

DRAFT GUIDANCE NOTE: AN ASSET MANAGEMENT APPROACH TO THE HISTORIC ENVIRONMENT

COMBINED ANALYSIS &
CONSULTATION REPORT
HERITAGE DIRECTORATE
April 2018



HISTORIC
ENVIRONMENT
SCOTLAND

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1 ACKNOWLEDGEMENTS

Historic Environment Scotland (HES) would like to thank all those who responded to this consultation document by providing written comments or by completing the online questionnaire.

2 SUMMARY

HES is pleased to announce the findings of the consultation on a new guidance note, *An Asset Management Approach to the Historic Environment*. The publication of this report was delayed to avoid confusion with separate consultations on Asset Transfer and Asset Management Plan, both of which refer to HES assets.

The notes are designed as stand-alone guidance which will offer clear, consistent advice to individuals, organisations and other stakeholders who own or manage estates that include heritage assets. The intended audience also includes professionals, developers and applicants. Since the draft guidance note was issued for consultation, HES has embarked upon a major policy review exercise. The status of this draft guidance note is therefore still to be confirmed, but the results of this questionnaire will inform any forthcoming document that includes guidance on this theme. The guidance will be published on-line.

Between 09 February and 23 March 2017 Historic Environment Scotland ran a public consultation which sought views on the contents of the draft guidance note. 7 responses were received from 7 respondents. HES will continue to collect feedback as part of the wider policy review.

The draft guidance note was broadly welcomed by consultees. Consultees provided additional details in the open text field and in the written response which offered a number of ways to improve the document. These have informed the latest draft of the guidance note.

3 BACKGROUND AND INTRODUCTION

3.1 Policy Background

The Scottish Government's strategy for the historic environment is set out in *Our Place in Time: The Historic Environment Strategy for Scotland*. Policies on the historic environment are set out in *Scottish Planning Policy (SPP)*. The *Historic Environment Scotland Policy Statement (HESPS)* sets out how HES fulfils its regulatory and advisory roles and how it expects others to interpret and implement SPP.

The guidance document, *An Asset Management Approach to the Historic Environment* is an adaptation and expansion of Chapter 5 of the Scottish Historic Environment Policy (SHEP), December 2011. SHEP was replaced in June 2016 by HESPS. Chapter 5 of SHEP was not replicated in HESPS, and HES drafted a standalone guidance note on Asset Management.

From November 2016 until March 2017, HES launched a major consultation exercise, What's Your Heritage? The result of this are informing a wider policy review which envisages the replacement of HESPS and guidance

documents produced by HES. At the time of producing this report, the policy review is ongoing.

3.2 Purpose of Guidance and Consultation

The guidance note, *An Asset Management Approach to the Historic Environment* is intended to assist owners and managers of large estates that include a number of historic assets.

The purpose of the consultation was to seek the views of key stakeholders on the wording and scope of the document. We were particularly keen to hear from those who own and manage private estates as the previous version of the guidance found in Chapter 5 of SHEP related to public bodies only, and it is intended to broaden the audience of this guidance.

The consultation exercise sought to seek the views of the intended audience for the guidance notes. It tested various parts of the document, in order to ensure that it will be relevant and useful in the management of their heritage assets.

You can find a summary of the findings of the consultation in section 6 – copies of this report can be downloaded from <https://www.historicenvironment.scot/about-us/what-we-do/consultations/closed-consultations/>.

Printouts may be requested from:

Historic Environment Scotland
Heritage Directorate
Longmore House
Salisbury Place
Edinburgh EH9 1SH

Or HMStakeholderEngagement@hes.scot

3.3 Consultation Methodology

The consultation on *An Asset Management Approach to the Historic Environment* commenced on 09 February 2017 and the consultation period closed on 23 March 2017. It is available at: <https://www.historicenvironment.scot/about-us/what-we-do/consultations/closed-consultations/>. The consultation invited views on the guidance set out in the draft notes.

The primary method used for the consultation was an online questionnaire, with the opportunity provided to reply to each question in a method preferred by the consultee, i.e. by email or written response. The consultation questionnaire was made available online via 'Survey Monkey' and by e-mail through Heritage Directorate's stakeholder engagement e-mail address. A copy of the questionnaire is included as Annex 1.

