

Historic Environment Working Group (HEWG)

Meeting Note 23rd August 2023

See BEFS [HEWG page](#) for past papers.

Chair: Ian Baxter, BEFS Vice-Chair

BEFS attendees: Ailsa Macfarlane, Hazel Johnson

1. Welcome, Introductions and Apologies

Apologies:

Andrew Hopetoun - HH

Mark Douglas - COG

Ann Packard

Euan Leitch – SURF

Present:

Bill Pagan

DJ Johnston-Smith - SCT

Douglas Campbell - IHBC

Gavin McGregor – Arch Scot

Hazel Benza – LI-S

Jenny Munro - RTPi

Jo Robertson - AHF

Jocelyn Cunliffe - AHSS

Joe Traynor - SCivT

Kevin McClure – The Ridge

Lindsay Lennie - SChT

Rebecca Millar - NTS

Rob Lennox - ClfA

Sarah Pearce - HTN

Scott McGibbon - PVOTAL

Simon Gilmour - SoAoS

Sue Evans – SCivT

Terry Levinthal - CA

1. **Previous meeting note** agreed (available online) – all necessary actions completed, or to be updated on in BEFS Sector updates.

2. BEFS Sector Updates and Policy Updates

- General updates

OPOF Launch 28th June 2023: Successful day, Minister Christina McKelvie fully engaged and well briefed by her team.

Delivery: New team at HES, all to be confirmed – 3 team members, BEFS will be working closely with them once in post. More information on working groups etc – watch this space.

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Culture:

BEFS Director gave evidence to the Committee overseeing Culture, about culture in communities in relation to planning, and the challenges for communities taking on 'assets'. PAS and RTPI also gave evidence.

Built Environment:

CIOB – convened a round table at parliament – to highlight how central retrofit is to net zero and linking standards, skills, etc.

Tenements:

The Scottish Government have progressed recommendations of the Tenement Maintenance Working Group by instructing the Scottish Law Commission to undertake a law reform project on mandatory owners associations for tenement properties. The Law Commission expect to publish a discussion paper in Autumn 2023, with a view to provide the Scottish Government with a draft Bill for consideration in Spring 2026.

Further sub-group activity: the most advanced being that in relation to inspection reports.

Additionally: Report relating to Multiple Ownership, Multiple Use Buildings – from SG working group to be released in Autumn.

SG: New lead within Building Standards

BEFS met with Built Environment and Just Transition team (current plan doesn't fully take existing buildings into account and doesn't acknowledge the depth of the skills emergency) – also took part in the interviews being undertaken by BE-ST

New sub-team within Heat and Buildings for Historic and Listed Buildings

- Consultation on Heat in Buildings and Housing Standard, both out in the Autumn
- Update on Whole Building Assessment also expected in the Autumn

Reinforced Autoclaved Aerated Concrete

BEFS asked to be part of Cross Sector Working Group. Currently at investigation stage across a number of nation-wide estates – there will be implications for all of our built environment, even if that is in relation to resource and skills.

Data:

Building Futures report released and group of stakeholders keen to take forward building data work.

SIT

To be released shortly. Related – the work in partnership with NTS has now been released and their work with the Sustainable Investment Tool, and Portfolio Review demonstrates what can be possible at estate scale: <https://www.nts.org.uk/stories/the-portfolio-review>

COG/POWF:

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SPAB-BEFS conference on Places of Worship – for decision makers in local authorities and related organisations. In person event 29th November, Glasgow. Bringing COG and POWF together to discuss the issues around places of Worship in transition.

New role within HES – Craig Stanford, within the policy team, focus on places of Worship.

BEFS met with project CHERISH lead from NCT, Scotland officer expected shortly (UPDATE: Now in post). Interested in funding maintenance for places in worship that are churches, chapels and meeting halls. Small pot – but every little helps.

Funding

BEFS funding from the Lottery for the Fit for Future project. We look forward to engaging to improve our own business plan for the future, our EDI and climate offers for the sector, and having a little more capacity in the team. Recruitment for new BEFS team as part of Fit for Future ongoing (UPDATE: Posts now filled)

5.2 million for heritage skills – Ogsten Foundation.

