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Document Title	Response to Joint Consultation on the Historic Environment Strategy for Scotland and Proposed Merger between Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland.

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East Lothian Council

Additional information:

This response was submitted to the Scottish Government on 25 July 2013.

Authorised By	Angela Leitch
Designation	Chief Executive
Date	25/07/13

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A Joint Consultation on the Historic Environment Strategy for Scotland and the Merger of Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS).



RESPONDENT INFORMATION FORM Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

East Lothian Council

Title Mr Ms Mrs Miss Dr *Please tick as appropriate*

Surname

Leitch

Forename

Angela

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John Muir House

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3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

OR

Yes, make my response available, but not my name and address

OR

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

Group/Org Type (please tick one)

- | | | | |
|-----------------------------------|-------------------------------------|-------------------------|--------------------------|
| Local Authority | <input checked="" type="checkbox"/> | Commercial Organisation | <input type="checkbox"/> |
| Professional Body | <input type="checkbox"/> | Voluntary Organisation | <input type="checkbox"/> |
| Contractor/Developer | <input type="checkbox"/> | Housing Provider / RSL | <input type="checkbox"/> |
| Designer/Consultant | <input type="checkbox"/> | NDPB/Agency | <input type="checkbox"/> |
| Academic Body | <input type="checkbox"/> | Advisory Body/Committee | <input type="checkbox"/> |
| Industry Association/Manufacturer | <input type="checkbox"/> | Other (Please Specify) | <input type="checkbox"/> |

(d)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

4. I will be responding to:

Please tick as appropriate

Both parts of the consultation

Part 1 - Historic Environment Strategy

Part 2 – Business case for the Merger

CONSULTATION QUESTIONS

To select an answer click one of the tick boxes. To change your answer click in the box again e.g. Yes No

To enter comments please use the blue comments boxes as below which will automatically expand as you type.

Comments

Part 1 Historic Environment Strategy for Scotland

Q1. Do you agree that the definition appropriately describes the 'historic environment'?

Yes what do you like about it?
No how do you think it could be improved?

The definition is generally appropriate but there will be challenges in applying it, especially in assessing the more intangible elements of the historic environment.

Q2. Does the Vision take account of your aspirations for the historic environment?

Yes what do you like about it?
No what would you change?

Q3. Are the overarching principles the right principles to guide our activities over the next 10-15 years?

Yes what do you like about them?
No what would you change?

p13

"Scotland's historic environment is important" - there might be value in emphasising the value of the historic environment to "residents and visitors" rather than simply "people" as currently written.

"Be ambitious" - Officers note and support the assumption to "conserve".

"Face the challenges" -

Officers have some concerns about the possible application of the idea of "best value for money". They agree that best value is important, and would particularly advocate recognition of the need to balance cost and quality. They suggest it should be noted that "value" can also be about social and environmental impact.

Officers recognise the importance of dealing with climate change but also

suggest that there are other issues requiring attention: for example economic issues and population change. Sustainable economic growth must take account of the historic environment. Accordingly they suggest changing the second bullet point to the following: "Take account of issues such as climate change, population change and the need for sustainable economic development".

Officers found the statement "Never miss opportunities to work together and learn from each other" a bit too general. They would prefer reference to "developing and disseminating best practice".

In planning how to deliver the aims and vision of the strategy, staff worked in collaboration with stakeholders to produce a series of high level strategic priorities, these included cross cutting overarching priorities and a series of priority areas for the sector.

Q4. Cross-cutting

(i) Does the overarching aim reflect your ambition for the historic environment?

Yes what do you like about it?
No what would you change?

Comments

(ii) Do the cross-cutting priorities take account of what you think is important for the future of the historic environment?

Yes which priorities do you like most?
No what would you change?

Leadership and collaborative work needs specifically to recognise the role of local government, and partnership working involving local authorities, including council strategies and the Single Outcome Agreement.

Officers feel that the term "mainstreaming" is jargon.

(iii) Do the suggested high level, cross-cutting actions provide a reasonable basis to begin to take the Strategy forward?

Yes which actions are particularly important?
No what actions should be taken forward and which need to be changed or added?

Add community engagement and education.

(iv) How will the cross-cutting proposals impact on you and how will you be able to contribute to its success?

Local government is a champion for the historic environment, and it should be supported in carrying out this role. East Lothian Council organises local events and engagement, covering as wide a demographic as possible with our outreach (e.g. schools, youth organisations, community groups, clubs for elderly people, tourists etc).

Q5. Investigate and Record

(i) Does the aim for investigate and record reflect your ambition for the historic environment?

Yes what do you like about it?
No what would you change?

This aim flags up that looking after the historic environment is not a static process.

