

## HISTORIC ENVIRONMENT ADVISORY COUNCIL FOR SCOTLAND

### MINUTES OF MEETING HELD ON 7 OCTOBER 2003 RUFFLETS HOTEL, ST ANDREWS

**Present:** Mrs Liz Burns (Chair)  
Dr Peter Burman  
Mr Neil Galbraith  
Mr Mark Hopton  
Mr Martin Hulse  
Mr Ian Johnson  
Mr Finlay Lockie  
Prof. Charles McKean  
Ms Eleanor McAllister  
Mrs Clare Meredith  
Mr Andrew Wright  
Dr Malcolm Bangor-Jones (Secretary)  
Dr Bill McQueen (Assistant Secretary)

**In attendance:** Mrs Susan Williamson (Historic Scotland)  
Dr David Breeze (Historic Scotland) for HEACS(03)9  
Dr Gordon Barclay (Historic Scotland) for HEACS(03)9

#### Welcome and Apologies

1. Apologies were noted from Ross Noble.

#### Review of Historic Scotland

**HEACS(03)7**

2. The Review of Historic Scotland was discussed in camera.

#### Minutes of the Meeting of 30 June 2003

3. The minutes of the meeting of 30 June were agreed subject to the following amendment: the first sentence of paragraph 31 should read: "Council discussed the possibility of asking for information on organisations which Historic Scotland funded".

#### Notes of meetings with other agencies

**HEACS(03)8**

4. The Chair pointed out that the notes of the meetings with other agencies were intended as *aides-mémoire* rather than formal minutes. She would write to each organisation thanking them for the meeting and enclosing a copy of the note of meeting.

**ACTION: Chair**

5. Another round of meetings with agencies/bodies with an interest in the historic environment would be set up. Council members would be welcome to take part in any meeting.

**ACTION: Secretariat**

## **Matters arising from the Minutes of 30 June**

### Page 1 Item 5 Draft Press Release

6. It was agreed that Council press releases should issue on HEACS headed paper. It was noted that the recent press release, Minister Sets Focus for HEACS, had been issued by the Scottish Executive. It was felt that all Scottish Executive press releases concerning HEACS should be issued under the Scottish Executive rather than the Historic Scotland banner.

### Page 2 Website

7. It was agreed that HEACS should have its own website and that Mr Hopton and Ms McAllister would comprise a Working Group to liaise with the Secretariat on developing proposals for a website. Final proposals would be put to Council for consideration and decision.

**ACTION: M Hopton, E McAllister, Secretariat**

### Page 4 par. 18

8. Council complimented the Secretariat on the alacrity in issuing papers for the meeting.

### Page 6 Par. 33

9. The Chair reported that she had invited Mr Galbraith and Mr Wright to act as vice-chairs of HEACS and that they had accepted. Council unanimously supported the action.

### Page 6 par. 34

10. It was agreed that the Secretariat should prepare draft minutes as soon as practicable after each meeting and that the minutes should contain Action Points.

11. Council discussed the question of publishing Council papers and the issue of confidentiality. It was noted that Council would not, in general, be considering confidential material and that Council would be expected to comply with the Scottish Executive policy on openness. It was agreed that the agenda and minutes of Council meetings should be posted on the website. Council submissions could be posted once they had been agreed by Council. This would include Council's submission on the Review of Historic Scotland.

### Matters Arising from Note of Meetings with Other Bodies

12. It was felt that the meetings with other bodies had been both interesting and helpful. It was noted that a recurring issue arising from the meetings was concern over the lack of archaeological representation on Council. It was agreed that Council should seek to involve or seek comments from archaeologists where appropriate.

[Dr Breeze and Dr Barclay of Historic Scotland joined the meeting]

13. Dr Barclay presented a paper reviewing the procedures for scheduling monuments of national importance and proposing changes in practice and policy within the context of the existing legislation. In particular, the paper proposed a revised definition of national importance; a 30-year scheduling cycle which was geographically based, and annual targets for scheduling based on the weighted consideration of the number of monuments in aggregated parishes. It was intended that the paper would be submitted to Scottish Ministers for consideration and would issue for external consultation.

14. Council noted that the paper was largely concerned with Historic Scotland's operational arrangements. Council deliberated as to how its consideration of the paper related to its role in providing strategic advice to Scottish Ministers. It was felt, however, that it was helpful for Council to see the review document at this stage and that HEACS should be included among the consultees in due course.

