



Historic Environment Scotland FOI & EIR Responses - Quarter 1 2026 / 2027

About this Report

This report contains high-level summaries of responses issued by HES during the quarter. It is intended to support transparency and public understanding of how information rights legislation is applied in practice. The summaries are provided for information only and should be read alongside the relevant legislation and guidance where appropriate.

Commitment to Openness and Transparency

Historic Environment Scotland (HES) is committed to openness, transparency and accountability in all aspects of its work. As a public body, we recognise the importance of providing access to information that helps people understand how decisions are made, how public resources are used, and how we fulfil our responsibilities in caring for Scotland's historic environment. The Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs) provide important rights of access to information held by public authorities. HES seeks to respond to requests openly wherever possible, while ensuring that personal data, commercially sensitive information and other protected information is handled appropriately and in accordance with the law.

This document provides a summary of selected Freedom of Information and Environmental Information requests responded to by HES during Quarter 1 of 2026/27. The summaries are intended to improve transparency by highlighting the types of information requested, the decisions reached, and where exemptions or exceptions were applied.

Further Information

Further information about accessing information from Historic Environment Scotland can be found at:

- Freedom of Information at HES:
[Freedom of Information - HES Website](#)
- For general information from the Scottish Information Commissioner:
[Scottish Information Commissioner Homepage](#)
- Briefings and Guidance on FOI & EIR legislation:
[Briefings and Guidance - Scottish Information Commissioner](#)

Contact Us

We welcome enquiries about the information contained in this report and are committed to helping people exercise their rights under freedom of information and environmental information legislation.

If you have any questions about this report, would like further information about a request, or wish to submit a new information request, please contact the Freedom of Information Team at foi@hes.scot



EIR0984 Decision Summary – Planning Application 16–26 Forth Street, Edinburgh

The Applicant asked for information relating to a listed building consent application (26/00661/LBC) for 16–26 Forth Street, Edinburgh, including correspondence, meeting records and site visit reports connected to HES's involvement.

HES disclosed some of the requested information but withheld or did not hold other elements under exceptions in the Environmental Information (Scotland) Regulations 2004 (EIRs).

Background

On 22 April 2026, the Applicant made a request for information to HES under the EIRs.

The request sought:

- correspondence between HES and City of Edinburgh Council from 1 March 2026;
- correspondence between HES and the applicant's agents/developers from January 2025;
- notes or minutes of meetings; and
- any site visit reports relating to the application.

HES responded on 21 May 2026.

Response

HES disclosed some of the requested information, including relevant correspondence and publicly available documents (such as material available on the City of Edinburgh Council planning portal).

However:

- HES advised that some requested correspondence was not held, and this element was refused under regulation 10(4)(a).
- HES withheld a site visit / pre-application report under regulation 10(4)(e) (internal communications), subject to the public interest test.
- The same information was also withheld under regulation 10(5)(d) (confidentiality of proceedings), on the basis that disclosure would prejudice the effective operation of the pre-application stage of the planning process.
- Personal data was redacted under regulation 11(2).

Additional Information

HES explained that some information was already publicly available via the City of Edinburgh Council planning portal and was provided for ease of reference. HES also noted that disclosure is subject to copyright restrictions and further permission may be required for reuse.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review within 40 working days and, thereafter, to appeal to the Scottish Information Commissioner if dissatisfied with the outcome of that review.



FOI0985 Decision Summary – Maeshowe Shuttle Bus Service 2026

The Applicant asked for information about who would be operating the shuttle bus service at Maeshowe in 2026.

HES confirmed that the information was held but could not be released at this time due to protections relating to commercial interests.

Background

On 24 April 2026, the Applicant made a request for information to HES.

The request asked who would be providing the shuttle bus service at Maeshowe for the 2026 season.

HES responded on 26 May 2026.

Response

HES confirmed that it holds the requested information but withheld it under section 33(1)(b) of the Freedom of Information (Scotland) Act 2002, which protects information where disclosure would harm commercial interests.

This exemption was applied because the shuttle bus contract was still being awarded at the time of the request. The procurement process (where suppliers submit bids and are evaluated) had not yet been completed.

HES explained that releasing the information at this stage would be likely to:

- unfairly disadvantage or advantage companies involved in the tender process;
- reveal commercially sensitive details about bids or outcomes; and
- undermine the fairness and integrity of the procurement process, including the required standstill period before a contract is formally awarded.