Skills

Skills Investment Plan (SIP) refresh, series of roundtables in late summer/autumn.

BEFS working with HES, facilitating roundtable on Architecture, Engineering, Planning and Surveying with a conservation focus.

Many other groups also meeting (as based on the previous iteration).

Budget Scrutiny 2024-25: Funding for Culture

- Reiterating many points made in 2019, 2020, 2021, and 2022.
- Longer term funding cycles, how culture and heritage deliver far beyond the boundaries of their portfolio,
- Highlighting planning cuts as a potential threat to our existing places
- Cost of living, inflation, energy as addition pressures
- Recent Tourism Observatory – and where links could be made to wider cultural heritage data.

BEFS will be giving evidence to the committee in November. ON this and OPOF.

ACTION: Invite Craig Mearns to November HEWG (BEFS)

- Policy Consultations

BUDGET SCRUTINY 2024-25: FUNDING FOR CULTURE (18/08/2023)

BEFS considers that the importance of examining the budget is not just to look at what is within the cultural portfolio – but to understand how our cultural heritage can be eroded through a lack of investment in data, in planning, and in regeneration; many of the aspects that help to support genuine place-based approaches. The Culture Strategy as it stands speaks to a different time, with different pressures, different benefits, and a different social and economic outlook. What is needed is a mechanism that can leverage action for delivery and collaboration. BEFS questions

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whether another Strategy or Action Plan needs to be formed (or refreshed as it is phrased here), and whether the strategies within the sector could instead be supported to deliver effectively.

NEW NATIONAL PARKS – APPRAISAL FRAMEWORK (04/08/2023)

BEFS strongly welcomes the inclusion of cultural heritage and the historic environment as components but would suggest that presenting cultural heritage and natural heritage as separate criterion could undermine their fundamentally symbiotic nature.

LOCAL LIVING AND 20 MINUTE NEIGHBOURHOODS (20/07/2023)

BEFS considers that the benefits of local living and 20 minute neighbourhoods are well laid out with clear links to the Place Principle, Scotland's National Performance Framework and UN Sustainable Development Goals, to help deliver the policies as set out in National Planning Framework 4 (NPF4). The collaborative approach taken is to be encouraged but there remain questions around delivery and how this can be implemented and resourced, enacting meaningful change through regional policy, Local Development Plans and Local Place Plans

COUNCIL TAX ON SECOND AND EMPTY HOMES/ NON-DOMESTIC RATES (11/07/2023)

BEFS response broadly supports that local authorities should be granted greater ability for discretion over increased rates and premiums, noting the possibility for unintended consequences in introducing additional powers; and consider that the efficacy of the intended discretionary nature of increases would depend on the capacity and resource of local authorities to fully – and holistically – consider *'local circumstances, including balancing the needs and concerns of their communities with wider economic and tourism interests'*, including good outcomes for the existing build and historic environment. BEFS has regularly lobbied for the continued use and re-use of existing buildings in addressing societal needs, as well as contributing positively to Scotland's climate and net zero agendas.

REVIEW OF NATIONAL OUTCOMES: CALL FOR EVIDENCE (12/06/2023)

BEFS response highlights the lack of appreciation for the cross-cutting benefits that come from cultural-heritage means many across the sector are continually explaining and reiterating the wide-reaching positive impacts of their work. It calls for greater alignment with the UN-SDGs particularly **SDG 11.4**: *'Strengthen efforts to protect and safeguard the world's cultural and natural heritage'*. The additions of Targets and Outcomes, taking into account cross-sectoral inputs, could help to: incentivise, and enable, cross-portfolio working to deliver against net-zero, wellbeing and wider community aims.

- Open Consultations

Circular Economy (Scotland) Bill – call for views

Scottish Parliament

The Net Zero, Energy and Transport Committee is seeking views on the Circular Economy (Scotland) Bill.

