1. The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves. IfA has over 2,850 members and more than 60 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. This evidence has been prepared by the Scottish Group of IfA, which has over 300 professional archaeologists in its membership.

2. IfA is a member of Built Environment Forum Scotland (BEFS) and commends the BEFS evidence to you.

3. IfA welcomes the Bill’s steps to align more closely the provisions relating to scheduled monuments and listed buildings, allowing statute to reflect better a professional trajectory towards holistic treatment of the historic environment, and in so doing making the workings of the legislation easier to understand by the public. The harmonisation of penalties reinforces the principle that all parts of the historic environment are important to the public and should be appropriately protected. The potential to improve responses to urgent threats is also a very valuable development.

4. The Institute commends the open way in which Historic Scotland has consulted with professional practitioners in the sector during preparation of the Bill and we are pleased to see that many of the unintended loopholes of the 1979 Act have now been closed, giving the potential for much more consistent delivery of the Scottish Government’s historic environment policy and removing some of the unfairnesses that previously existed.

5. However, like many others in the sector, we are disappointed that the Bill remains essentially a valuable but limited tidying-up exercise covering just a small percentage of those elements of the historic environment that have significance and meaning for the people of Scotland. As consultation responses have indicated, the Bill presents an opportunity for the public to achieve far more benefit from its heritage. The BEFS response lays out very clearly additional provisions that should be included in the Bill to ensure that the Scottish Government does not squander that opportunity.
6. IfA supports those proposed additional provisions—

- A ‘responsibility on all public bodies to protect, enhance and have special regard to Scotland’s historic environment in exercising their duties’ should not provide any additional burden on responsible public bodies, but would act as a powerful reminder of their environmental obligations.

- IfA very strongly supports the BEFS proposal for ‘planning authorities to have access to and to give special regard to appropriate information and expert advice on the local historic environment in exercising their duties’.

  - IfA believes that the best mechanism for fulfilling such a responsibility would be through a Historic Environment Records (HER) Service.

  - HER services provide the understanding and information that are fundamental to the sustainable management of change in the historic environment.

  - HERs should contain a summary of information that is known about the historic environment of any location in Scotland, including records of any archaeological investigations and chance finds there.

  - They provide information that helps planning authorities make informed, proportionate, reasonable decisions about the significance of a building, site or landscape (whether designated – listed, scheduled, conservation area etc – or not), and to determine the extent to which proposed development should be modified in order to protect – and exploit the benefits of – the historic environment.

  - That modification includes planning obligations on developers to compensate for the damage they must necessarily sometimes cause to our heritage, by commissioning archaeological investigations: these projects result in published reports in a variety of accessible and archives available for future study, and frequently allow for public participation. Without HER Services there would be no provision to ensure the levering in of millions of pounds of private sector investment annually into exploring and explaining the past – a process of unparalleled public benefit.

  - The vast majority of Scotland's known historic environment is undesignated: the HER may be the only information source that flags it up to the planning process.
much of Scotland’s heritage remains to be discovered - interpreting patchy and missing information is a specialist skill dependent on in-depth understanding of the history and prehistory of an area: HERs need specialist staff and must have access to archaeologist and conservation officer skills.

skilled staff can also help local communities use HERs as a research tool, enabling them to explore what is special about where they live. HERs are also valuable tools for academic research.

Scotland presently has full coverage of HERs, albeit of varying scope, so a statutory responsibility would not present an additional burden.

HE services are under threat as local planning authorities make cuts: only a statutory requirement to have access to an HER service can protect them effectively.

7. IfA would not like to see the failure to include this provision in the Bill result in a loss of essential local services and consequent damage to Scotland’s fragile and unique heritage. Nor would we wish to see the absence of such a provision lead to a failure to use the huge potential of heritage to contribute to Scotland’s continuing economic, social and cultural regeneration.

8. We do also have some concerns that the absence of such an important provision might weaken the credibility of and support for the Bill.

9. I hope that the Committee finds this written evidence helpful. I am sure that the points made here will be borne out by BEFS in oral session, and I have no doubt that that BEFS’ evidence, representing as it does all the relevant non-Government organisations in the sector, will prove invaluable to the Committee in its deliberations.

Peter Hinton
Chief Executive
20 August 2010