(ii) Do the priorities for investigate and record take account of what you think is important for the future of the historic environment?

Yes which priorities do you like most?
No what would you change?

(iii) Do the suggested high level actions for investigate and record provide a reasonable basis to begin to take the Strategy forward?

Yes which actions are particularly important?
No what actions do you think should be taken forward and which need to be changed or added?

Bullet points 2 & 4 are essentially the same.

There are inadequacies in the information currently available from Historic Scotland (e.g. information about the number of historic buildings in the area, inaccuracy of listing descriptions).

There is a need for regular comprehensive reviews, not just to maintain but to develop our knowledge.

(iv) How will proposals for investigating and recording the historic environment impact on you and how will you be able to contribute to its success?

Over 90% of investigation and recording is undertaken as a direct result of the planning process and is overseen and monitored by Local Authorities.

Q6. Care and Protect

(i) Does the aim for care and protect reflect your ambition for the historic environment?

Yes what do you like about it?
No what would you change?

(ii) Do the priorities for care and protect take account of what you think is important for the future of the historic environment?

Yes which priorities do you like most?
No what would you change?

p17 - the second bullet point reads "Effective and proportionate protection and regulation - through designation, and with both control systems and incentives (financial, technical and logistical)." Officers comment that this ignores undesignated items, the planning system and development management.

(iii) Do the suggested high level actions for care and protect provide a reasonable basis to begin to take the Strategy forward?

Yes which actions are particularly important?
No what actions do you think should be taken forward and which need to be changed or added?

There is a mismatch between some of the material in the main strategy document and the material in the consultation paper relating to this point. There is a danger of undermining the system that we currently have. We need to strengthen it but not to replace it.

East Lothian Council values Historic Scotland's service to development management in respect of conservation of listed buildings and we would wish such a service to be maintained.

Officers would intend to work with others through the community planning process.

Need to elucidate the third bullet point in consultation paper under this item.

(iv) How will proposals for caring for and protecting the historic environment impact on you and how will you be able to contribute to its success?

Comments

Q7. Share and Celebrate

(i) Does the aim for share and celebrate reflect your ambition for the historic environment?

Yes what do you like about it?
No what would you change?

Key aim - "us" should be "all".

(ii) Do the priorities for share and celebrate take account of what you think is important for the future of the historic environment?

Yes which priorities do you like most?
No what would you change?

(iii) Do the suggested high level actions for share and celebrate provide a reasonable basis to begin to take the Strategy forward?

Yes which actions are particularly important?
No what actions do you think should be taken forward and which need to be changed or added?

Heritage Tourism Group should include local government (e.g. SLAED and VOCAL) and Museums Galleries Scotland.

From a visitor's point of view, heritage tourism is more than the historic environment - e.g. local authority archives, family/ local history and Homecoming events.

Interpretation needs to be done sensitively with different audiences in mind - different languages, different media, different technologies).

(iv) How will proposals for sharing and celebrating the historic environment impact on you and how will you be able to contribute to its success?

Through activity with local residents and tourists in various heritage initiatives.

Q8. Delivering the Vision

Do you agree that the Strategy will help the historic environment to remain in a position to:

(i) Continue to deliver positive outcomes?

Yes
No

Officers believe there is not enough detail to be certain. They would wish to see local government given its place nationally as significant custodians of the historic environment, with appropriate powers and resources.

(ii) Harness available opportunities for the historic environment?

Yes

No

Comments

(iii) Address the challenges it faces?

Yes

No

Comments

(iv) If yes, which aspects of the Strategy do you support in particular? If no, what is missing?

Comments

Q9. Do you agree with the proposed structure which will govern how we realise the ambition set out in the Strategy?

Yes what do you like about it?

No what would you change?

Not enough info to say.

Q10. What do you think success will look like for the Strategy and how do you think success should be measured?

Please indicate below if you would like to be involved in further discussions about measuring success.

Yes No

Yes if specific to individual areas (because for example areas like ours have fewer A-listed buildings, and more B-listed and C-listed).

We would like success measures to be quantitative as well as qualitative and would like to be involved in the detail at local level.

Officers would like to see a regular update to the issues covered in the 2008 document "Economic Impact of the Historic Environment in Scotland".

Q11. Do you think that the proposals presented in the Strategy might impact on people differently depending on characteristics such as age, disability, gender, race, religion or belief, sexual orientation or gender identity? If so, please tell us more.

We have not identified anything in this regard.

Q12. Do you think that the proposals presented in the Strategy might impact on businesses, the third (voluntary) sector or have any regulatory impact? If so, please tell us more.

