Landscapes in the planning process.
- 3.5 To protect our most significant sites for the future, Scottish Ministers propose that Historic Scotland should compile and maintain an Inventory of Historic Battlefields, comprising a list of battlefields considered to be of national importance. It is proposed that the Inventory will be non-statutory. As these battlefields usually cover extensive areas in a changing landscape, Ministers consider that their protection can be most effectively managed through the planning system, both in the development planning process and by ensuring that impacts upon them are a material consideration in development management.
- 3.6 To ensure that this policy measure is effective in practice, it is proposed that it will apply only to nationally important battlefields that can be located accurately and whose value has not been seriously compromised by subsequent land-use. Alternative means of commemoration may need to be devised for other sites.
- 3.7 If an Inventory is established, it is proposed that the following principles, adapted from those used for Scheduling and Listing, will underpin the selection of sites for the Inventory:
 - selection will follow the consistent application of clear criteria (proposals set out in Annex A - see also para 5.4)
 - all aspects of Scotland’s past is worthy of study and should be considered for the identification of significant battlefields

- decisions on inclusion in and removal from the Inventory will be made on the basis of the best evidence available
- the selection process will be kept under review to ensure that all sites meet the standards set out in the criteria for inclusion
- selection will be an ongoing process that recognises our changing level of knowledge and that every generation will have its own view on what comprises its heritage
- all decisions relating to inclusion in and removal from the Inventory will be explained in clear language.

3.8 While it is proposed that only sites of national importance will be included in the Inventory, Scottish Ministers recognise that other battlefields are important in a more local context. This is a matter for planning authorities and others who may wish to identify, protect and manage sites of more local importance through the mechanisms available to them.

3.9 Scottish Ministers wish to ensure that nationally important battlefields are fully considered in the processes of development and land-use management and that effective policies are developed to support this. They therefore encourage planning authorities to recognise nationally important battlefields in the development planning process, to ensure that impacts upon them are a material consideration in development management, and to develop specific policies to achieve this. Other relevant public bodies will be expected to ensure that nationally important battlefields are considered within strategies and plans relating to, for example, landscape and land-use management. Planning authorities may also wish to give similar consideration to battlefields of more local importance. The purpose of the proposed Inventory is to identify sites of national importance and to raise awareness of battlefields and their need for protection as an important part of the historic environment of Scotland. The Inventory will provide information on identified sites as a basis for their understanding, protection and the sustainable management of change. It will also act as a resource for interpretation, education and research.

4 Discussion and Proposed Responses

4.1 This is an important policy document on a previously-neglected but vulnerable subject. It presents a broad and holistic approach which is to be welcomed. There are certainly opportunities for battlefield recording and management that will present challenges to the Sites and Monuments Records maintained by this Council. (For example the imminent 600th anniversary of the Battle of Harlaw in 2011 is already under discussion.) Like other elements of the historic environment battlefields are vulnerable to a range of impacts.

4.2 The document avoids discussion of potential means of funding the necessary recording and monitoring work. Furthermore, the proposal to create another non-statutory list very similar to the existing *Non-statutory list of monuments likely to be of national importance*, the sites on which local authorities are enjoined to treat as if they were already scheduled, is potentially confusing.

- 4.3 **Appendix 1** to this report contains proposed answers to specific questions in the document. **Appendix 2** lists the battlefields known in Aberdeenshire.
- 4.4 Parts of some battlefields, usually clearly visible physical or built features, have received direct protection as scheduled monuments and listed buildings. Battlefields can be recognised within the planning system. NPPG 18: *Planning and the Historic Environment* recognises that ‘...historic battlefields and memorials are particularly significant’ in helping to give an area its particular identity and character. They can be a material consideration in the planning process, for instance through policies in local or development plans, or through designation as Conservation Areas. However, battlefields do not currently have the same level of recognition as Gardens and Designed Landscapes in the planning process.
- 4.5 Some battlefields may lie within areas designated for other interests such as National Parks and National Scenic Areas, or within an area designated for its local landscape value. In these landscapes, battlefields could have some indirect protection if acknowledged as part of the special qualities of the designated area, though this is seldom the case in practice.
- 4.6 The factors outlined above underpin the need for a policy for the protection, sustainable management and promotion of significant battlefields in their landscape context.

5 Area Implications

- 5.1 There are no area implications arising from this report.

6 Policy Implications

- 6.1 This draft policy document supports and reinforces the policies of the Aberdeenshire Local Plan in relation to Built and Cultural Heritage and Archaeology.

