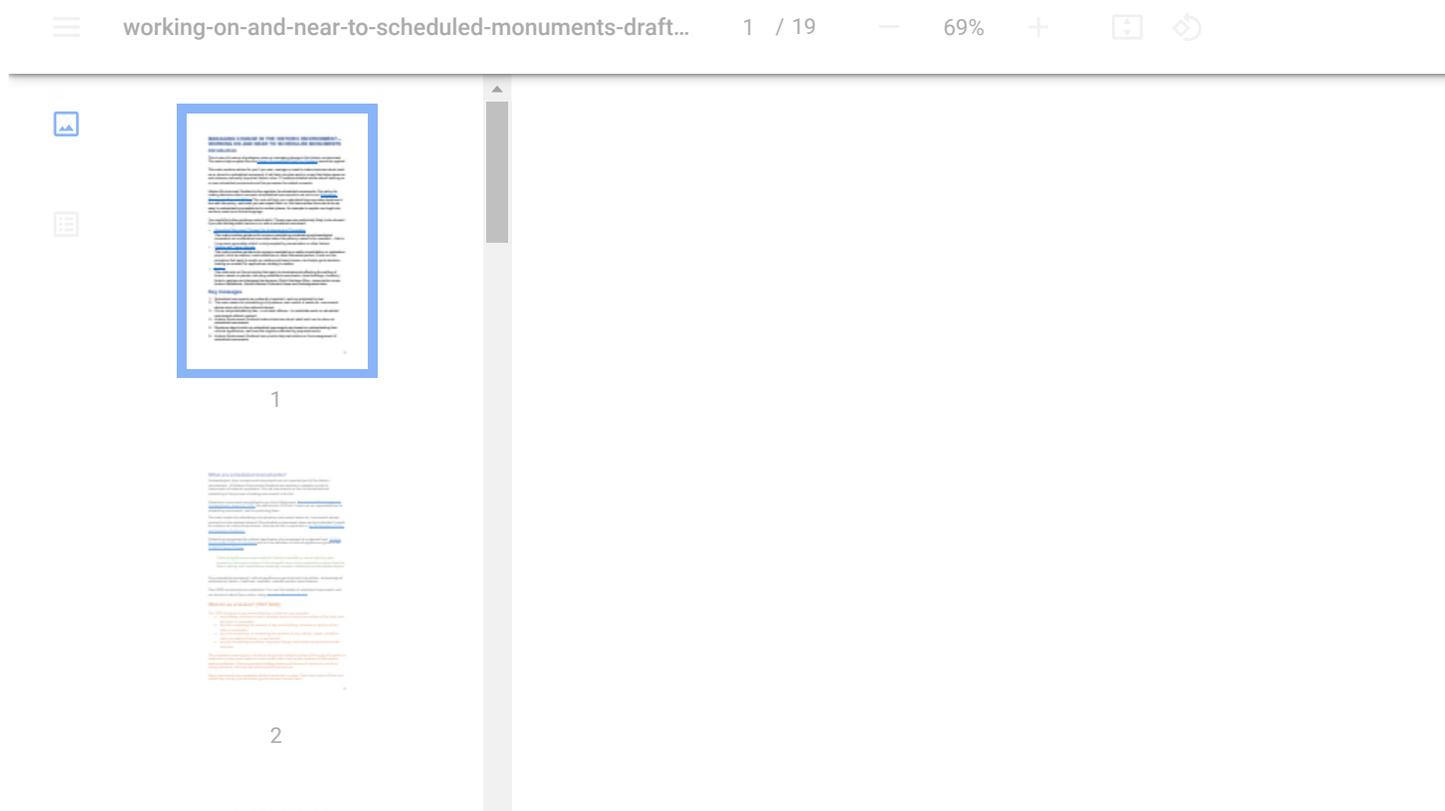


Working On and Near to Scheduled Monuments

Overview

Historic Environment Scotland (HES) is looking for your views on a new Managing Change Guidance Note: **Working on and near to scheduled monuments**.

You can find the draft guidance note below or **download a copy** </++preview++/heritage/scheduled-monuments/supporting_documents/Working%20on%20and%20near%20to%20scheduled%20monuments%20DRAFT.pdf> [PDF, 236KB).



