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?

A single body will, in principle, be a good thing for the ‘crown jewels’ of Scotland’s Historic Environment as it will allow a clear and sharp focus on meeting the ambitions and aims of the overarching strategy and plan.

The creation of a Non Departmental Public Body, separate from Ministers, would create a historic environment organisation on a more equal basis as other Key Agencies. This should be clearer for the wider public to understand the role of Historic Environment Scotland (HES).

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?

The functions are thought to be correct, however, there is concern over the wording of the Bill which appears to imply that the new body will manage, protect and conserve all aspects of the Historic Environment, which it will not as its role excludes areas such as undesignated heritage, and possibly designated sites not of national importance.

Subsection 2(d) of the Bill gives Historic Environment Scotland the function of ‘protecting and managing the historic environment’. The detail of what they will actually be involved with in terms of protection and management is not clear, and much will be carried out by local authorities.

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?

No. The Bill explicitly identifies HES as the ‘lead body’ for Scotland’s historic environment. The actual relationship it will have with local authorities is not clear. The Historic Environment covers a vast array of different types of monuments including buildings and archaeological sites, the majority of which are, and will be, largely dealt with by local authorities. This gives a misleading impression that HES will be the main contact and adviser for historic environment matters when it will often be the local authority.

The extent of undesignated heritage is far higher than designations: across Scotland, the Scotland Historic Environment Audit estimates that there are 295,784 such sites; increasing each year. While such remains are currently noted by the RCAHMS, they are not fully recorded or managed by them or Historic Scotland and this will also be the case for HES.

In addition, HS currently has no input into the designation and management of conservation areas, or the management of C-Listed buildings and is increasingly moving away from involvement in a range of applications relating to B Listed buildings. This
increases the importance of the role of local authority officers involved in the historic environment, as well as those other professionals and bodies that give such advice.

When considering the historic environment holistically, the vast majority of management and advice is given by specialist officers in Councils, such as Archaeologists, Conservation Officers and Planning Officers. This is significant in terms of application of local knowledge and local accountability and democracy.

The Bill runs the risk of giving the impression that the new body will be a one-stop-shop for all issues regarding the Historic environment when in fact the vast majority of such advice is given by specialist staff in local Councils.

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

It is not thought that it will assist in the better management of undesignated or sites which are not nationally important. The bill implies that the new body will be a one-stop-shop for all matters pertaining to the Historic Environment, which it is not.

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

The bill could be more explicit in defining the scope of the Historic Environment that the body will be dealing with, and the role of both HES and other stakeholders including Local Authorities.

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?

Yes

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.

No comment.

Please also add any further comments that you consider would assist the Committee’s scrutiny of the Bill, including on more specific areas such as:

- the possible benefits and disadvantages of Historic Environment Scotland being granted charitable status;
- the implications for staff in Historic Scotland and RCAHMS of the creation of Historic Environment Scotland;
whether the Bill will improve existing policy and practice in relation to grants and loans; scheduled monuments; and listed buildings.

Stirling Council confirms that it does not wish to provide oral evidence to the Committee.