Possibly:

role of tourism including the spending power of people visiting the historic environment and the resultant impact on businesses;
building conservation;
potential for social enterprises to develop and grow;
community asset management;
heritage societies: history groups, amenity groups, museum friends etc -

depending on how the strategy is interpreted, this may affect some or all of the above.

Q13. Do you think that the strategic environmental assessment has identified the key issues associated with the environmental implications of the Strategy?

Yes

No what is missing or needs to be changed?

Comments

Q14. Please use this section to provide any other comments you think are relevant to the Strategy

Officers comment that in this area the natural environment often goes hand-in-hand with the historic environment as a setting for buildings and monuments. In this regard they are pleased at the mention of Scottish Natural Heritage and would wish to emphasise and maximise the complementarity and synergy between the natural and the historic environments.

Thank you for the opportunity to comment.

- End of Part 1 -

Part 2 Merger of Historic Scotland and RCAHMS

To select an answer click one of the tick boxes. To change your answer click in the box again e.g. Yes No

To enter comments please use the blue comments boxes as below which will automatically expand as you type.

Comments

Q15. Do you agree with the functions set out for the new body (see p. 24 of Consultation paper)?

Yes No

If there is anything missing, what, and why should it be included?

[Our only comments on this part of the paper are under Q17 and Q31.]

Q16. Do you agree that the values are an appropriate foundation for the culture, ethos and behaviour of the new organisation?

Yes
No If not, what values should the organisation adopt?

Comments

Q17. Do you agree that the desired outcomes will provide a good measure of the success of the merger?

Yes
No If not, what should the desired outcomes be?

The desired outcomes should include that the new organisation be a strong voice at a national level for the Historic Environment.

Q18. Do you agree that the proposed approach to the discharge of Scottish Ministers' Heritage Management functions is appropriate?

Yes
No If not, what should the desired outcomes be?

Comments

Q19. Which approach to the management of Scheduled Monument Consent for properties in the care of Scottish Ministers is most appropriate?

Option 1
Option 2
Option 3

Tell us why?

Comments

Q20. Do you agree that the principle of exempting certain aspects of the organisation's work from Ministerial direction provides an appropriate balance between public accountability and scrutiny and the need to provide for independent professional decision making?

Yes

No If not, why and what approach should be adopted?

Comments

Q21. Are there any other areas of work where there should be additional safeguards to ensure operational independence from Ministers?

Yes If so, please specify

No

Comments

Q22. Is this the right approach with regards to collections in the Care of Scottish Ministers (see p. 30 of Consultation paper)?

Yes

No If not, what approach should be used?

Comments

Q23. Do you agree that the functions established for the new organisation and the development of clear transparent policy in relation to the operation of those functions is sufficient to handle any perceived conflict?

Yes

No If not, what additional provisions are appropriate?

Comments

Q24. Do you agree that the functions and activities of the new organisation will fulfil the charitable purposes set out on p32 of the consultation paper?

Yes

No If not, why not?

Comments

Q25. Are there functions of the new organisation that do not fit the proposed charitable purpose?

Yes No

Please specify what those functions are

Comments

Q26. Is there any reason why Ministers should not disapply the Ministerial direction clause in the Charities Act to enable the new organisation to apply for charitable status?

Yes If so, please specify
No

Comments

Q27. Do you agree that existing brand names should be retained?

Yes
No If not, why not?

Comments

Q28. Do you agree that the new organisation should have a new name and identity?

Yes If so, what should it be called?
No If not, why?

Comments

Q29. Do you think that the proposed legislation might impact on people differently depending on characteristics such as age, disability, gender, race, religion or belief, sexual orientation or gender identity?

If so, please tell us more

Comments

Q30. What is the likely impact of the proposed creation of a new organisation on business?

Comments

Q31. Do you expect the proposed creation of a new organisation to impact on you or any particular group of stakeholders?

If so, how?

Officers value the current grants system and the amount of funding

available for local communities to improve their historic assets. Haddington and Dunbar town centres have benefitted enormously from Historic Scotland grants and the Heritage Lottery Fund. We would like to see the continued availability of this type of support.

Q32. What is the likely impact of the proposed creation of a new organisation on Scottish firms?

Comments

Q33. What is the likely impact of the proposed creation of a new organisation on competitiveness?

Comments

Responding to the consultation

Please send your completed response together with the **Respondent Information Form** (first page of this document) by the **31st July** to:

Email: HEstrategy_merger@scotland.gsi.gov.uk

Post: Strategy/Merger Consultation responses
Room 2.31
Longmore House
Salisbury Place
EDINBURGH
EH9 1SH

Queries

Any queries about the consultation process, accessing the various documents, or responding to the consultation should be directed to:

Hannah Eamer for the strategy or Lorna Aird for the merger on 0131 668 8600