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Closed 20 August 2023 EXTENSION TO 1st SEPT

Review of Permitted Development Rights - Phase 3

Scottish Government

The Scottish Government is carrying out a review of permitted development rights (PDR) as part of a wider planning reform programme. The PDR review is being taken forward in phases, with each phase focussing on specific development types. Phase 3 of the review considers PDR in relation to renewables equipment, thermal efficiency improvements, development by electricity undertakers, reverse vending machines and the temporary use of land for shooting ranges.

Closed 23 August 2023

RICS Retrofit Standard Consultation 2023

RICS

The Royal Institution of Chartered Surveyors (RICS) is gathering input from RICS members and industry professionals on the new RICS Residential Retrofit Standard for 2023. This new standard will be developed following the consultation, as a response to a demand for high quality, residential retrofit advice, spurred on by increasingly high energy prices and UK government net-zero targets.

***NEW* Closed 12 September 2023**

Effective Community Engagement in Local Development Planning Guidance

Scottish Government

This consultation concerns guidance on effective community engagement in the local development planning process, inviting views from planning authorities and communities on the clarity and helpfulness of the guidance in informing people when engagement will be most effective.

Closed 13 September 2023

Visitor Levy Bill - call for views

Scottish Parliament

The Scottish Government has proposed a new law which would allow local authorities to introduce an additional charge when someone pays for overnight accommodation. MSPs on the Scottish Parliament's Local Government, Housing and Planning Committee are examining the details.

***Extended* Closed 15 September 2023**

Fairer Council Tax

Scottish Government

The Scottish Government and COSLA are inviting responses to this consultation on a fairer council tax system, which concerns the Council Tax charges (also referred to as multipliers) for properties in valuation Bands E to H.

***NEW* Closed 20 September 2023**

Call for Evidence: Restoration and Renewal Recall

UK Government

The Public Accounts Committee has previously reported on the failures of transparency and

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“wasteful, nugatory spending” in the Restoration and Renewal programme, and expressed serious concern about ongoing risks and hazards in the deteriorating UNESCO World Heritage Site. They are seeking written evidence submissions regarding the ‘real and rising risk’ that the Palace of Westminster will be destroyed by a catastrophic event before it is restored.

***NEW* Closes 6 October 2023**

Energy Performance Certificate Reform Consultation

Scottish Government

The purpose of this consultation is to set out the Scottish Government’s final proposals for Energy Performance Certificate (EPC) reform and to seek stakeholder views ahead of the introduction of new legislation.

***NEW* Closes 16 October 2023**

Enhancing the accessibility, adaptability and usability of Scotland’s homes

Scottish Government

This consultation sets out proposed updates to Part 1 of the Housing for Varying Needs design guide and to building standards and guidance.

Closes 19 October 2023

Building Warrant Fees

Scottish Government

This consultation seeks to obtain the views on proposed increases to the building warrant fees required to deliver change to strengthen the building standards system and the development of a new building warrant fees model in Scotland.

***NEW* Closes 24 October 2023**

Mandatory training on planning for elected members

Scottish Government

The Scottish Government is intending to implement mandatory training on planning for elected members as part of a wider package of measures to improve the performance of the planning system as a whole. This consultation is seeking views on the proposed approach to implementing this training.

***NEW* Closes 26 October 2023**

3. Organisational Updates from Members

SP – HTN: Glasgow West Boat House now done, Stirling event for those outwith the sector (conservation sector, planners, high-street etc).

Conference in October.

Newcastle Conference, 15-17th October, Early-bird offer ending Sunday!

<https://www.eventbrite.co.uk/e/heritage-trust-network-conference-2023-tickets-624238252417?aff=oddtcreator>

Heritage trainee in Scotland – 6months, entry level demand high. 86 applicants!

Rethinking Town Centres in Scotland, 5th Sept

LL – SCHK: New inspector Chris started for TBHC. HC has been running for 10 years. Still having issues with finding contractors for work. Starting Retrofit project – 2yr shared

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prosperity funding, a fabric first approach. Retrofit inspector – small grant and data collection and questionnaires.

Haven't found a grants officer (despite 2 rounds of advertising) – now recruiting a trainee.

DC - IHBC: Annual school in Swansea, Retrofit, work of John Edwards. Themes – lack of information, skills and understanding and case study examples of failure of retrofit etc. Thinking about chartered status, can report on that next time.