15. Council welcomed the degree of honesty about the scheduling target and the ways in which it had distorted the type and geographical spread of monuments which were scheduled. However, concern was expressed about the potential impact of a process of de-scheduling on the protection of structures of a lesser significance. Historic Scotland pointed out that most sites would be valued and protected within the planning system. When a surviving monument was de-scheduled, Historic Scotland wrote where appropriate, to the local authority highlighting that the monument was still of local importance. It was acknowledged that local decisions might be open to local pressures. It was believed that the change in national importance criteria would result in fewer than 5% of the current schedule of monuments being de-scheduled.

16. The scheduling of buildings which might be reoccupied was discussed. It was suggested that scheduling could 'freeze' the development of a monument. Historic Scotland responded that it was not against the restoration of standing castles: a case-by-case approach was taken.

17. The issue of structures which were both scheduled and listed was raised. Historic Scotland suggested that these might number a few hundred. The agency was seeking to reduce this figure but there would always be a degree of overlap since a tower house with floors could be listed while the surrounding archaeology could be scheduled.

18. The importance of consulting owners was noted. Some concern was expressed about the use of a 30-year timeframe. Historic Scotland pointed out that this was based on existing resources.

19. It was noted that the review paper might come back to HEACS in some form in due course when Council might wish to submit a detailed response.

[Dr Breeze and Dr Barclay left the meeting]

## **Minister's Letter of June 2003**

20. Council considered the Minister's letter of June 2003 requesting Council to provide advice on five matters. It was agreed to minute what Council had deliberated at its meeting on 6 October.

### Review of Heritage Protection Legislation in Scotland – Mr Wright Reported

21. There are many misconceptions surrounding the raft of current legislation, which were complex, and led frequently to loss or damage to the historic environment. Shortcomings within scheduling and listing may not provide adequate protection. Council resolved to set up a Working Party to:

- monitor the consultation exercise in England and Wales;
- anticipate the possible impact of changes in legislation across the UK;
- work with the authors of the papers from Historic Scotland highlighting the present shortcomings; and
- consider commissioning research, for example into European models.

This issue would be given a high priority, and should progress in parallel with the Working Group examining the role of the local authorities in heritage protection.

23. Council agreed to establish a Working Group to consider the issue.

### Audit of the Historic Environment – Mr Galbraith Reported

24. Members considered a starter paper on an audit of the historic environment.

The paper considered the definitions attaching to 'audit' and 'historic environment'.

The paper focused on the purposes and effects of such an audit and rehearsed details of the data and resources, both existing and potential, which were available to provide the bases for investigation and analysis.

Members considered the processes required to reach the aim of offering advice to the Minister.

Members concluded that:

- A Working Party should be established to set out the scope of the audit
- The Working Party would work to a timetable that delivered advice to the Minister before the end of HEACS first term.

25. Council agreed to establish a Working Group to consider the issue.

### The role of Local Authorities – Mr Hulse Reported

26. A key element of this chosen topic was the belief that there was a variable appreciation of the range of benefits the historic environment could bring to local communities.

It was agreed that a working group should be set up that would seek the involvement of IPA [EXPAND], COSLA, IHBC (Institute of Historic Building Conservation), AM [EXPAND] and prepare a survey/questionnaire that would:

- provide an information base of skills and resources at the local level;
- give an understanding of the workload of the officers e.g. number of conservation areas, coverage versus number of officers; and
- discuss most importantly what they consider their role ought to be and how long they propose to deal with the issue under community planning.

All this work would take note of the work undertaken by English Heritage. Elements of this work would feed into Groups 1 and 2 therefore the priority of this work must be considered high.

27. Council agreed to establish a Working Group to consider the issue.

### Traditional skills and Materials – Mrs Meredith Reported

28. Mrs Meredith spoke of a focus group which had acknowledged a shortage of traditional craft skills base - not only to meet the needs of specific building repair controls but, more crucially, the construction industry in Scotland. Recent demise of Highland Vernacular Buildings Trust was an indicator of the current crisis.

Focus group recognised difficulties in sourcing supplies of indigenous materials - slate identified - factors being cost (cheap imports available) and environmental issues re quarrying.

Focus group took a holistic view of Council's remit by the inclusion of the movable/portable heritage - as well as interiors - and the recognition of the role of professional current conservators. This was in line with all conservation philosophy and strategy.

