

# Society of Antiquaries of Scotland

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Scottish Charity No. SC 010440

SHEP on Historic Battlefields  
Historic Scotland  
Room 2.9  
Longmore House  
Salisbury Place  
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Dear Sir,

## RESPONSE TO DRAFT SHEP ON HISTORIC BATTLEFIELDS

The Society is grateful for the opportunity to take part in the consultation on this new and important SHEP. Information on the Society is available on our website, but as the senior antiquarian body in Scotland we believe strongly that any policy on the Historic Battlefields of Scotland should include strong commitments to the preservation and conservation of these historic environment assets.

### QUESTIONS

*Q1 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 a policy is necessary, as suggested in the SNP Manifesto 2007.

*Q2 Do you agree with the scope and definition? If not, what changes would you propose and why?*

The abstraction of sieges and massacres from the scope and definition is considered unhelpful. These have as much definition, location information and evaluation as battlefields and would warrant protection as landscape features under this and other legislation (such as Scheduling). The Society would advocate less focus on scale and a greater focus on the significance of implications arising from the event. It would be useful for initial research into which battlefields would be considered in this policy to be as inclusive as possible prior to definition for the purpose of this policy.

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**Q3** *Are there other reasons for valuing battlefields that should also be considered?*

Battlefields have a value as tourist attractions and recreation areas, and incorporate nature conservation, biodiversity, access and genealogy values. It should be recognized in this document that battlefields are particularly emotive places with strong intangible associations.

**Q4** *Do you support the proposal to create a non-statutory Inventory of nationally important battlefields? If not, what alternative approaches should be considered?*

The Society understands that the non-statutory approach will provide protection through the General Development Procedure Order, where Historic Battlefields will be treated as a material consideration within the planning system. In the absence of the statutory recognition suggested in the original SNP Manifesto 2007 the Society welcomes the increased protection this will provide relative to the current situation, although it might be useful to have a statutory provision as an Option 3 for Ministers to consider in Annex B 4, with a clear recognition of why this is a less welcome option than a non-statutory Inventory.

It should be noted however, that non-statutory provision leaves a lack of control over prospecting on these sites outwith the planning system. The Society also advocates the presentation of signage on-site with clear and unambiguous indications of the extent and significance of the site, coupled with a clear interpretation of the battle for the general public.

**Q5** *Should an Inventory of Historic Battlefields be given the same status currently enjoyed by Gardens and Designed Landscapes within the planning system?*

In the absence of statutory recognition the Inventory should be given at least the same status as Gardens and Designed Landscapes within the planning system, while recognizing that the two assets are fundamentally different in character.

**Q6** *Do you agree with the purpose of the proposed Inventory? If not, what changes would you suggest and why?*

The overall purpose as defined in 5.1 is understandable and commendable, but there is still required some consideration and clarification of the term "national importance" (see below). In general terms the Society agrees with the proposed purpose of the Inventory so long as the resources required to supply an Inventory that is able to meet these purposes are adequate. While one of the purposes of this policy is to enable the sustainable management of change, there is remarkably little guidance on how to do this. The Society recognizes that individual sites will have often complex and differing issues relative to managing sustainable development, but considers that this should be clearly highlighted in the document and that 'signposts' and secondary guidance is provided (see below).

**Q7** *Do you believe that the criteria set out in Annex A are suitable? If not, what alternative criteria would you suggest and why?*

The criteria listed in Annex A could usefully be brought into the main document since they are vitally important to the definition of how the Inventory will attempt to meet its varied purposes. Historic Battlefields will often have a much changed modern landscape character compared to the contemporary landscape, but the concept of preservation where possible should be emphasized in the document since significant remains can still be recovered from developed landscapes. The Society thus supports the concept that a site is considered worthy of inclusion in the Inventory if it meets only one of the criteria stated. However, clarity is required as to what is meant by the terms "significant" and "national", especially where military actions often occurred without the context or concept of a Scottish 'nation'. There could also be clearer reference in these criteria to the more intangible qualities of Historic Battlefields.

Without further research into Battlefields it is perhaps premature to state categorically that "the densest concentration of archaeological and physical evidence will be expected in this area." when considering a "battlefield core" where the main fighting took place.