7 Staffing Implications

- 7.1 There are no direct staffing implications arising from the proposed policy documents. Aberdeenshire Council currently reflects the policy aspirations of Historic Scotland and the Government for the Historic Environment by having suitably qualified staff in post.

8 Financial Implications

- 8.1 There are no direct financial implications arising from the proposed policy documents at this time. However, if local authorities are to fulfil their role as envisaged by Historic Scotland and the Government then it is likely that additional resources would be required in the future.

9 Sustainability Implications

- 9.1 The application of these draft policies by the Council and other partners involved would be an integral element in the protection, conservation, interpretation and promotion of the area's historic built and cultural heritage for the enjoyment and education of present and future generations.

10 Consultations

Consultations have been undertaken in the preparation of this report with the Directors of Law and Administration, Finance and Transportation and Infrastructure and their comments have been incorporated therein.

11 Recommendations

The Committee is recommended to: -

- 1 Approve the use of this report and its annexe as the Council's response to the draft consultation document; and**
- 2 Authorise it to be forwarded to the Scottish Government to place in their library and on their website.**

Christine Gore
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Date: 12 May 2008

BATTLEFIELDS SHEP: SUGGESTED ANSWERS TO CONSUTATION QUESTIONS (from Aberdeenshire Council)

Question 1:

Do you agree that a policy for the protection and sustainable management of historic battlefields is necessary? If not, what alternative course of action would you suggest, and why?

Yes. Battlefields are a curious type of monument, being essentially an event in history, although one sometimes connected with memorials or other structures. Aberdeenshire Council is committed to the sustainable use and management of the historic environment for future generations.

Question 2:

Do you agree with the scope and definition? If not, what changes would you propose and why?

Agreed

Question 3:

Are there other reasons for valuing battlefields that should also be considered?

No

Question 4:

Do you support the proposal to create a non-statutory Inventory of nationally important battlefields? If not, what alternative approaches should be considered?

Yes

Question 5:

Should an Inventory of Historic Battlefields be given the same status currently enjoyed by Gardens and Designed Landscapes within the planning system?

Yes, although clarification needs to be made on its status in active planning applications.

Question 6:

Do you agree with the purpose of the proposed Inventory? If not, what changes would you suggest and why?

The purpose is agreed.

Question 7:

Do you believe that the criteria set out in Annex A are suitable? If not, what alternative criteria would you suggest and why? [= (i) be associated with historical events or figures of national significance. (ii) have significant physical remains and/or archaeological potential. (iii) have a clear landscape

context that allows the events of the battle to be understood or interpreted. (iv) be capable of definition on a map.]

Agreed, particularly iv.

Question 8:

Do you agree with the proposed definition of the area of interest? If not, what changes would you suggest and why?

Yes

Question 9:

Do you agree that best practice guidance would be useful? If so, who should lead in developing this? If not, what alternative approaches should be considered?

Agreed: Historic Scotland should lead, jointly with the Royal Commission on the Ancient and Historical Monuments of Scotland.

Question 11:

Do you agree with the roles identified here? If not, what changes would you propose, and why? Are there other key stakeholders who have significant roles to play?

Yes

APPENDIX 2

**List of Battlesites in Aberdeenshire (source *Sites & Monuments Record*)
(Name emboldened: likely to be of national importance), ordered by reference number.**

