

ALGAO:Scotland Comments – HES Inventory Battlefields Review Consultation

28/10/2022

Report - [website](#).

Q1 – Q7 – contact details

Q8 – while the Inventory and the policy protections which exist around it are functioning as intended, a number of changes could improve its working, provide greater clarity both in terms of designation and guidance for those working with battlefields, manage battlefield archaeological impact more effectively and thereby promote a greater confidence in the system.’ – How strongly do you view this conclusion

Strongly Agree

Q9 – How do you view the following: ‘Boundaries of Inventory areas should be redrawn to exclude areas (particular redeveloped areas) which no longer “exhibit some level of preservation and/or significance in terms of its special qualities and landscape characteristics through which it can contribute to our understanding”

Slightly Agree

Comment - Clear statements should be provided for each Battlefield detailing how the boundaries were chosen, e.g for ease of defining on a modern map or on the ground or they do they reflect current understanding of where the battle happened; etc. While the overall boundary of a battlefield/ battle landscape based upon research is important it would be useful to consider having a boundary which is focused upon impacts/ potential as well.

This would require the Inventory to be more responsive and to take account of new work and research undertaken. It would make it more usable in terms of the management through planning and would allow the exclusion of urban areas etc without losing the understanding of the historic event/ battle landscape as a whole.

Q10 – To what extent do you agree or disagree that ‘HES should provide further clarification in its Selection Guidance regarding how it defines the boundary of Inventory sites

Strongly Agree

Comment - This would allow greater flexibility in determining impacts upon a battle landscape. As the majority of management of the battle landscape are carried out via spatial planning then knowing when and why a hard line on a map is based upon sound research and when it is based upon convenience will go some way to counter the 'in' and 'out' mentality.

Q11 – How do you view the following: ‘The documentation which was prepared to support the designation decisions (particularly the Summary and the Deployments maps) should be separated from the Inventory entry itself. While these should remain easily available from the Inventory entry, it should be clear that these were prepared for the purpose of designation’?

Slightly Agree

Comment - As highlighted in the report there is a difference in how the inventory is used and seen by different stakeholders. While the documentation is welcome and useful it is not particularly suited to making decision making easier and at times can hinder the decision making process.

The peculiar nature of the battlefield designation in the Historic Environment (in that it is designating and short term event, albeit on a landscape scale, rather than a tangible site) is that often there is significant historical documentation which while useful is not something which the current planning processes can easily assimilate directly into decision making processes. Separating out the designation documentation and the supporting documentation (while still retaining it) would seem sensible.

Q12 – How do you view the following: ‘Building on HES’ “Managing Change” guidance, detailed guidance should be developed for the assessment of cultural significance of battlefields and the impact of proposals and the identification of effective mitigation and enhancement (potentially generating examples or templates). This should aim to establish accepted standards for assessment by any of those working with battlefields’?

Strongly Agree

Comment - Not only would a standardised mitigation and reporting approach be welcomed by both the curators and contractors involved in the management of battlefields, but the provision of guidance also tackling the specific issue of setting impacts of development and forestry on battlefields would go a long way to removing much of the uncertainty in decision making around active management of battlefields.

Care however should be taken in developing a standardised mitigation methodology as it should retain the flexibility to be used by individual curators and contractors for specific battlefields/ battle landscapes. Any standardised methodology would also need to take into account that it will mostly be employed through the planning regime and so should have cognisance of the requirements of planning conditions and we would advise that any standardised mitigation methodology is developed in conjunction with ALGAO

Q13 – To what extent do you agree or disagree that ‘Planning authorities should be encouraged to develop management guidance (preferably in line with accepted standards) for their Inventory battlefields’?

Slightly Agree

Comment - We would request further clarification on 'accepted standards' and reiterate the point made above (Q12) that any overarching guidance should be developed in conjunction with ALGAO.

Q14 – How do you view the following: ‘Planning Authorities should, where appropriate, require applications which have the potential to affect a battlefield to be supported by a suitable assessment of impact (preferably in line with accepted standards) either individually or, preferably, through amendment of HOPS Validation and Determination Guidance for Planning Applications’?