The focus group recognised the achievements to date almost exclusively through TCRE (Technical Conservation Research and Education) Directorate of Historic Scotland of initiatives to develop fund of conservation and traditional craft skills in Scotland.

It was agreed to set up a Working Group to look at:

#### Wider Picture

Tap into current research

Planning Department pilot scheme

TCRE's Stone Liaison Group

Study useful models elsewhere

Consider education/training in Scotland

Examine role of Lime Centre

Tighter focus

Heritage Lottery Fund and Historic Scotland condition of grant giving

Apprenticeships

Tenders specification

VAT

Conference

Working Group to consider organising a Day Conference on the issue

29. Council agreed to establish a Working Group to consider the issue.

Taking Properties into Care – Professor McKean Reported

30. The Minister's question was difficult since the broad underlying question was the extent to which the state should intervene in safeguarding the historic environment. It was agreed that Charles McKean should prepare a paper for the next meeting of Council on the broader issues of public ownership and protection; that Andrew Wright would provide him with relevant material regarding the Rowallan enquiry; that the Secretariat would provide details of the criteria used by other relevant bodies. It was the intention to circulate the paper emerging from the next Council meeting to relevant bodies for consultation. In the meantime, the criteria should remain the national importance of the buildings and its relative condition of urgency.

31. Council agreed to establish a Working Group to consider the issue.

**Working Groups**

32. It was agreed that the members who had reported back would act as chairs of the five Working Groups (Ms Meredith would ensure that Mr Noble was content).

33. It was agreed that each group would comprise at least 3 Council members. Each group would be able to co-opt two external members and commission papers. The Working Group Chairs would arrange membership. The Chair of HEACS would be an ex officio member of each group.

34. It was agreed that the Working Groups would comprise the following Council members:

Heritage Protection Legislation

Andrew Wright (chair)

Finlay Lockie

Mark Hopton

Charles McKean

Heritage Audit

Neil Galbraith (chair)

Ian Johnson  
Peter Burman

#### Local Authorities

Martin Hulse (chair)  
Eleanor McAllister  
Ian Johnson

#### Materials and Skills

Clare Meredith (chair)  
Ross Noble  
Eleanor McAllister  
Peter Burman

#### Properties in Care

Charles McKean (chair)  
Finlay Lockie  
Mark Hopton

35. It was agreed all Working groups should aim to have held their first meeting before the next Council meeting in December. The remits of the Groups would be circulated.

**ACTION: Working Group Chairs; Secretariat**

36. Chair reported that there would be a Chair's Group comprising the Chair, 2 Vice-Chairs and one other member of Council. The Chairs Group would work mainly via e-mail. The Chairs Group would aim to:

- develop a draft work plan for the Council's first year for discussion and agreement at the next Council meeting.
- identify issues on which to advise the Minister
- discuss the HEACS's budget requirements with Historic Scotland.

37. It was felt that HEACS required a balanced view of strategic issues. If Historic Scotland were developing policies it would be helpful for HEACS to be made aware of them at an early stage so that they could be factored into the Council's discussions.

**ACTION: Mrs Williamson, Historic Scotland**

### **Modernising Local Public Enquiries**

**HEACS(03)10**

38. Council considered the Scottish Executive Planning Department document, Modernising Local Public Enquiries. Council discussed the relevance of the paper to its task of providing strategic advice. While the document only referred once to the historic environment, it was accepted that the planning system could have a major impact on the state of the historic environment. Concern was expressed that the document upheld the premise that an adversarial approach was good. This discouraged constructive dialogue between the 'experts' on either side of the argument. The complexities associated with evaluating the historic environment required a more holistic approach. Mr Wright agreed to draft a response which he would circulate to Members for comment.

**ACTION: Andrew Wright**

**Future Council Meetings**

39. It was agreed that there would be 4 normal meetings a year together with an annual tour and one open meeting. The following timetable was agreed:

18 and 19 December 2003	ordinary meeting (New Lanark)
10 and 11 March 2004	ordinary meeting (location to be confirmed)
17, 18 and 19 June 2004	tour (Shetland, the Borders, or SW Scotland)
22 September 2004	conference/open meeting (Glasgow)
23 September 2004	ordinary meeting (Glasgow)

**ACTION: Secretariat**

40 It was agreed that Council would invite the Minister to the December meeting at New Lanark and that Professor Chris Smout should be invited to speak at the conference in September 2004.

**ACTION: Chair**

HEACS  
November 2003