SITE No.	SITE NAME	NGR	DATE	DESCRIPTION
NJ40SW0028	CULBLEAN (c.10km NE of Ballater)	NJ 4344 0026; NO 4263 9970; NJ 4313 0100	1335	Supposed site of Battle of Culblean, a turning point in the second Scottish War of Independence. Three grid references are listed as possible locations for the site.
NJ41NE0034	CAMERONS HILLOCK (c. 3km SE of Kildrummy)	NJ 4887 1630	?	Traditionally the spot where Cameron, Laird of Brux, and his two sons were killed and buried during an engagement with the Mowets of Aberceldie.
NJ51NE0013	BATTLE OF ALFORD (Alford)	NJ 5616 1632	1645	Site of the Battle of Alford, between Royalist Montrose & the covenanting General Baillie
NJ52SW0006	BATTLE OF TILLYANGUS (c.4.5km SE of Rhynie)	NJ 5240 2450	1572	Site of the Battle of Tillyangus fought during the civil war between the adherents of Queen Mary & her son James VI.
NJ53NE0005	BATTLE OF SLIOCH (c.2.5km E of Huntly)	NJ 5547 3909	1307	Site of the Battle of Slioch
NJ53NW0029	BATTLE HILL (c.1km E of Huntly)	NJ 5417 3985	?	Supposed site of conflict between the Gordons & the Cummings.
NJ60SE0001	BATTLE OF CORRICHIE (c.10km N of Banchory)	NJ 6968 0238	1562	Site of the Battle of Corrichie between the forces of Mary, Queen of Scots, and the Earl of Huntly.
NJ61NW0018	KING'S MOSS (c.9km E of Alford)	NJ 6402 1590	?	Possible site of battle; tradition says that a battle was fought in a hollow on the Tough side of the parish boundary with Keig.
NJ66SE0014	ARRDANES/ SWORDANES (c.3km W of Banff)	NJ 6655 6468	968	Alleged site of battle between the Scots & the Danes; said to be when Indulf the Scottish King was slain, but more likely to be in reign of Malcolm II
NJ71NE0089	BATTLE FIELD (NE edge of Kintore)	NJ 7912 1669	?	Area of uncultivated land known locally as the 'Battle Field'; no info on origin of name.
NJ72NE0004	NORTH MAINS OF BARRA (S side of Oldmeldrum)	NJ 8036 2668	1308	Site of Battle; fought between King Robert the Bruce & Comyn, Earl of Buchan, on 23 May 1308.

NJ72SE0006	BATTLE OF HARLAW (c.2km N of Inverurie)	NJ 7514 2407	1411	Site of the Battle of Harlaw, in which Donald, Lord of the Isles was defeated by the Earl of Mar
NJ72SE0125	THE STANNERS (Inverurie)	NJ 7796 2042	1745	Site of battle between Royal & rebel forces. The Prince's men under Lord Gordon defeated a Royalist force under the MacLeod of MacLeod.
NJ74NE0003	BLOODY BUTTS OF LENDRUM (c.7km SE of Turriff)	NJ 7587 4529	11th C?	Supposed site of battle, said to have been between Donald Lord of the Isles and the Thane of Buchan.
NJ81NW0054	BLAIR HUSSEY (c.5km E of Inverurie)	NJ 8149 1963	?	Alleged encampment, where tradition records a battle between the Danes & the Scots.
NJ83SE0045	CATTIE'S CAIRN (c.2km E of Tarves)	NJ 8848 3149	?	Alleged battle site; traditionally the site of a battle where Laird Seaton successfully defended himself against the attacks of an enemy on Hill of Ythsie.
NK03NE0053	GOLF LINKS, CRUDEN BAY (Cruden Bay)	NK 0871 3595	11th C?	Alleged battle site. The final battle between the Scots and the Danes is said to have taken place in the vicinity of Cruden Bay
NK03NW0029	HOWE OF DOUBLEDIRKS (c.10km NE of Ellon)	NK 0060 3610	?	Site of battle; traditionally where a battle was fought between the Danes & the Scots.
NK04SE0041	NORTH ALDIE (c.10km SW of Peterhead)	NK 0718 4111	11th C?	Site of battle; said to have been an engagement in battle between the Scots and the Danes
NO17NW0002	THE CAIRNWELL (c.15km S of Braemar)	NO 1300 7700	1602	Site of the battle of Cairnwell; in the Cairnwell Pass on the Aberdeenshire side.
NO17NW0006	BATTLE OF CAIRNWELL (c.15km S of Baremar)	NO 1399 7798		The Battle of Cairnwell is recorded by the Royal Commission at near NO1399 7800 but may have in fact extended to nearer the Devils Elbow to the south.
NO39NE0021	BATTLE OF TULLICH (c.1km NW of Ballater)	NO 3600 9700	1654	Site of Battle; The Royalists were defeated by Cromwell's Roundheads at the Battle of Tullich
NO66SE0002	MARYKIRK (c.15km NE of Brechin)	NO 6912 6496		Alleged battle site; said to have been fought between the Laird of Aberluthnet and the Laird of Canterland
NO68SW0013	CAIRN O'MOUNTH (c.8km NW of Fettercairn)	NO 6000 8000	8th C	Site of battle. In 8thC the Picts defeated the Saxons at 'Bellum Monitcarno',

NO77NE0039	PADE O'FRANCE (c.10km SW of Stonehaven)	NO 7835 7987	1559- 60	Site of battle; traditionally the site of battle between Mary of Guise, Queen Regent, with French soldiers, and the Scottish nobles
NO79NE0044	KEITH'S MUIR (c.6km SW of Peterculter)	NO 7940 9850	?	Site of a conflict between the clans of Keith & Irvine.