Slightly Agree

Comment - Key here will be identifying who decides what constitutes potential impact when an application is submitted and to encourage pre-application advice to be sought whenever possible.

All assessments of impacts should also include mitigation proposals and if no mitigation is proposed reasons should be given for this conclusion. This ties in strongly with comments on Q12 when looking at a standardised methodology

There would still need to be assessment of developer submitted impact assessments to ensure that they are competent and appropriate to individual development proposals.

Q15 – To what extent do you agree or disagree that ‘HES, as the lead public body set up to investigate, care for and promote Scotland’s historic environment, should request the amendment of the wording of NPF4 to allow for the assessment of setting impact where appropriate. Suggested wording is provided here: Development proposals affecting battlefields within the Inventory of Historic Battlefields should protect and, where appropriate, enhance a battlefield’s cultural significance, key landscape characteristics, physical remains and special qualities’?

Strongly Agree

Comment - The issue of assessing and commenting on impacts upon setting is not the sole remit of HES, and as such the request for the change in wording should be made jointly with the Local Authorities as well.

It should be noted that while HES are not the determining agency for planning applications impacting upon Battlefields their voice carries significant weight regarding designations and how they are dealt with via the planning process and a joint request would be welcome by ALGAO

Q16 - To what extent do you agree or disagree that 'Archaeological evaluation, impact and mitigation should be closely incorporated into the relevant strands of site assessment required to inform planning decisions'?

Strongly Disagree

Comment - The nature of most developments within Battlefields is small-scale, and as such will not have the funding in place to undertake pre-determination or pre-application mitigation.

The assessment of setting impacts is appropriate pre-determination of an application.

For the majority of other applications impacting upon a battlefield intrusive mitigation is often best conditioned as part of the Decision Notice.

Q17 - How do you view the following 'Archaeologists (both as curators and contractors) working in this area (or their professional groups) should be encouraged to prepare best practice guidance on the investigation and recording of historic battlefields'?

Strongly Agree

Comment - The Association of Local Authority Archaeological Officers (Scotland) (ALGAO:Scotland) would be best placed to develop such a guidance document in conjunction with the Federation of Archaeological Managers (FAME) and HES, given such a document would be primarily used in the development management process.

Q18 - To what extent do you agree or disagree that 'Opportunities should be explored for highlighting what is lost through irresponsible metal detecting and promoting its responsible pursuit'?

Strongly Agree

Comment - We have examples where Battlefields have been targeted by metal-detectorists over a number of years with only anecdotal reporting. When these sites have been subject to formal archaeological assessments prior to development or as part of research very little artefactual evidence remained. This is a significant material loss to understanding and managing these sites.

Conversely there are examples where detecting was prohibited (by the landowner) and subsequently examined through archaeological techniques significant remains were uncovered which has led to a greater understanding of the battle landscape.

While Battlefields are well known and easily targeted sites for detectorists, ALGAO already supports and promotes responsible recording and reporting of their finds to ensure information for understanding the battles are not lost.

We would welcome this statement wholeheartedly

Q19 - 'HES, working with others in the sector, should organise an event (or series of events) which could be in person or virtual to explore the established guidance around battlefield assessment as a way of devising and promulgating accepted standards for the assessment of cultural significance and impact on battlefields'. How do you view this recommendation?

Neutral

Comment - There have been several such event previously held with little or no outcomes. Any further events would need to have tangible outcomes.

What would be welcome is looking at practical guidance and methodologies on dealing with and assessing impacts. Although this may not be for HES alone to develop but in conjunction with others such as ALGAO and FAME.

It should be remembered that these designations are active now and there is considerable experience outside of HES about the day-to-day issues around battlefields and ALGAO would advise that it would be a far more beneficial to engage around these issues (as noted previously HES are not the decision making authority in the vast majority of cases)

Q20 - Do you have any other comments on the recommendations?

No