This new document is part of an ongoing review of historic environment policy guidance, following on from the launch of the **Historic Environment Policy for Scotland (HEPS)** <<https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland-heps/>> in May 2019.

Why we are consulting

This Managing Change Guidance Note contains advice for you if you own, manage or need to make decisions about **work on or close to a scheduled monument**.

It will help you plan work in a way that helps preserve and enhance nationally important historic sites. It contains detailed advice about working on or near scheduled monuments and the processes for related consents.

This note aims to explain how to apply the policies in **HEPS**, <http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland-heps/> **Scottish Planning Policy** <https://www.gov.scot/publications/scottish-planning-policy/> and **Scheduled Monument Consents Policy** <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=46d8502d-7059-416b-940e-aa250102112d> in terms of working on and near to scheduled monuments.

Background

HEPS <https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland-heps/> is a high-level policy statement directing decision-making that affects the historic environment.

It should be used alongside **Scottish Planning Policy** <https://www.gov.scot/publications/scottish-planning-policy/> (SPP), which sets out policies for a range of land use planning matters, including how to approach decisions in the planning system affecting the historic environment.

Historic Environment Scotland is the regulator for scheduled monuments. Our policy for making decisions about consents at scheduled monuments is set out in our **Scheduled Monuments Consents Policy** <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=46d8502d-7059-416b-940e-aa250102112d> .

Managing Change in the Historic Environment <https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/> is a series of non-statutory guidance notes about making changes to the historic environment. One of Historic Environment Scotland's roles is to provide best practice advice and we have produced a number of guidance notes to help guide changes to the historic environment in line with HEPS and SPP.

As part of the series of Managing Change in the Historic Environment, this note will help you understand how we make decisions in line with these policies, and what you can expect from us.

This guidance note looks at '**Working on and near to scheduled monuments**' in terms of:

- The key issues that might arise
- How best to deal with such issues
- The reasons behind our advice

Introduction



1 Are you responding as an individual or an organisation?

(Required)

Please select only one item

- As an individual On behalf of an organisation, public body or charity On behalf of a local authority
 As a private business, such as an architect or developer Representing a community group Other

If you've chosen 'Other', please specify here:

2 Your data

We believe you should always know what data we collect from you, why we need it and how we look after it.

What data will you be sharing?

To help us understand who we are engaging with and to allow us to follow up on some responses, we'll be asking you about some personal data information. This includes:

- your email address
- your name

All of your answers are optional.

Why do we need this data?

Following your submission, we will send you an acknowledgement using your email address and if you give your permission and contact information, we may approach you about suggestions you have made in the consultation and the outcomes of this consultation in the future.

What will we do with your data?

Our **privacy notice** [</privacy_policy>](#) explains your rights and our role in protecting the information that you share with us.

We will process your Personal Data in strict accordance with the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018.

I agree to the privacy notice (Required)

Organisation or community

3 What is your organisation or community group?

If responding on behalf of an organisation or a community, please enter the name here. (Required)

4 What is your name?

What is your name?

Permission to publish

Historic Environment Scotland would like your permission to publish your consultation response.

Information for organisations or communities only:

The option **'Publish response only (without name)'** refers only to your name, not your organisation's or community's name. If this option is selected, the organisation or community name will still be published.

If you choose the option **'Do not publish response'**, your organisation or community name may still be listed as having responded to the consultation in, for example, the analysis report.

5 Please indicate your publishing preference:

(Required)

Please select only one item

Publish response with name Publish response only (without name) Do not publish response

Aims and objectives

This Managing Change guidance note contains advice for you if you own, manage or need to make decisions about **work on or close to a scheduled monument**.

It will help you plan work in a way that helps preserve and enhance nationally important historic sites. It contains detailed advice about working on or near scheduled monuments and the processes for related consents.



6 To what extent is this document helpful to:

| | Very helpful | Somewhat helpful | Neutral | Somewhat unhelpful | Very unhelpful |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Understand what options are available to you if you are planning work on a scheduled monument? <i>Please select only one item</i> | <input type="radio"/> |
| Understand more about scheduled monuments and the role of HES? <i>Please select only one item</i> | <input type="radio"/> |
| Understand more about the legal protection of scheduled monuments and the consent processes? <i>Please select only one item</i> | <input type="radio"/> |

Case studies

We would like to explore how we put our policy for scheduled monuments into practice using **case studies**.