A letter introducing the draft document and providing a link to the questionnaire and availability of other response methods was sent to those on a mailing list held by the Heritage Directorate (with approximately 280 recipients) supplemented by an additional seven contacts identified for the purposes of this consultation.

This consultation was advertised on the consultations section of HES's website for the duration of the consultation.

The questionnaire began with a short preamble outlining the purpose of the consultation. The questionnaire then asked seven questions with a yes/no response invited, each with the opportunity to provide further written comments. A final question invited any further comments not otherwise addressed in the consultation.

The findings of this report are specific to the consultation exercise and do not necessarily reflect the weight or range of views within the population as a whole.

3.4 Report Objectives

The purpose of this report is to identify the key issues raised and to outline what has been taken forward into the final version of the document and why. It sets out the substantive changes to the consultative draft made in the light of the consultation responses and other relevant information. Any factual errors that were raised have been corrected as required.

4 RESPONSES & FINDINGS

4.1 Introduction

The following analysis sets out the organisations and individuals who responded to the consultation document in writing. The consultation asked for responses to seven direct questions and included a section for additional comments.

With a small response, a statistical analysis is not a reliable indicator of a cross-sector response, but a qualitative analysis of the detailed responses has nevertheless been useful in preparing a final draft of the document.

4.2 Breakdown of Responses

A total of seven responses were received. Six responses were to the online questionnaire, and one written response. The online questionnaire did not ask respondents to name either individuals or the organisation represented, however Aberdeenshire Council, Forest Enterprise Scotland and The National Trust for Scotland were cited in the responses. The written response was provided by the Historic Houses Association for Scotland.

4.3 Summary Responses by Question

Question 1: *Are there other bodies or organisations this may equally apply to who ought to be referenced?*

- Of four who responded to the online question, two said 'yes' and two said 'no'.
- In the additional comments field, it was noted that the connection between local authority departments such as planning authorities and estates was not

straightforward. It was also suggested that the NHS, Ministry of Defence, and universities were cited.

- The written response highlighted inconsistencies in which sector the guidance note was targeted at, noting paragraph 1 referring to 'public bodies', paragraph 2 'all organisations' and paragraph 5 'land and property portfolios in public and private ownership', and urged that the purpose of the guidance note needed to be more explicit.

Question 2: *The Local Government in Scotland Act 2003 is referenced because it applies specific obligations that link to this advice. Would references to other requirements be helpful?*

- Of four who responded to the online question, two said 'yes' and two said 'no'.
- In the additional comments field, it was asked if it would be helpful to cite the Listed Buildings and Conservation Areas (Scotland) Act 1997, and the Scheduled Monuments & Archaeological Areas Act 1979. A suggestion was also made to cite the key principle of historic environment management from the Historic Environment Policy Statement (HESPS) 2016. The inclusion of battlefields was questioned.
- The written response noted the reference in paragraph 21 to the Disability Discrimination Act which has been superseded by the Equality Act 2010.

Question 3: [In reference to a recommend approach to record, survey, and identifying repair requirements, and approach for major infrastructure project] *Is this a proportionate recommendation or are other obligations on public bodies in place that provide a better reference point for what is required and the frequency of reporting?*

- Of five who responded to the online question, five said 'yes', although one pointed out in the further details that the question was in two parts. They qualified the answer by stating clearly that the paragraph did not outline a proportionate recommendation, noting that there are 'huge resourcing implications here for local authorities'.
- In the additional comments field, a consultee noted that it was a proportionate recommendation, and that the period of time for resurvey was recognised. They also noted that with so many variables (site needs, budgets and staffing) that more rigid controls would not be effective. They also noted that it is important that in-use buildings are inspected as often as vacant buildings. A further consultee recommended that a line be inserted noting that repair and conservation of scheduled monuments may require consent, as would alterations to LBC.
- The written response noted the mention of 'public bodies' but welcomed the use of 'proportionate'.