**Q8** *Do you agree with the proposed definition of the area of interest? If not, what changes would you suggest and why?*

The Society recognizes the difficulties in defining the area of any battle, but it also sympathizes with the consideration that, to provide adequate protection in law, there must be clarity as to the definition of an area. However, the Society suggests that 5.7 for example should include some measure of commemoration and interpretation for battlefields that have been heavily developed, including reference to the contemporary landscape. This would align with the more intangible values of battlefield sites.

The concept of core and periphery zones could introduce varying levels of protection through the planning legislation that may not be beneficial to the sustainable management of a particular site. This also implies a value judgment on the core area and its national importance relative to the periphery and what happened in that peripheral zone. It is perhaps better to have a single well-defined battlefield zone of interest, albeit potentially with numerous of these zones for a particular battle to include all the considerations noted in 5.8, and with descriptions and mapping of specific areas of activity within any particular zone. Some further consideration should perhaps be given to a tiered approach to the Inventory where some sites are acknowledged as better located or mapped than others, but that the latter are still considered important enough to be included in the Inventory.

The Society suggests that the RCAHMS, in collaboration with others, should lead on the development of defining and mapping historic landscapes, including Historic Battlefields, providing independent and quality information for use in the protection and sustainable management of these sites.

*Q9 Do you agree that policies are needed for both the overall area of the battlefield and specific areas within it? If not, what changes would you suggest and why?*

Yes, there is a need for specific policies where areas of battlefields have already been disturbed by development.

*Q10 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?*

The Society considers that best practice guidance is essential, particularly in developing strategies for managing sustainable development of a Historic Battlefield, but also in the process of initial research into which battlefields should be considered against the proposed criteria. Historic Scotland should take the lead, in collaboration with stakeholders such as the Local Authorities, the RCAHMS and local communities.

This policy will have particular relevance for the public beyond the heritage 'professionals', and guidance can be usefully developed in collaboration with wider community planning and to aid the understanding of the proposals to the wider public.

*Q11 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?*

The Society considers that local communities should be actively involved with this policy, and recognized in this document. It should also be noted that while the academic sector should rightly be included, much current research on Scottish archaeology is undertaken in the commercial sector as a result of developer funding (indeed it is these organizations that will generally carry out consultations to mitigate the impact of sustainable development and undertake any work necessary through planning legislation) and these professionals should be included.

The Society would welcome specific resources within Historic Scotland for Battlefields to help provide expert advice and support, with the benefit of a national overview, to those involved in the planning process as well as local communities. We would also welcome the creation of an expert panel with a range of perspectives to help further the discussions on the content of the Inventory.

#### **SUMMARY**

The Society broadly welcomes this SHEP on Historic Battlefields that, despite the clearly problematic issues of definition and mapping of sites, will massively improve upon the current situation with regard to these particularly emotive and ephemeral landscapes. Best practice guidance is essential in this area, and would be especially useful for proposed sustainable development at battlefield sites. The Society advocates the use of a single, clearly defined area of battlefield interest, but with individual known aspects within that area carefully mapped or described. There can be several clearly defined areas for a single battlefield, especially where the exact location is problematic. However, it should be possible to include sites of national importance in the Inventory


that are not easily mappable, although by doing so it is clear that the protection they can be afforded in the planning process may be minimal.

The Society would call on the RCAHMS to lead, in partnership with other experts in the field, on the practice of defining and mapping battlefield and other historic landscapes. Historic Scotland should lead on the creation of best practice guidelines for Local Authorities and other stakeholders including local communities.

In addition there are a few grammatical and textual changes that the Society would like to suggest for this policy that are not covered by the questions:

- 4.12b. all aspects of Scotland's past **are** worthy of study...
- 4.12c. decisions on inclusion in, **amendment of**, and removal from...
- 4.12e. ...every generation will have its own **developing** view on what comprises its heritage;
- 4.12f. all decisions relating to inclusion in, **amendment of**, and removal from the Inventory will be explained in clear language.
- 5.1 ...The inventory will provide information, **both mapped where possible, and in text**, on identified sites as a basis for ... It will **thus** act as a resource for...
- 5.10 ...It is proposed that effective **procedures** should be developed to meet Scottish Ministers' policy that nationally important battlefields should be fully considered in the process of development and land-use management. **(full stop)**
- 5.11 ...particularly for areas **that** have already been disturbed by development. **(full stop)** Scottish Ministers invite...

I also enclose the Respondent Information Form.

Yours faithfully,  


ROGER MERCER OBE, MA, FSA, FRSE, HonMIFA  
President