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HISTORIC ENVIRONMENT SCOTLAND

HISTORIC ENVIRONMENT POLICY
Strategic Environmental Assessment
Non-Technical Summary for the
Environmental Report

10 September 2018



HISTORIC
ENVIRONMENT
SCOTLAND

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1. Introduction

In 2016, we committed to a review and replacement of the Historic Environment Scotland Policy Statement (HESPS). This was an interim document which was put in place when Historic Environment Scotland (HES) was formed. HESPS currently sets out how HES fulfils its regulatory and advisory roles and how it expects others to interpret and implement Scottish Planning Policy.

The draft replacement policy has the working title of Historic Environment Policy (HEP). HEP is for everyone who cares about decisions that affect the historic environment. This includes those who make the decisions, as well as anyone else affected by or interested in them.

This policy has been developed using current research and established views about how the historic environment should be cared for. It also uses previous policy documents and related policy areas that affect or are affected by the historic environment. The policy has also been informed by the What's Your Heritage? project led by HES. During the project, HES asked the people of Scotland what the historic environment means to them, and how it should be looked after. HES then spoke to people working in the historic environment sector and other interested parties about what is important to them.

This policy is a product of these conversations and principles. Whilst HEP will be a short, strategic document, it will be underpinned by detailed operational and topic specific guidance.

Policies that have the potential to have significant effects on the environment should be subject to environmental assessment before adoption. This is called 'strategic environmental assessment' or SEA. We consider that HEP has the potential to result in significant environmental effects, so we have carried out an assessment to understand what these effects are. This document summarises the findings of our assessment and acts as the 'Non-Technical Summary' of the full environmental report.

What comments are being sought?

We would welcome views on any aspect of this report, but in particular, invite you to think about the following question:

Do you agree with the results of our environmental assessment and have the key issues associated with the environmental implications of the draft policy been identified?

2. What is Strategic Environmental Assessment (SEA)?

When public bodies are preparing plans, programmes and strategies, an assessment of their effect on the environment is undertaken. The public bodies preparing plans, policies, programmes or strategies are the 'Responsible Authorities' for those documents.

The purpose of SEA is to ensure that information on the environmental effects of a plan, programme or policy are gathered and made available to plan-makers and decision takers as it is prepared and implemented. The overarching aim of SEA is to provide a high level of protection for the environment, to reduce environmental impact and to enhance environmental outcomes. It also ensures that policies and proposals are informed by relevant environmental information and provides further opportunities for people to get involved in the process.

In doing so, SEA aims to:

- integrate environmental factors into plan preparation and decision-making
- improve plans and enhance environmental protection
- increase public participation in decision making
- facilitate openness and transparency

The key stages of SEA for HEP involve:

Stage	Activity
Screening	Determining if the policy is likely to have significant environmental effects and whether an SEA is required.
Scoping	Deciding on the scope and level of detail for the assessment and the consultation period. This is done in liaison with Scottish Natural Heritage (SNH) and the Scottish Environment Protection Agency (SEPA).
Assessment, mitigation & enhancement	Testing the contents of the policy as it is developed, identifying mitigation measures and looking at ways to enhance positive effects.
Environmental Report	Publishing an Environmental Report on the findings of the assessment and consulting on that report and the policy.
Adoption & monitoring	Providing information on the adopted policy, how consultation comments have been taken into account and methods for monitoring the significant environmental effects arising from its implementation.

The assessment process is structured around SEA topic areas. These topic areas are the range of environmental issues which should be explored through the assessment. They include biodiversity, flora and fauna, population and human health, water, soil, air, climate, material assets, cultural heritage and landscape.

The Environmental Report:

- Describes the environmental and policy context of HEP
- Describes the relevant aspects of the environmental baseline
- Explains how the environmental assessment was carried out and which parts of the policy were assessed
- Sets out the findings of the environmental assessment
- Discusses options for improving the positive effects and mitigating the negative effects of the policy where appropriate

SEPA and SNH were consulted on the approach taken to the environmental assessment. Annex 3 of the full report sets out how their comments have been taken into account.

3. Environmental Context

One of the early stages of the SEA process is to consider the relationship of the policy to other relevant policies, plans, strategies and environmental objectives. This allows key environmental issues to be identified for consideration during the policy preparation process. It is also important to identify both the plans and strategies that will influence the policy and those that will be influenced by the policy. Section 3 of the full report sets out our review of the legislation, policies, plans and strategies that are considered to be of most direct relevance to the policy. We also considered, in consultation with SNH and SEPA, the scope of our assessment. We decided to focus upon five topics – cultural heritage, climatic factors, population (including human health), material assets and landscape, taking on board the comments we received from SNH and SEPA.

In order to help consider the effects of the draft policy we gathered information about relevant aspects of the environmental baseline. Because the policy will identify priorities for both our own estate and Scotland as a whole a national baseline was reviewed. Section 3 of the Environmental Report summarises the environmental baseline.