Question 4: *We reference how Historic Environment Scotland undertakes its activities. Are there examples of how others undertake this work or similar that we could reference?*

- Of four who responded to the online question, one said 'no', and three said 'yes' with additional details.
- In the additional comments field, a consultee noted that the National Trust for Scotland operates a similar five-year cycle, and suggested that it may make sense to plan for substantial number of historic assets as a collection, rather than individually. The Historic Asset Management Project at Aberdeenshire Council was also cited, and its baseline surveys of over 500 assets, with scoring system with weighting given to health and safety.
- It was also noted that it was not clear how much of the information gathered by HES Field Officers is publicly available, and stated it would be beneficial if information and research gathered by HES was more readily available. It was also thought that it would be interesting to know how other organisations such as the Ministry of Defence or Church of Scotland undertake their survey work.
- The written response noted that as the lead public body for the historic environment, it was appropriate for HES to be cited as a benchmark and that this was sufficient as a reference.

Question 5: *HES provides extensive publications with technical advice and research into the use of materials on its website. Are there other sources of information that would be helpful to reference here? If so please provide details.*

- Of four who responded to the online question, three said 'yes' and one said 'no'.
- In the additional comments field, Historic England, Cadw, Society for the Protection of Ancient Buildings, local authority policies (including local development plans and supplementary guidance) were suggested as other sources of information to reference.
- A further comment noted that the technical advice and research carried out by HES needs to be even more accessible, and that the public should be able to telephone HES for technical advice. It was also suggested that the INFORM series of guides could be even more specific.
- The written response noted that other public or industry representative bodies such as BEFS may be able to supply relevant publications, but noted that HES is the correct entity to collate such information and present it to the sector.

Question 6: *As well as the gov.scot guidance, are there other sources of information that would be helpful to reference here? If so please provide details.*

- Of four who responded to the online question, three said 'yes' and one said 'no'.

- In the additional comments field, it was suggested that it may be useful to signpost interested parties to other organisations, such as Development Trusts Association Scotland, the Scottish Historic Building Trust, the National Trust for Scotland (and in particular the Little Houses Improvement Scheme) and the Institute of Historic Building Conservation. Other comments suggested a reference to check with relevant local authority (with reference to local development plans and community plans), and the Scottish Land Fund.

Question 7: *We have detailed how Historic Environment Scotland undertakes its activities. Are there examples of how other organisations undertake this work or similar that we could reference?*

- Of four who responded to the online question, two said ‘yes’ and two said ‘no’.
- In the additional comments field, the National Trust for Scotland’s similar survey programme was suggested as a reference, as was Aberdeenshire Councils Historic Asset Management Project.
- Comments also suggested that HES technical advice and research needs to be even more accessible, and that HES should take a lead in developing publishable case studies in asset management.

Additional Comments:

- Three additional comments were submitted through the online questionnaire.
- The first comment started by welcoming the production of the guidance document, and then discussed specific experience from Aberdeenshire Council’s Historic Asset Management Project. The difference in managing operational versus non-operational assets was raised – the ability to include operational buildings as emphasised in the guidance document can be limited by resources that might suggest a focus on non-operational assets. It was also raised that responsibility for asset management might involve a number of different departments within an organisation and therefore a document with greater weight would likely be needed. It was felt that Aberdeenshire Council is taking the necessary proportionate steps as advocated by the document.
- A further comment also stated they felt their organisation was managing their estate in a way that was compliant with all statutory and regulatory requirements, and striving to meet best practice, and would consider guidance such as this document in compiling their policies on Asset Management Planning.
- The last additional comment noted that the guidance note was clear and concise and will be useful in directing the asset management approach for Scotland’s National Forest Estate. It also noted that the fact public funds supplied to HES for grant-aid will not be channelled to other parts of government encourages partnership working and helps to define what is expected of government bodies. There was also support for development of

Regional Historic Environment Action Plans. The respondent also encourage that the document should be presented as an illustrated booklet with highlighted examples, and offered to supply illustrated examples.

5 OUR RESPONSE

5.1 Introduction & Summary of Consultation responses

Following the consultation, the guidance note has been redrafted to reflect the responses. This section synthesises the key issues raised during the consultation and outlines how HES has responded.

The majority of consultees felt that the guidance was what they expected, but many additional points were suggested. In general it was felt that the document does not contain unnecessary material.