To do this we might publish a series of case studies like that for **'Use and Adaptation of Listed Buildings'**

<<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=9f1697d5-05a1-4c0b-84b6-aa2400fe7a73>> , which can be downloaded from our website.

This would let us continue to add recent examples, which would not be possible if we included case studies in the Managing Change guidance note.



7 We will publish separately short case studies about working on or near scheduled monuments. What kind of case studies would you like to see to illustrate this guidance?

Please type below the kind of case studies and topics you would like to see featured.

8 Do you have any examples that you would like us to publicise?

Please type your example/s in the text field below. Please include the name of the scheduled monument or the place, a brief description of activities and the main outcomes.

9 If you suggested a case study, please give us your email address so we can follow up with you.

Please type your email address here.

Language

We have tried to strike a balance between using accessible language and explaining our legal role and policies in quite formal terms.

It is important that we get this balance right.



10 We tried to use language that is as clear and accessible as possible throughout this guidance. To what extent do you think the guidance achieves this?

Please select only one item

Very well Well Badly Very badly

What could we improve? Please add your suggestions here.

Planning work near a scheduled monument

In these sections, we are giving information about finding out whether there are scheduled monuments around where you are planning work, and what precautions you should take if you are working near them.

You can read these sections on planning work near a scheduled monument below.



planning-work-near-a-scheduled-monument.pdf

1 / 3



69%



1



2

11 After reading these sections, to what extent do you feel confident that you could:

| | Very confident | Somewhat confident | Neutral | Somewhat unconfident | Very unconfident |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Find out if there is a scheduled monument near where you are planning work? <i>Please select only one item</i> | <input type="radio"/> |
| Consider what options might be suitable to protect it? <i>Please select only one item</i> | <input type="radio"/> |
| Get further advice if you need it? <i>Please select only one item</i> | <input type="radio"/> |

Is there anything that we missed out? Please type your suggestions here.

Scheduled monument consent

These sections explain what requires consent and how to apply for it.

You can read these sections on scheduled monument consent below.



☰ scheduled-monument-consent.pdf

1 / 10

− 69% +



PDF viewer interface showing a document titled 'scheduled-monument-consent.pdf'. The document is displayed in two pages. Page 1 is highlighted with a blue border and contains text about 'What you need to know about scheduled monument consent'. Page 2 is visible below and contains more text. The viewer includes a sidebar with navigation icons and a vertical scrollbar.

12 After reading the text, to what extent do you feel confident that you understand:

| | Very confident | Somewhat confident | Neutral | Somewhat unconfident | Very unconfident |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| When consent is required? <i>Please select only one item</i> | <input type="radio"/> |
| How to make an application? <i>Please select only one item</i> | <input type="radio"/> |
| What the process involves? <i>Please select only one item</i> | <input type="radio"/> |

13 To what extent do you feel there is enough information about:

| | Too much | Just right | Not enough |
|--|-----------------------|-----------------------|-----------------------|
| Metal and mineral detecting consent? <i>Please select only one item</i> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Relationship to other consents? <i>Please select only one item</i> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

14 Is there anything missing from this section?

Please type your suggestions here.

Works without consent

This section aims to explain how we deal with works without consent.

You can read these sections on works without consent below.



works-without-consent.pdf

1 / 3

69%



1



2

15 To what extent do you feel you understand:

| | Very confident | Somewhat confident | Neutral | Somewhat unconfident | Very unconfident |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| What actions HES can take in response to works without consent? <i>Please select only one item</i> | <input type="radio"/> |
| How scheduled monuments are legally protected? <i>Please select only one item</i> | <input type="radio"/> |

Is there anything that we missed out? Please type your suggestions here.

Anything else?**16** Does the document leave out anything that should be included?

Please select only one item

No Yes

17 If you said 'Yes', please explain your answer in the box below.

Please type your answer here.

18 Do you have any links or sources of information that you think we should include in our 'Further Information' section?

Please type your suggestions here.

19 As we continue to develop our suite of guidance are there topic areas you would like to see covered?

Please type your suggestions here.