JD – RTPI: Director has now left, Craig taking up position of National Planning Improvement Champion. Caroline Brown, professor at HW taking up position as Director of Scotland.

SM – Pvotal: Have been working with HES on masonry skills across Scotland. If anyone would like to see report contact HES Catherine Cartmell, Colin Tenant. Retrofitting might be the topic, but basic trad skills are in decline. Have lost a training facility, causing numerous issues. Stretching capacity across the existing training facilities - link to free courses developed in conjunction with BE-ST surrounding net zero, retrofitting etc <https://www.be-st.build/accelerate-to-zero/retrofit/low-carbon-learning>

JC – AHSS: Next magazine, in September.

AGM in Inverness – 3rd Nov

Group lecture process about to be published.

AHSS – interview with Chris Marshall in Holyrood. JC was quoted in magazine.

Liability - need discussion of transference of liability from SG to HES

DJ – SCT: Spending huge amount of time dealing with the churches crisis. 400 likely to be sold by 2025. Many other denominations – trickle to torrent.

Pastoral mode during the transition of a building. Feeling of abandonment – plea to group that this is a personal issue and sensitive. Bear in mind when working with communities or when working with reports.

BP- Cupar Development Trust and culture charity:

Same at grass roots levels. Cover Bell Baxter School catchment area, use school as a way of communicating more widely with the 30,000 population. Rural deprivation – only 2 in SIMD, but the areas are in deep deprivation. Planning – with consultations on community action plan (for wide area) – then LPP. Scoping study for arts/culture hub Youth Charette, working with good relationships at high school.

JR – AHF: Changing application process - EOI before applying, two stage process. Community ownership funding, DTAS helping to facilitate diagnostics, advice and support for filling applications. Consultancy support for groups to make applications to community ownership fund.

Announcement for AHF - Development funding, with NLHF – how orgs can develop capacity and funding within a PLACE specifically. 3 year funding, building preservation work, place focus, multiple buildings within a place. Now looking to see what orgs are developing full applications.

SG – SoAoS: Advertised for publications officer. Around 50 applicants for entry level post.

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Have now appointed, short term maternity cover.

Society has signed an agreement to purchase a building in Edinburgh (pottery shop behind NMS), has 3 years to raise funds to purchase. Office space, meeting space, exhibition space – once redeveloped. Seeking views from sector how this space could be best used to support the sector and think way through the issues that are facing us. A physical focal point for sector to meet.

TL - CS: New Chair Barbara Cummins - first female chair in 150 years. New strategy for 150th year in 2025. Story of heritage protection groups at local level aren't well told.

HES: Board – 6 new Trustees. Creation of heritage assets committee, BEFS vice chair is co-opted member. Purposes and principles of state care.

Holyrood Park strategy out in next few weeks. Heart of Neolithic Orkney management plan out for consultation.

Implications around high-level masonry and decay, for owners e.g. Historic Houses.

GMcG - AS: Community work. Research framework. Series of events across Scotland.

Strategically – working with SoAoS – Clyde Valley Archaeological Research project. Develop next research framework for that.

Launch SAM – Scottish Archaeology Month

RM – NTS: Climate Change co-ordinator has now started. Action plan across all parts of the Trust, looking at how all buildings are climate resilient. Develop toolkit to inform work.

Acquisition of Treshnish isles. 21 archaeology sites. Have been doing work on coastal erosion, outcomes/report out soon.

KM – The Ridge: Retrofit - District heating, best practise model.

Test piloting the pre-apprenticeship program for the Ogsten fund, interviewing for 6 places.

Pre-apprenticeship. Stonemasonry/Joinery as part of SQA

Lobbying for decentralisation of training to small, regional hubs. Start building new training centre – always a training FIRST approach.

2yr project to train-up other parts of the community, Grassroots.

RL– ClfA: Pushing for Professional Award in Archaeology Field Skills, now going onto this for formal development. ClfA advocating on Agriculture Bill, meeting with MSPs over summer.

Aim to get heritage on face of the Bill. Thanks to all who have participated.