Because this is a qualified exemption, HES also considered the public interest. While there is a clear public interest in openness about public spending and contracts, HES concluded that this was outweighed by the importance of ensuring a fair and lawful procurement process and protecting commercially sensitive information.

Additional Information

HES advised that, once the procurement process has been completed and the contract formally awarded, details of the successful contractor may be made public in line with transparency requirements.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review within 40 working days and, thereafter, to appeal to the Scottish Information Commissioner if dissatisfied with the outcome of that review.



EIR0986 Decision Summary – 7 West Brae, Paisley (Listed Building Records)

The Applicant asked for historical information relating to a Category B listed building at 7 West Brae, Paisley, including reports, correspondence, and photographs associated with proposed demolition and redevelopment works. HES released some information but confirmed that other requested material is no longer held.

Background

On 27 April 2026, the Applicant made a request for information to HES under the Environmental Information (Scotland) Regulations 2004 (EIRs). The request covered records from 2004–2006, including:

- internal reports and consultation responses relating to a refused demolition warrant;
- advice and reports connected to listed building consent applications;
- correspondence about refurbishment proposals; and
- photographic records of the site.

HES responded on 27 May 2026.

Response

HES disclosed some information, including a set of site photographs taken by case officers between 2002 and 2004. However, HES explained that it does not hold any further information within the scope of the request. This is because relevant written records from that period have been destroyed in line with the organisation's records retention policy.

HES therefore refused the remaining parts of the request under regulation 10(4)(a) of the EIRs, which applies where a public authority does not hold the requested information. This exception recognises that authorities cannot provide information that no longer exists or is not held.

As this is a qualified exception, HES considered the public interest test. While acknowledging some public interest in access to historical planning and conservation records, HES concluded that the balance lay in upholding the exception, as the information is not held and cannot be disclosed.

In addition, some material released was redacted under regulation 11(2) (personal data). This exception protects personal information about individuals where disclosure would breach data protection law. This is an absolute exception and does not require a public interest test.

Additional Information

HES noted that some of the photographs provided pre-date the requested timeframe but were included as they relate to early stages of discussions about the site. HES also advised that copyright restrictions may apply to the reuse of released material.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review within 40 working days and, thereafter, to appeal to the Scottish Information Commissioner if dissatisfied with the outcome of that review.



EIR0987 Decision Summary – Windows Photo Document (Planning Appeal)

The Applicant asked for a copy of a document provided by an applicant in relation to a listing review case for 6–12 Earl's Court, Peterhead (LB16384), described as “windows photo”.

HES confirmed that the requested information was held and provided the document in full.

Background

On 4 May 2026, the Applicant made a request for information to HES under the Environmental Information (Scotland) Regulations 2004 (EIRs).

The Applicant requested a copy of a document submitted by the applicant in connection with a listing review case, specifically a file referred to as “windows photo”.

HES responded on 1 June 2026.

Response

HES confirmed that the requested information was held and disclosed a copy of the document in full under the EIRs.

No exceptions were applied to withhold information.

Additional Information

HES noted that while the information was provided, copyright restrictions may apply to its reuse, and permission may be required from the copyright holder before further use.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review within 40 working days of receipt of the response, and thereafter to appeal to the Scottish Information Commissioner if dissatisfied with the outcome of that review.



FOI0989 Decision Summary – Urquhart Castle Staffing and Historical Information

The Applicant made several requests for information relating to staffing at Urquhart Castle, historical agreements, procurement documentation, and funding to community groups. HES refused the requests under provisions of the Freedom of Information (Scotland) Act 2002 (FOISA), on the basis that they were assessed as vexatious when considered in context.

Background

In April 2026, the Applicant submitted multiple requests for information to HES, on the following topics:

- a breakdown of staffing roles at Urquhart Castle;
- historical agreements relating to the ownership and management of the site;
- tender documentation from around 15 years ago; and
- information about funding provided to community groups.

HES responded on 8 May 2026. These requests were considered in the context of a long-running pattern of correspondence and information requests relating to Urquhart Castle dating back several years, including requests in 2018, 2019, late 2025 and early 2026. These have frequently covered similar topics, including financial performance, commercial arrangements, governance and operational matters, and have shown increasing frequency and scope over time.