4. Approach to the assessment

A framework of environmental objectives and related questions has been used to help predict the environmental effects of the policy. This approach helps to make the assessment systematic and consistent. The environmental objectives come from our review of plans, programmes and strategies that we talked of above and the performance of our actions against these objectives is tested by a series of questions that help to focus the assessment.

Environmental Topic	SEA Objective	How will the Policy Review affect...
Cultural Heritage	Safeguard and where appropriate enhance the historic environment	<p>The safeguarding of designated tangible features of the historic environment</p> <p>The safeguarding of undesignated / unknown tangible features of the historic environment</p> <p>The safeguarding of intangible features of the historic environment</p> <p>Elements of the historic environment which have been identified as at risk</p> <p>Address the consequences of climate change for the historic environment</p>
Landscape (including urban and suburban landscapes)	To safeguard and enhance the distinct identity, the diverse character and the special qualities of Scotland's landscapes as a whole.	<p>The safeguarding and enhancement of natural characteristics and qualities of Scotland's landscapes.</p> <p>A unified approach to managing change in landscapes</p>
Population and Human Health	<p>Promote celebration, understanding, enjoyment and access to the natural and cultural heritage</p> <p>Support healthy living and working environments</p> <p>To reduce inequalities</p>	<p>Access to the historic environment</p> <p>Understanding of the value of the historic environment</p> <p>Community involvement in decisions affecting their places and spaces.</p> <p>The condition of the historic environment as a place to work and live.</p>
Climatic Factors	<p>Reduce the causes of climate change</p> <p>Contribute to effective adaptation to the predicted effects of climate change</p>	<p>CO2 and greenhouse gas emissions</p> <p>Effective adaptation to the effects of climate change</p>

Material Assets	<p>To support high quality place making.</p> <p>To support sustainable, inclusive growth.</p>	<p>Management of agricultural and forestry assets</p> <p>Management of infrastructure</p> <p>Provision of high quality, efficient housing supply</p> <p>Creation of high quality places and spaces</p> <p>The contribution of the historic environment to tourism in Scotland</p> <p>Resource and waste management</p> <p>Waste heat and energy</p>
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5. Consideration of alternatives

Alternatives were identified throughout the development of the policy, as a result of consultation with internal and external stakeholder, and through the environmental assessment itself. They included alternatives to the outcome of the policy review which led to HEP, alternative approaches to the framework for the new policy, and alternative content and wording within the new policy. Annex 1 of the Environmental Report tells the full story of the iterative development of the policy, and describes the alternatives that were considered as part of the process. This is summarised below.

6. Assessment Findings

At Stage 1 of the policy review we considered options for the outcome of the policy review. It was clear that revocation of HESPS with no replacement was not a reasonable option. Because of this, we have considered the effects of the draft HEP against the baseline of the existing HESPS. This means that we have only identified effects which are additional to those implemented by HESPS. This has allowed us to focus on identifying, mitigation and enhancing the effects of areas of change introduced by the new policy.

Stage 1 - Consideration of options for outcome of the policy review

At an early stage in the review, three options for the outcome of the review were identified. We did not consider that the first, revocation of the existing policy with no replacement, was a reasonable alternative. The reasonable options were:

Option 1: do nothing / minor amendments – continue with existing policy framework, content and focus.

This option reflects the current situation, and we have therefore considered this to represent the baseline against which the other alternatives are assessed.

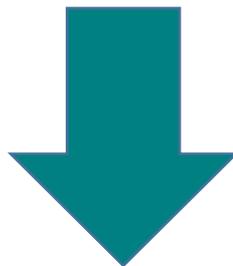
Option 2: revoke existing policy; replacement policy to have holistic approach encompassing whole of historic environment, rather than focusing on designated heritage assets.

This option has **significant positive** effects for **cultural heritage**, particularly undesignated, unknown and intangible historic environment. It is also **positive** for **population** and **landscape** objectives, as it supports an inclusive approach which can apply to all communities, and has scope to encompass the historic nature of landscapes. There is also the scope for additional environmental benefits by bring forward a new policy which can be informed by changes in environmental baseline and objectives.

Option 3: revoke existing policy; replacement policy to be equally relevant to all decision making for the historic environment, rather than focusing on limited aspects of HES decision making

This option has **significant positive** effects for **cultural heritage**, as it will place a new emphasis on good decision making in *all* types of decision which affect the historic environment. It is also **positive** for **population** by supporting community involvement in decisions about the historic environment. There is also the scope for additional environmental benefits by bring forward a new policy which can be informed by changes in environmental baseline and objectives.

We decided to take forward an approach which combines options 2 and 3.



Stage 2 - Options for framework of new policy

Following the decision to bring forward new policy to replace HESPS, we then considered the form that the new policy might take. Two options were identified:

Option 1: retain current framework, with operational policy and detailed guidance included in one document.