JT - SciVT: Launched DoD – excellent film from the minister. Meeting Christina McKelvie to see what support is available.

Also meeting Planning Minister. SCT looks at every planning application for all listed buildings and planning applications in conservation areas.

My Place Community champion award – announced in March at My Place awards.

Churches – work with SCT, will connect with DJ.

Climate – working with BEFS and Keep Scotland Beautiful. Looking at capacity and climate change in communities.

Strategy – internal review of strategy. Engaging with 147 affiliate orgs and members and looking for critical friends too.

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HB - LI-S: Live podcast event – Royal College in Edinburgh 28th Sept

Also taking part in the SIP – 5th October, Burrell Collection, leading on the landscape and gardens round table.

All on policy section of the website.

IB: new academic year, will monitor subject numbers for heritage / built environment.

Has been co-opted onto HES assets committee: Initial meeting, scoping: lot of work ahead and big questions that HES will have to ask of its portfolios, collections, knowledge. We seem to be working with 19th C model of portfolio conservation in 21st C. Big philosophical questions ahead. Watch this space, hoping all relevant papers will be published on HES board page.

4. Permitted Development Rights Review Phase 3 | BEFS consultation response

Discussion of draft response, circulated to HEWG in advance.

Overview

Key points for discussion:

Welcome considerations of PDR to enable easier implementation of climate beneficial solutions within planning - however, caution re unintended consequences

- Solar panels and 'suitable' elevations being identified – this may not be appropriate where multiple elevations are prominent/significant (in CAs)
- Solar panels replacement – some caution around repairs to roofs, could be unintended consequences of poor repairs
- Windows – replacement like for like doesn't allow any opportunities for improvement to UPVC widows in a conservation area (for example). Recommending re-wording/tightening up
- Conservation areas generally need to be seen as significant for good management and not lesser to other designation
- Wind turbines – HES also considering what they might want to say here. I'm inclined to take the view that there will still be cases where assessing impact on a sensitive designation would best be undertaken through a planning application rather than through prior notification/approval.

Discussion:

- Reverse Vending: how to make them communal as a proposal. Principle fine – but point for further clarification:
Size, 80m – how that size was derived? Perhaps rural impact?
- AHSS – commented on the height.
- Some places where the answer should be 'No'.
- Needs to be more nuanced than current proposals.
- Question 6 – comment in terms of curtilage, doesn't mention setting and archaeological sites. Such as more detail on Battlefield inventory and Gardens and Designed Landscape. BEFS to amplify.
- RM: Wider point in the first phase, telecoms masts. Lots of the questions asked should we move to PDR or should we have prior approval. No mention of this in this consultation. Have planning authorities moved away from this?

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- TL: General context, difficulty here is that it excludes local community.
- RL: Report <https://www.theccc.org.uk/publication/spatial-planning-for-climate-resilience-and-net-zero-cse-tcpa/>

There is some comment in it about Listed Building Consent being too 'heavily weighted towards the heritage of a building'. The argument is made that this is a skills issue, which specialists officers needing to have better understanding of climate objectives/appropriate strategies.

Conclusion: the approach for BEFS is to adopt a position of 'No, however we could support it if the following could be taken into account...' No material change to overall points contained within the draft, however comments from Members incorporated where appropriate.

BEFS response, since submitted, can be found here:

PERMITTED DEVELOPMENT RIGHTS REVIEW – PHASE 3 (23/08/2023)

BEFS recognises the intentions of the proposed changes, towards easing pressure on planning teams to deliver ambitious net zero targets, and to enable easier implementation of climate beneficial solutions within planning. This response urges caution however, as unintended consequences of some of the proposed exemptions should be considered, in particular around the proposals for replacement windows, solar panels and potential impacts on conservation areas and other designations.

- AOB

Document from HES:

Pointing the Way to the Future

This position statement refers to Historic Environment Scotland's role in the planning system and other decision-making processes for land management. It explains how we undertake these regulatory functions in a way that responds to our wider environmental responsibilities. <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=e9bd5276-9423-492b-9f3b-b04600b9c798>

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Next HEWG:

22nd November 2023 In person, venue The Crannie, Cranston St, Edinburgh