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Historic Scotland
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28 September 2015

Dear Sir / Madam,

Consultation on Draft Managing Change in the Historic Environment Guidance Note – Historic Battlefields¹

Thank you for the opportunity to comment on this draft guidance note.

The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. We promote high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provide a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,300 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

CIfA's Scottish Group has over 250 members practising in the public, private and voluntary sector in Scotland. Furthermore, CIfA is a member of the Built Environment Forum Scotland (BEFS), a network organisation that brings together non-governmental organisations and professional bodies that work with Scotland's built environment.

Draft Managing Change in the Historic Environment Guidance Note – Historic Battlefields

Question1: Is this document useful?

1.1 Yes. Such guidance has an important role to play in ensuring that the management and protection of the historic environment is fully addressed in the operation of the planning system.

Question 2: Does the document leave out anything that should be included?

2.1 If the draft guidance is intended wholly to supersede the interim guidance on Battlefields published in 2011 (<http://www.historic-scotland.gov.uk/managingchangebattlefields.pdf>) it would be helpful to make this clear in the note.

2.2 However, it is not clear whether the draft note is intended to cover battlefields which are not included in the Inventory. In some places the note refers to *'any historic battlefield'* (for instance, in the fourth paragraph on page 5 in relation to the development management process), while in other places there appears to be an assumption that the note is only dealing with Inventory battlefields (for example, the penultimate paragraph on page 5 states that *'This stage of the process must be based on a full understanding of the Inventory record and the values for which the battlefield was designated'*).

2.3 By contrast, the interim guidance is clear:

'Some battlefields that have not been included in the Inventory may still be of national importance, but cannot be sufficiently well-defined at present. Other sites will be of regional or local significance and contribute to the understanding of the archaeology and history of a specific area.' (paragraph 3.5).

2.4 If the draft note is intended to cover all battlefields (whether on the Inventory or not), then this should be made clear as in the interim guidance. If not, will the interim document continue to provide guidance for battlefields not on the Inventory? If so, the note should make this clear.

Question 3: Does the document include anything you think is unnecessary?

3.1 No.

Question 4: Do you have examples you would like us to use to help us illustrate any of the points made in the documents?

4.1 No.

Question 5: As we continue to develop our suite of guidance are there topic areas You would like to see covered?

5.1 Undesignated assets of archaeological interest.

Question 6: Additional comments

6.1 The reference in the second key issue on page 1 to Inventory battlefields receiving special consideration [my underlining] might cause confusion with the special considerations affecting planning functions in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in particular with the statutory duty with regard to listed buildings in section 59 of that Act. Consequently, it may be better to omit the word 'special' in that paragraph.

6.2 Nevertheless, care needs to be taken not to give the impression that only effects on those battlefields identified in the Inventory can be material considerations in the planning process.

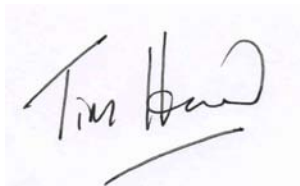
6.3 The first paragraph under *'Stage 1: Development site audit'* requires evaluation to be carried out by *'suitably-qualified professionals'* following *'methodologies appropriate for a battlefield'*. Insofar as this refers to archaeological evaluation, such evaluation should be carried out in accordance with PAN 2/2011 by *'a professionally competent archaeological organisations or person'* in conformity with ClfA Standards and guidance (<http://www.archaeologists.net/codes/ifa>). (See paragraph 20 of PAN 2/2011.)

6.4 Similarly the note should make clear that *'appropriate survey, excavation and recording and analysis'* as referred to in the final paragraph on page 9 of the draft note should be carried out by *'a professionally competent archaeological organisations or consultant'* in accordance with ClfA Standards and guidance (<http://www.archaeologists.net/codes/ifa>). (See paragraph 26 of PAN 2/2011.)

6.5 ClfA welcomes the inclusion of the Institute in the list of useful contacts on page 10.

ClfA would be happy further to contribute to the formulation or revision of this and other guidance notes for managing the historic environment in Scotland. In the meantime, if there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Tim Howard', with a horizontal line underneath.

Tim Howard LLB, Dip Prof Arch
Senior Policy Advisor

¹ <http://www.historic-scotland.gov.uk/mcgn-battlefields-consultation-draft.pdf>