Response

HES refused the requests under section 14(1) of FOISA, which allows public authorities to refuse requests that are considered to be vexatious. In FOI law, a request can be considered vexatious where it places an unreasonable or disproportionate burden on the authority, particularly when assessed alongside previous related requests. HES explained that, while the subject matter of the requests is not inherently unreasonable when viewed individually, they form part of an ongoing pattern of similar and overlapping requests from the same requester. In reaching its decision, HES considered:

- the cumulative impact of repeated requests covering similar topics over a number of years;
- the increasing frequency and scope of requests, particularly in recent months; and
- the significant effort required to locate and review older records, including material dating back 15 years or more.

HES concluded that responding fully would require disproportionate resources, including extensive searches across multiple systems and historic records. Taking this wider context into account, HES determined that the requests meet the threshold for section 14(1), which is intended to protect public authorities from requests that impose an unreasonable burden.

Additional Information

HES noted that this decision reflects the overall pattern and cumulative impact of the requester's interactions, rather than the content of any single request in isolation. This includes repeated requests on similar themes, re-opening issues that had already been addressed, and seeking increasingly detailed and historic commercial and operational information. HES also indicated a willingness to engage with stakeholders through appropriate channels where this supports effective and proportionate handling of enquiries.



FOI0991 Decision Summary – Equality Act Workforce Monitoring & Gender Identity Data

The Applicant requested information about how Historic Environment Scotland (HES) collects, uses and stores employee equality monitoring data, including gender identity information, staff privacy information, and any associated Data Protection Impact Assessments (DPIAs).

Background

On 20 May 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA) seeking information on workforce equality monitoring, gender identity data collection, GDPR compliance, and DPIAs.

HES responded on 17 June 2026.

Response

HES disclosed information including screenshots from its HR system, diversity monitoring information, privacy notices, and a summary of a DPIA relating to the implementation of its Oracle Fusion system.

HES confirmed that gender identity data is collected separately from sex-based data on a voluntary basis and is used for equality monitoring and inclusion purposes. It also confirmed that gender identity data is not used for statutory Equality Act reporting.

HES advised that it does not hold any additional recorded information explaining why gender identity data is collected separately from sex-based data, and does not hold a standalone DPIA for gender identity data. These elements of the request were refused under section 17(1) of FOISA (information not held).

Limited personal information was redacted under section 38(1)(b) of FOISA.

HES also noted that the DPIA provided reflects the implementation stage of the HR system and that data protection compliance continues through ongoing governance and review processes.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review within 40 working days and, thereafter, to appeal to the Scottish Information Commissioner if dissatisfied with the outcome of that review.



FOI0992 Decision Summary – Grants, Due Diligence and Financial Risk Assessments

The Applicant requested information about grants, contracts, and other financial awards where Historic Environment Scotland (HES) had identified concerns about financial mismanagement or embezzlement by recipients, as well as information about HES due diligence procedures.

Background

On 4 June 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA).

The request sought details of any relevant grants, contracts or awards made since January 2021, together with information about HES policies and procedures for assessing organisations receiving public funds.

HES responded on 29 June 2026.

Response

Following searches across relevant business areas, HES confirmed that it does not hold information showing any grants, contracts or financial awards where concerns about financial mismanagement or embezzlement had been identified or recorded. This part of the request was refused under section 17 of FOISA (information not held).

HES explained that it does not have a specific policy prohibiting funding to organisations with a history of financial mismanagement or embezzlement. However, it provided information about the due diligence and monitoring processes used when awarding grants and contracts, including financial checks, governance assessments, procurement controls, and ongoing monitoring arrangements.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.



EIR0993 Decision Summary – HMP Barlinnie Listing Consultation

The Applicant requested information about the consultation undertaken by Historic Environment Scotland (HES) in relation to the Category A listing of HMP Barlinnie, including the number of responses received, any geographic breakdown of respondents, and details of local engagement activities.

Background

On 9 June 2026, the Applicant made a request under the Environmental Information (Scotland) Regulations 2004 (EIRs).

The request sought information on consultation responses, geographic information about respondents, and engagement activities undertaken as part of the listing consultation.

HES responded on 1 July 2026.

Response

HES confirmed that 227 consultation responses were received during the consultation period. Information about the consultation process, responses, and the report of handling was already publicly available and was therefore withheld under regulation 6(1)(b) of the EIRs (information otherwise publicly available).

HES advised that it does not hold information on the geographic location of respondents, as consultation participants were not asked to provide this information. This element of the request was refused under regulation 10(4)(a) of the EIRs (information not held).

HES explained that it did not undertake direct engagement with local residents or community councils. However, the consultation was promoted through an online survey, media engagement, press activity, and social media channels.