All of the specific comments received were considered during the process of redrafting. However, these can be synthesised into broad categories for ease of discussion. For each category a description of how each has been addressed during the redrafting process is offered below.

5.2 Summary Actions by Question

Question 1: *Are there other bodies or organisations this may equally apply to who ought to be referenced?*

How we have responded:

- Conflicting references to public/private sector organisations has been edited.
- Target audience has been made more explicit and bullet point of examples provided.

Question 2: *The Local Government in Scotland Act 2003 is referenced because it applies specific obligations that link to this advice. Would references to other requirements be helpful?*

How we have responded:

- Relevant legislation has been cited.
- The reference to the Disability Discrimination Act has been amended.

Question 3: [In reference to a recommend approach to record, survey, and identifying repair requirements, and approach for major infrastructure project] *Is this a proportionate recommendation or are other obligations on public bodies in place that provide a better reference point for what is required and the frequency of reporting?*

How we have responded:

- A reminder about the need to seek consent for some types of work has been inserted.

Question 4: *We reference how Historic Environment Scotland undertakes its activities. Are there examples of how others undertake this work or similar that we could reference?*

How we have responded:

- The National Trust for Scotland's survey programme and Aberdeenshire Council's Asset Management Project have both been cited.
- The comment about information gathered by HES Field Officers and availability of other information held by HES has been noted and forwarded to the relevant departments.

Question 5: *HES provides extensive publications with technical advice and research into the use of materials on its website. Are there other sources of information that would be helpful to reference here? If so please provide details.*

How we have responded:

- A link to the Engine Shed has been included and local authority policies and guidance have been cited as other sources of information.

Question 6: *As well as the gov.scot guidance, are there other sources of information that would be helpful to reference here? If so please provide details.*

How we have responded:

- Development Trusts Association Scotland and the Scottish Land Fund have been cited as other sources of information.

Question 7: *We have detailed how Historic Environment Scotland undertakes its activities. Are there examples of how other organisations undertake this work or similar that we could reference?*

How we have responded:

- The National Trust for Scotland's survey programme and Aberdeenshire Council's Asset Management Project have both been cited.

Additional Comments:

How we have responded:

- The comment regarding the presentation of the document as an illustrated booklet with highlighted examples has been noted, and will inform the ongoing wider policy review.

6 CONCLUSION

There was general support for the draft guidance document and recognition of its usefulness as a source of information and guidance to those managing estates with multiple heritage assets.

There was a suggestion that it is not clear who the documents are aimed at and that this should be clarified.

There was a suggestion that illustrations and case studies would improve the document.

Additional sources of information, and two positive examples were suggested for inclusion in the document.

The draft guidance document has been updated, but will remain in draft form pending the wider policy review.

7 ANNEX 1: CONSULTATION QUESTIONNAIRE

An Asset Management Approach to the Historic Environment Consultation Response Form

Your Details

Title		First Name		Last Name	
Organisation/Agent (if applicable)				Job Title (if applicable)	
Representing (if applicable)					
Postal Address					
Post Code			Phone No.		
Email					
Signature			Date		

If you are submitting this form electronically and unable to include an electronic signature,

by ticking this box you are confirming that you are the person detailed above.

(double-click box to

edit)

Returning Your Response

By Email HMStakeholderEngagement@hes.scot

By Post Historic Environment Scotland, Longmore House, Salisbury Place,

Edinburgh, EH9 1SH

The closing date for responses is **23 March 2017**

For more information

If you have any questions about the consultation paper or accompanying documents, please contact our Heritage Directorate business support on 0131 668 8716 or email HMStakeholderEngagement@hes.scot.

Important – how do you want us to handle your response?

Data Protection Act 1998

Your comments will inform our finalisation of this policy, procedure and guidance in relation to Asset Transfer Requests. The information you provide, including personal details, will be recorded by Historic Environment Scotland. This will be used to send you notifications and updates in relation to this consultation and will be retained on a database for approximately five years.

Yes No

Are you content for Historic Environment Scotland to contact you again in relation to this consultation exercise?

Do you agree to the following being made available to the public?

(Please tick all that apply)

No

Yes

Your response

Your organisation (if applicable)

Your name

Your address

Third party intermediaries

The information you provide will be stored solely by HES or SurveyMonkey. No data provided by you in this survey will be shared with any other third party.

