Education and Culture Committee
Room T3.40
Scottish Parliament
Edinburgh
EH99 1SP

E-mail to: ec.committee@scottish.parliament.uk

22 April 2014

Dear Sir/ Madam

WRITTEN EVIDENCE ON THE HISTORIC ENVIRONMENT SCOTLAND BILL

RTPI Scotland is grateful for the opportunity to provide written evidence to the Education and Culture Committee on the Historic Environment Scotland Bill.

The Royal Town Planning Institute (RTPI) is the champion of planning and the planning profession. We work to promote the art and science of planning for the public benefit. We have around 2,200 members in Scotland and a worldwide membership of nearly 23,000.

Planning is about creating great places for people. It does this through providing vision on how best to shape our communities over the short, medium and long term. Scottish Government is currently reforming the planning system and a key part of this is the move towards a plan-led system where development plans provide the direction on the future of places. RTPI Scotland commends the Scottish Government’s recognition of the important role that planning, planners and the planning system can play in helping to achieve its objectives and we welcome the demonstration of this commitment through the Historic Environment Scotland Bill.

RTPI Scotland recognises the important and valuable role that the historic environment plays in planning terms for Scotland, and acknowledges the integral relationship between people and the historic environment, and the role that the historic environment plays in supporting and building a sense of place, and generating economic activity, providing opportunities for the preservation and restoration of important assets, while also allowing for development opportunities, recognising the value and status of key historic buildings and places.
Consultation

1. **How will the creation of Historic Environment Scotland help to improve the overall management and promotion of Scotland’s historic environment? Will it help to make Scotland’s historic environment more attractive to communities, families and tourists?**

RTPI Scotland welcomes the creation of Historic Environment Scotland as a key organisation working towards the management and promotion of Scotland’s historic environment. We recognise that there are also other organisations involved in the historic environment, and we encourage transparency and collaborative working together between organisations and across the sector to avoid duplication, and to efficiently manage and promote the historic environment.

The success of the Bill relies upon resourcing and expertise, and the culture of the new organisation, both working with the historic environment sector, and supporting the sector. We appreciate these are not necessarily matters for the Bill, but need to be at the centre of approaches to be taken in implementing the Bill’s provisions.

2. **Are the functions proposed for Historic Environment Scotland the correct ones or are there any omissions? Are the outcomes expected of the new body ambitious enough or could they be strengthened?**

RTPI Scotland supports the overarching function of Historic Environment Scotland in “Investigating, caring for and promoting Scotland’s historic environment”, and also supports the particular functions set out within the Bill.

As part of the functions of Historic Environment Scotland, we suggest it would be beneficial to refer to the role of the body as part of the planning system in fulfilling its functions to protect, manage, conserve and enhance the historic environment.

We would like to see greater clarity for planning authorities on the role of Historic Environment Scotland, and similarly clarity for the new body on the roles and responsibilities of local planning authorities to ensure the overall effective management of Scotland’s historic environment. This may be delivered through guidance or advice.

3. **Does the Bill establish a clear and appropriate relationship between Historic Environment Scotland and all other public and private bodies with an interest in Scotland’s historic environment?**

RTPI Scotland considers that a greater link must be made between the historic environment and community planning and we are working with COSLA and Scottish Government, by leading a sub-group of the Historic Environment Group which is tasked with considering how we may better integrate Community Planning Partnerships and Single Outcome Agreements to deliver benefits locally for the historic environment and for local communities. We envisage this will examine the framework, roles and responsibilities, processes, understanding, resources and skills in terms of barriers and opportunities, and identifying actions.

RTPI Scotland is also currently supporting COSLA and Scottish Government to clarify roles and responsibilities in key delivery areas such as designation advice, regulation and related management regimes building on joint working agreements between Historic Scotland and local authorities.
In our initial response to the consultation on the draft Historic Environment Strategy for Scotland, RTPI Scotland sought details on how the new body would source funding without negatively impacting on the rest of the historic environment sector. We consider that there are a number of points that still require more detail, including the anticipated impact of Historic Environment Scotland having charitable status with regards to it competing for funds with other public and private bodies with an interest in Scotland’s historic environment. There is the potential for the new Historic Environment Scotland to have significant impact on the sector and the way in which bodies receive and apply for funding.

We believe that Historic Environment Scotland should be the champion of the historic environment, taking key messages beyond the historic environment sector and the usual key players, working towards mainstreaming, sharing value, articulating value and using the value of the organisation and the historic environment in the decision making process.

The Historic Environment Strategy must link with other key strategies and policies at the national level to ensure consistency, both influencing other strategies and policies published by Scottish Government, and also being influenced by these. These include the National Planning Framework, Scottish Planning Policy, Town Centres Action Plan, National Performance Framework, Infrastructure Investment Plan, National Marine Plan, Climate Change through the Report on Policies and Proposals (RPP), and Creating Places.

