



RTPI

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SHEP on the Marine Historic Environment
Historic Scotland
Room 2.9
Longmore House
Salisbury Place
Edinburgh
EH9 1SH

30 May 2008

Dear Sir or Madam,

Consultation on the SHEP on the Marine Historic Environment

The Royal Town Planning Institute (RTPI) welcomes the opportunity to respond to this consultation.

The RTPI is the UK body chartered to represent the planning profession and offers these comments from the point of view of a diverse and policy neutral professional body committed to supporting devolved government in Scotland. The Institute has approximately 1900 members in Scotland working across all sectors of central government, local government, government agencies, the voluntary sector, private consultancy, the development industry and academia. Since devolution, the Institute has empowered its RTPI in Scotland Office, together with its Scottish Executive Committee, with the responsibility for working with government and public bodies generally for the improvement of the planning system in Scotland. This is in accordance with its charter obligation to work for the public interest.

The Institute trusts that these comments, attached overleaf, are of assistance and has no objection to them being made available to the public in the usual way. Should you wish any clarification or further assistance, please do not hesitate to contact me by email at veronica.burbridge@rtpi.org.uk or at our Edinburgh office: 57 Melville Street Edinburgh, EH3 7HL, phone: 0131 226 1959.

Yours faithfully

National Director RTPI in Scotland

ANNEX 1

Question 1:

Do you agree with Scottish Ministers' proposed policies for the marine historic environment?

Broadly yes, but see below.

Question 2:

Is anything missing?

There is no indication of resources available nor whether they will be enough to implement the policies outlined. More importantly, perhaps, there is no indication of the scale of the resource to be surveyed and then effectively managed.

There should be an eventual expansion (say in 5 – 10 years) of powers relating to the MHE to be applied within the entire Scottish zone. Steps should be taken to manage effectively by fully-integrated planning powers, applied by Local Planning Authorities, either singly or together in the same way that City-Regions are planned.

It will be important that the marine planning is fully integrated, not the least with coastal zone planning and the effects of climate change. There should be recognition of the importance of building-up good records of marine (historic environment) sites in general, not just designated sites. What will be required is sufficient survey information to understand all the facets of the marine environment so that it can be planned for in an integrated and holistic manner.

Question 3:

Is 'national importance' as defined in Annex A the appropriate criterion for designating marine historic assets?

Rigorous survey will be required to identify the full range of historic environment features or 'assets'. There can then follow an assessment of cultural significance and importance.

Question 4:

Are the guidance and criteria for determining national importance set out in Annex A those which should be applied? If not, what would you suggest?

To the *intrinsic characteristics* mentioned in b) might be added ***architectural and historical***.

To the associative characteristics mentioned in h) might be added ***architectural***.

Question 5:

Do you agree with proposals for new legislation in this area?

5.1 The good ***long-term*** management of marine historic assets will require good survey and mapping of such assets in general, not just those suitable for national designation.

5.2.a Settings of such assets, and perhaps buffer zones which might contribute to their protection, should also be capable of designation for effective long-term conservation management.

5.2.b ...'archaeological sites and/or ***places and*** monuments of national importance'...

5.2.c Consideration should be given to some measure of more local control where there are pressures on undesignated sites. Consideration could also be given to placing Crown Estate ownership/interests under a scheme of local control like any other party. This local control should be capable of crossing from land to sea in order to effect appropriate coastal zone management, including management of any historic environment assets. Basic survey information is vital.

5.2.d This paragraph is unclear and should be rephrased.

5.2.i As with PASTMAP it would be important to show known designated and undesignated sites, ideally along with other map-based survey information on the marine environment.

5.2.j Scottish Ministers should also have the flexibility to spend money (and to make grants or loans) on any marine historic environment sites, not just those designated. Local Authorities should also have such powers, in the same way that they can give grants or loans for historic buildings, not just Listed Buildings.

5.3 Until a more complete survey is carried out it is perhaps unwise to comment on the potential scale of designations.

Question 6:

Do you have any views as to how duties in relation to the marine historic environment might be split between Historic Scotland and any Marine Management Organisation?

The Institute would favour such duties being split between Local Authorities, Historic Scotland, and any MMOs. This would need to be revisited within the context of the Marine Bill.

Question 7:

Do you consider that anything is missing? In your response, please note that matters relating to salvage are the concern of international maritime law and regulation of shipping. Such matters are reserved to the Westminster Parliament under the terms of the Scotland Act 1998.

Encouragement of the preparation of basic survey information, then to be available in the public domain.

Question 8:

What do you think might be the role of the local authorities and their historic environment advisors in relation to the marine historic environment and what are the key issues that need to be overcome?

Effective coastal/marine planning should incorporate both land and sea. This will require greater survey information, of which heritage assets are only one component. The Institute would favour such an integrated planning approach being delivered and administered primarily by Local Authorities operating a system of development planning and development management that was capable, in the medium term, of being rolled out to the wider 'Scottish Waters'.

Question 9:

What new mechanisms and procedures might be required to provide for the management of change in relation to planning matters in connection with Scotland's marine historic environment?

See 8 above.

Question 10:

Given that science and recording has a major role to play in improving knowledge about sites and monuments on the seabed, how can Scottish Ministers and agencies charged with relevant responsibilities best assist in progressing knowledge about Scotland's marine historic environment?

A systematic survey of the marine environment should be carried out: the historic elements should be made accessible to the public through the RCAHMS.

May 2008