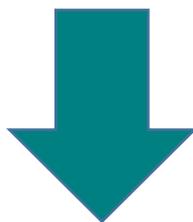
This option reflects the current situation, and we have therefore considered this to represent the baseline against which the other alternatives are assessed.

Option 2: replace with new framework, headed by high level policy document with suite of operational policy and guidance documents sitting underneath.

This could potentially lead to a loss of policy and guidance content which would have a **significant negative** effect on some objectives for **cultural heritage**, particularly relating to the safeguarding of designated tangible features of the historic environment.

Mitigation: ensure that all policy and guidance content which is not carried into the new high-level policy is reviewed and where appropriate retained elsewhere within the suite of policy and guidance documents. Ensure that all essential material is in place and issued in advance of, or alongside the adoption of HEP.

Option 2 offers benefits in terms of clarity, usability and flexibility of policy framework, and was therefore taken forward to drafting phase, with a commitment to implement the recommended mitigation.



Stage 3 – Content of the HEP

This section sets out the assessment findings for the consultative draft HEP. The detailed findings (at Annex 1) set out how the HEP has developed, and how the ongoing assessment has informed the emerging policy content.

The principles and policies of the HEP are presented in three groups; *understanding and recognition*, *managing change*, and *working together*.

Understanding and recognition

This policy theme and group of principles is likely to have **positive** effects, some of which may be **significant**, for **population** (understanding the differing cultural values of the historic environment; inclusive approach), and **cultural heritage** (holistic approach).

This section focuses specifically on the historic environment and cultural significance. There is an opportunity to also address the historic environment's role as an integral element of a broader understanding of environment. This would reflect the 'holistic approach to the environment' challenge, and could support the **landscape** objectives.

Enhancement: amend wording of ***Understanding and recognition*** section to introduce positive effects for **landscape**.

Managing change

This policy theme and group of principles is likely to have **positive** effects for **material assets** (through promoting sustainable decisions), and **climatic factors** (through promoting retention and reuse) and **significant positive** for **cultural heritage** (through providing a framework which can be applied holistically to change in the historic environment.)

Working together

This policy theme and group of principles is likely to have **positive** effects, some of which may be **significant**, for **population** (through promoting and inclusive, collaborative, community focused approach to accessing, understanding and managing change for the historic environment). This will have **positive** secondary effects for **cultural heritage**, through encouraging and empowering more communities to take a role in managing the historic environment.

Cumulative effects

We do not think that the cumulative application of the principles and policies will result in any additional significant effects.

7. Mitigation, enhancement and monitoring

Mitigation and enhancement

Our approach to the assessment and development of HEP has been iterative, and consequently the majority of mitigation and enhancement measures have been implemented as the policy has evolved. At this stage, there is one recommended mitigation measure and one recommended enhancement measure:

Mitigation: ensure that all policy and guidance content which is not carried into the new high-level policy is reviewed and where appropriate retained elsewhere within the suite of policy and guidance documents. Ensure that all essential material is in place and issued in advance of, or alongside the adoption of HEP.

We have already begun work on implementing this mitigation measure.

Enhancement: amend wording of *Understanding and recognition* section to introduce positive effects for **landscape**.

This enhancement measure will be considered as part of the post-consultation review process.

Monitoring

We will monitor the environmental effects of HEP as part of our overall monitoring of the policy. We will use the environmental objectives and issues identified in this assessment to help us do this. This will help to identify any effects arising which were not predicted through the assessment and allow appropriate mitigation to be sought.

We have also developed a framework which will allow us to monitor how effectively we are delivering the mitigation measures required in relation to policy and guidance content. This sets out in more detail where the mitigation is required, how it should be delivered and the required milestones for doing so. It provides a framework with which to monitor our delivery of the mitigation and we will review this regularly to monitor our progress. The framework is set out in Table 3 of the full Environmental Assessment.

8. Next steps

The public consultation period on our draft HEP and accompanying Environmental Report (ER) ends on 3 December 2018. A final version of HEP will be prepared following the consultation period to take into account comments made. All changes will be screened to consider if they raise significant environmental issues that have not already been considered in the environmental assessment. If the potential for significant environmental effects is identified, an assessment will be undertaken of their impact, and reported in the SEA Post Adoption Statement. This will be published along with the finalised policy.

The SEA Post Adoption Statement, which will be published along with the final version of HEP, will show how the ER (and all the comments expressed on it) has been taken into account in the adopted HEP.

9. Consultation

The Environmental Report accompanies the draft policy for a 12 week public consultation between 10 September and 3 December 2018. Any comments that you would like to make on either document are welcomed. A number of questions are listed in the Response Form which you are encouraged to use to help structure your response to the draft policy and this Environmental Report. For the Environmental Report, the main question to think about is:

Do you agree with the results of our environmental assessment and have the key issues associated with the environmental implications of the draft policy been identified?

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Historic Environment Scotland