Contact us

If you have any questions or suggestions regarding our privacy policy or Data Protection

Policy, please contact us at: Data Protection Officer, Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH (0131 668 8600 / dataprotection@hes.scot)

Freedom of Information (Scotland) Act 2002 and Environmental Information (Scotland) Regulations 2004

While we will seek to respect your wishes indicated above, you should be aware that Historic Environment Scotland is subject to the Freedom of Information (Scotland) Act 2002 and the

Environmental Information (Scotland) Regulations 2004. This means we will have to consider any

requests to see full responses made under the terms of this legislation, regardless of whether or not you have asked for your personal data to be treated as confidential.

An Asset Management Approach to the Historic Environment

This document is an adaptation and expansion of Chapter 5 of the Scottish Historic Environment Policy (SHEP), December 2011. SHEP was replaced in June 2016 by [the Historic Environment Scotland Policy Statement](#) (HESPS). Chapter 5 of SHEP was not replicated in HESPS, and we have drafted a standalone guidance note on Asset Management – this will have been sent alongside this questionnaire.

Questionnaire

Question 1: Are there other bodies or organisations this may equally apply to who ought to be referenced? If so, who?

Question 2: The Local Government in Scotland Act 2003 is referenced because it applies specific obligations that link to this advice. Would references to other requirements be helpful? If so please provide details.

Question 3: Is this a proportionate requirement or are other obligations on public bodies in place that provide a better reference point for what is required and the frequency of reporting? If so please provide details.

Question 4: We reference how HES undertakes its activities. Are there other examples of how others undertake this work or similar that we could reference? If so please provide details.

Question 5: HES provides extensive publications with technical advice and research into the use of materials on its website. Are there other sources of information that would be helpful to reference here? If so please provide details.

Question 6: Are there other sources of information that would be helpful to reference here? If so please provide details.

Question 7: We have detailed how HES undertakes its activities. Are there other examples of how others undertake this work or similar that we could reference? If so please provide details.

8 ANNEX 2: CONSULTEE LIST

The following list gives the organisations asked to provide views as part of the consultation process. Organisations are only listed once where multiple individuals within them were contacted.

For all local authorities, planning, development management, and conservation services were contacted.

Planning Authorities

Aberdeen City Council	Inverclyde Council
Aberdeenshire Council	Loch Lomond and Trossachs National Park
Angus Council	Midlothian Council
Argyll & Bute Council	North Ayrshire Council
Cairngorms National Park	North Lanarkshire Council
City of Edinburgh Council	Orkney Islands Council
Clackmannanshire Council	Perth and Kinross Council
Clydeplan SDPA	Renfrewshire Council
Comhairle nan Eilean Siar	Scottish Borders Council
Dumfries and Galloway Council	Shetland Islands Council
Dundee City Council	South Ayrshire Council
East Ayrshire Council	South Lanarkshire Council
East Dunbartonshire Council	Stirling Council
East Lothian Council	Tayplan SDPA
East Renfrewshire Council	The Moray Council
Falkirk Angus Council	West Dunbartonshire Council
Fife Council	West Lothian Council
Glasgow City Council	
Highland Council	

Public Bodies

Architecture & Design Scotland	Scottish Natural Heritage
Forestry Commission Scotland	Scottish Water
Scottish Canals	Transport Scotland
Scottish Environment Protection Agency	Scottish Government
Scottish Futures Trust	

Private Sector

Bell Ingram	HFM
Brodies LLP	JLL
CMS	Land Use Consultants
Goldsmith & Co	Montagu Evans
GVA	Turley Associates

Professional Bodies, Membership Organisations, Heritage Trusts and Advice Groups

Architectural Heritage Society of
Scotland (AHSS)
Built Environment Forum Scotland
(BEFS)
Historic Houses Association
Institute of Historic Building
Conservation
National Trust for Scotland (NTS)

Royal Incorporation of Architects in
Scotland (RIAS)
Royal Town Planning Institute
Scotland (RTPI)
Scottish Land and Estates
Scottish Property Federation
Society of Antiquaries of Scotland

Universities

University of Glasgow, Estates
Department