4. In what ways will the Bill help you/ your organisation to better manage and promote Scotland’s historic environment?

RTPI Scotland has had a strong working relationship with Historic Scotland, and wishes to continue to work closely with the new organisation Historic Environment Scotland. As stated earlier in this response, RTPI Scotland has around 2,200 members in Scotland and we are the champion of planning and the planning profession within Scotland. This includes the historic environment, and we support our many members who work within this sector, and aim to proactively engage with the sector to increase knowledge, share good practice and better manage and promote the historic environment.

RTPI Scotland supports the role that the new Historic Environment Policy Unit within Scottish Government will play in carrying out the Historic Environment Strategy policy functions, and would encourage a meaningful and consistent engagement and relationship between this Unit and Historic Environment Scotland. RTPI Scotland believes that there must be clarity between the roles of Historic Environment Scotland and the Historic Environment Policy Unit, particularly in terms of grant giving, grant management, and responsibilities for certain stakeholders, amongst other roles.

We also believe that Historic Environment Scotland and the Policy Unit within Scottish Government must maintain strong links in the future to ensure that expertise is not lost and that there is a clear and robust connection between policy and delivery, allowing the new Historic Environment Scotland the power to inform policy.

5. Are there any areas of the Bill that you consider could be strengthened or improved?

RTPI Scotland supports the Historic Environment Scotland Bill and the functions of the new Historic Environment Scotland body. We see this as a positive and strong starting point, and would encourage the development and publication of robust, ambitious and transparent guidance and secondary legislation to support this. It will also be important to encourage a positive culture within the historic environment sector and related sectors. RTPI Scotland
wishes to work with Historic Environment Scotland, and the Scottish Government to deliver the
ambitions and functions set out within the Bill and the Historic Environment Strategy for
Scotland.

We suggest that reference is made within the text of the Bill to a definition of historic
environment. Referring to an agreed definition of the historic environment would give clarity and
transparency in the term.

RTPI Scotland would like to see a reference within the text of the Bill to Historic Environment
Scotland working to the principles of sustainable development. This has been recognised in
national planning policy and other policies by the Scottish Government as a key aim of all policy
to deliver on sustainable development principles.

We wonder whether the delegated functions of Historic Environment Scotland referred to within
Section 10 of the Bill should be consulted on and published to allow greater transparency, clarity
and agreement.

We note that the role of Historic Environment Scotland in relation to Strategic Environmental
Assessment does not form part of the Bill. We would like to see greater clarity on this, as to
whether the new body will have a function as Historic Scotland had as a consultation authority in
relation to Strategic Environmental Assessment.

6. Do you consider that the Bill’s Policy Memorandum adequately sets out: the Bill’s
policy objectives; whether alternative ways of meeting the objectives were
considered; the consultation undertaken on the objectives; the Bill’s effects on
equal opportunities, human rights, island communities, local government and
sustainable development?

RTPI considers that the Scottish Parliament should have a monitoring role of the functions,
actions and delivery of Historic Environment Scotland as a new organisation not yet established,
so as to ensure a smooth transition from Historic Scotland and RCAHMS to the new body, and
maintaining skills, expertise and functions to a high standard.

7. The Scottish Government’s newly published historic environment strategy also
seeks to improve enjoyment and understanding of Scotland’s historic
environment. The Committee does not wish to repeat the extensive consultation
undertaken on the strategy, but would welcome your views on whether it and the
Bill together:

• establish clearly who is responsible and accountable for delivering the strategy;
• will involve appropriately all those public and private bodies with a role in
improving the historic environment;
• lead to demonstrably better access to, and enjoyment and management of, the
historic environment.

RTPI Scotland is supportive of current planning reform being led by Scottish Government, and
that this planning reform should facilitate a plan-led system where planning decisions take place
at the planning stage though effective development planning and development management
procedures. As such, we support the Historic Environment Strategy for Scotland and welcome
its measures which will be an integral part of this planning reform for the historic environment.
In the RTPI Scotland response to the draft Historic Environment Strategy for Scotland in 2013, we stated that the strategy must be robust, ambitious and clear to lead policy development on the historic environment. The full RTPI Scotland response from July 2013 can be seen on the RTPI website - [http://www.rtpi.org.uk/media/589526/historic_environment_strategy_-_letter_-_31_july_2013.pdf](http://www.rtpi.org.uk/media/589526/historic_environment_strategy_-_letter_-_31_july_2013.pdf)

RTPI Scotland suggests that there is greater clarity on how it is intended to measure successes of the Bill and new body. Any framework to measure success must consider qualitative as well as quantitative measures, be outcome focussed, measurable and holistic. There may be lessons to be learned from the Planning Performance Framework developed by Heads of Planning Scotland in partnership with the Scottish Government.

I trust that you will find these comments helpful. If you would like to discuss any aspect, or require clarification of any points raised, please contact me on 0131 229 9628 or by email to craig.mclaren@rtpi.org.uk.

Yours sincerely

Craig McLaren
Director of Scotland and Ireland