

CAP REFORM: CROSS COMPLIANCE

Historic Environment Advisory Council for Scotland

Response to Scottish Executive Consultation Paper on Cross Compliance (Good Agricultural and Environmental Condition)

The Historic Environment Advisory Council for Scotland (HEACS) welcomes the opportunity to comment on this important document relating to change in the Single Farm Payment as part of Common Agricultural Policy reform

HEACS was established in June 2003 to advise Scottish ministers on all aspects relating to the historic environment. In the past year we have been able to comment on both the Forestry Commission review of land managed by FC Scotland and on the Scottish Natural Heritage paper on Scotland's Future Landscape. This current consultation seems to us to follow in the general spirit of both those consultations in seeking to deal more effectively and efficiently with the concept of the inter-action of land usage with the landscape. As such the overall thrust of the proposals is to be welcomed.

Comments therefore relate to specific aspects of the text where we are able to contribute to the debate.

In general terms the word "environment" is used extensively throughout the text, yet nowhere is there an attempt to define what that means. For HEACS the term has a considerable historic dimension and has links both to cultural identity and a sense of place. Much of Scotland shows traces of that historic depth in its farmland and associated landscape features, but in the text the concept of "environment" seems only to refer to the natural environment.

The sole reference to the need for consideration of this issue is in Good Agricultural and Environmental Condition (GAEC): Proposed Scottish Framework condition No. 22 which deals with the issue of Minimum Level of Maintenance: Ensure a Minimum level of Maintenance and Avoid the Deterioration of Habitats, as addressed by the measure: Avoid damaging or destroying Feature or Areas of Known Historic or Archaeological Interest.

HEACS notes this inclusion in the GAEC: Proposed Scottish Framework. We regret that the condition is presented as a negative constraint rather than a positive response to this issue and recommend that it be redrafted to recognise the value and importance of the history contained in landscape.

HEACS notes with concern that whilst most other sections have a detailed description of the proposed actions that might be taken, this section only has vague references to a 'measures section and Scottish Ministers guidance', which are not elaborated. It is

not apparent what clear guidance farmers would take from that condition. HEACS recommends that this section be expanded to give clear and positive guidance and encouragement as to measures which can be taken and where further advice and support can be obtained. Historic Scotland should be invited to prepare material for this.

It will be necessary to specify how that advice is derived. There is current advice given on certain archaeological aspects through links between Local Council archaeology services and current agri-environment schemes and in some parts of Scotland archaeological advice is given on forestry planting. In practice this means that advice is both intermittent across Scotland and fragmented amongst different agencies. There may well be a case here to define integrated action from one discrete source.

HEACS was concerned to note that Historic Scotland was not part of the Stakeholder Group with Scottish Natural Heritage and Scottish Environment Protection Agency. HEACS recommends further discussion with Historic Scotland in order to produce a more expansive and pro-active text.

It should also be noted that the Council for Scottish Archaeology is not a public body as indicated by Annex C, and is better placed in the Environment Grouping with Farm Wildlife Advisory Group and Scottish Environment Link.

With this preamble, therefore the following answers are given to the consultation questions:

GAEC Measures (Annex B)

- Q1. Yes they should be, but the proviso is that the framework has to be clear, straight-forward and achievable, and at the moment we believe the specific Proposed Framework condition 22 text is not sufficiently developed to achieve that.
- Q2. The farming community is being handed the responsibility to manage a large part of the landscape on behalf of the Scottish people. This is a considerable task, and the question of cost must be related to the significance that is placed by society on that landscape. The definition of what is reasonable cost, therefore, and for whom, is not possible to answer simply.
- Q3. Unless further thought is given to GAEC Proposed Framework condition 22 we believe there will be considerable confusion about how to achieve that condition, and we are concerned that it deals negatively rather than pro-actively with the issue.
- Q4. If the conditions are adequately set up at the outset it is to be hoped they will improve the overall “look” of the landscape. With landscape now regarded as a considerable economic driver both for tourism and economic investment this should assist the development of the total Scottish Economy.
- Q5. None

Q6 Further thought should be given to the possible extensions and addition to proposed condition 22.

GAEC Guidelines (Annex B)

Q7 We believe that condition 22 is not readily understood without further elaboration.

Q8 None

Q9 See answer to Question 6.

**HEACS
Longmore House
Salisbury Place
Edinburgh
EH9 1SH**

May 2004