Some personal data was withheld under regulation 11(2) of the EIRs.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.



FOI0994 Decision Summary – Royal Household Accommodation Costs, Holyrood Week

The Applicant requested information about expenditure incurred by Historic Environment Scotland (HES) in connection with accommodation provided for Royal Household staff during Holyrood Week, including associated payments and correspondence.

Background

On 10 June 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA).

The request sought accommodation expenditure figures, breakdowns of accommodation costs, details of related payments, and correspondence and briefing material covering the period from 2010 onwards.

HES responded on 9 July 2026.

Response

HES confirmed that it does not hold recorded information identifying accommodation expenditure for Royal Household staff during Holyrood Week, nor information providing the detailed breakdowns of accommodation costs requested.

HES also advised that, while it holds broader financial records relating to payments made to the Royal Household, these records are not categorised in a way that would allow accommodation-related costs for Holyrood Week to be identified. These elements of the request were refused under section 17(1) of FOISA (information not held).

For the request seeking correspondence, reports and briefing material, HES determined that the cost of locating, retrieving, reviewing and redacting the information would exceed the statutory cost limit and therefore refused this part of the request under section 12(1) of FOISA.

HES provided advice and assistance on how the request could be narrowed to bring it within the cost limit.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.



FOI0995 Decision Summary – IT Staffing Information

The Applicant requested information about IT staffing within Historic Environment Scotland (HES), including workforce numbers, vacancies, contractors, secondments and temporary promotions.

Background

On 16 June 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA).

The request sought information about the size and structure of the IT workforce and related staffing arrangements.

HES responded on 13 July 2026.

Response

HES explained that it does not maintain a formal corporate definition of “IT staff” and, for the purposes of the request, interpreted this as staff within the Digital Transformation & Delivery (DT&D) function.

HES disclosed information on the overall headcount within DT&D, the distribution of staff across pay grades, the number of vacancies, the number of contractors, the number of seconded staff, and the number of roles filled through temporary promotion arrangements.

Information identifying individual contractor roles and temporary promotion roles was withheld under section 38(1)(b) of FOISA (personal information), as disclosure could lead to the identification of individuals.

HES also advised that it does not hold information on when temporary promotion posts may be permanently recruited or on the number of IT roles located outside DT&D. These elements of the request were refused under section 17(1) of FOISA (information not held).

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.



FOI0996 Decision Summary – Access to Castle Road, Doune Castle

The Applicant requested information relating to proposals to restrict left-turn access onto Castle Road at Doune Castle, associated traffic management measures, parking arrangements, signage proposals, and discussions between Historic Environment Scotland (HES) and Stirling Council.

Background

On 16 June 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA).

The request sought correspondence, reports and other recorded information relating to proposed traffic management measures at Doune Castle and HES's awareness of traffic accidents and near-misses on Castle Road.

HES responded on 20 July 2026.

Response

HES identified and disclosed information within the scope of the request, including meeting notes, correspondence, signage proposals, action logs, incident records, and communications with elected representatives and external stakeholders.

Some information was disclosed in full, while other documents were partially disclosed with personal information redacted under section 38(1)(b) of FOISA (personal information).

HES also excluded information that fell outwith the scope of the request, including material relating solely to the administration of the FOI request.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.



FOI0997 Decision Summary – Closures of HES Properties

The Applicant requested information about the number of Historic Environment Scotland (HES) properties that were closed or subject to restrictions, together with any estimates of lost visitor numbers and financial impacts resulting from those closures.

Background

On 29 June 2026, the Applicant made a request under the Freedom of Information (Scotland) Act 2002 (FOISA).

The request sought information on property closures, the size of the Properties in Care estate, visitor impacts and lost revenue associated with site closures.

HES responded on 24 July 2026.

Response

HES confirmed that, as of 21 July 2026, it was responsible for 336 Properties in Care, of which 294 were open, 22 were operating with restrictions, and 20 were closed.

HES also confirmed that it looks after 336 Properties in the Care of Scottish Ministers.

HES advised that it does not hold recorded information estimating visitor numbers lost due to closures or restrictions, nor does it hold recorded information estimating associated financial impacts or lost ticket revenue. These elements of the request were refused under section 17(1) of FOISA (information not held).

Additional information was provided by directing the Applicant to the Properties in the Care of Scottish Ministers Annual Report 2024-25.

Right to Review and Appeal

The Applicant was advised of their right to request an internal review and thereafter appeal to the Scottish Information Commissioner.