

Question 1:

Do you agree that a policy for the protection and sustainable management of historic battlefields is necessary? If not, what alternative course of action would you suggest, and why?

Yes. Given the vulnerability of some sites it is considered that a national policy and strategy should be prepared. However, if they are considered to be of national significance they would be better protected through additional primary legislation, as are Listed Buildings or Scheduled Monuments.

Question 2:

Do you agree with the scope and definition? If not, what changes would you propose and why?

We would agree in part with the definition and the reasoning, and the need to start with nationally significant sites. However, we would ask that it be broadened to include lesser battles, skirmishes etc where there is local evidence and support. and would the call for a tiered classification system to be considered, similar to listed buildings i.e. Category A, of National importance; B Regional; and C Local. The local authorities and Historic Scotland have policies and mechanisms in place to accommodate the tiered approach.

Question 3:

Are there other reasons for valuing battlefields that should also be considered?

The above comments highlight the sense of ownership held by local communities as well as a national feeling for a site and in particular to lesser sites giving rise to place names, street names and local community facilities.

Question 4:

Do you support the proposal to create a non-statutory Inventory of nationally important battlefields? If not, what alternative approaches should be considered?

We would support an Inventory of Battlefields, although it should be broadened to a tiered system as described above. Moreover, it should be backed by primary legislation especially if they are to be confined to only nationally important sites.

Question 5:

Should an Inventory of Historic Battlefields be given the same status currently enjoyed by Gardens and Designed Landscapes within the planning system (see Note 6)?

It would be an added and explicit security layer, but would still fall short of **Statutory** protection under primary legislation.

Question 6:

Do you agree with the purpose of the proposed Inventory? If not, what changes would you suggest and why?

Yes, we would agree with the purpose, but would call for a broader scope to include a tiered approach or the reasons mentioned above.

Question 7:

Do you believe that the criteria set out in Annex A are suitable? If not, what alternative criteria would you suggest and why?

Yes, but again this is for nationally important sites.

Question 8:

Do you agree with the proposed definition of the area of interest? If not, what changes would you suggest and why?

It is accepted that you have to draw a line somewhere and this would be based on written and archaeological evidence. However, could thought be given to amenity zones or, in the case of World Heritage Sites, Buffer Zones or other spheres of influence and the effect on the site's setting?

Question 9:

Do you agree that policies are needed for both the overall area of the battlefield and specific areas within it? If not, what changes would you suggest and why?

Given that the SHEP proposes no added primary legal protection, it would be essential to have as much non-statutory added protection as possible, whether it be through nationally or locally administered policies via the local planning process or development management. This could be compared with the setting of listed buildings or the curtilage of a building or a buffer zone of a World Heritage Site.

Question 10:

Do you agree that best practice guidance would be useful? If so, who should lead in developing this? If not, what alternative approaches should be considered?

If this to be for National sites then the best practice guide should be applicable to all areas of the country and should be produced by Historic Scotland in partnership with stakeholders. This should then form the basis for each Local Authority's Supplementary Planning Guidance on Battlefield sites, be they national, regional or local.

Question 11:

Do you agree with the roles identified here? If not, what changes would you propose, and why? Are there other key stakeholders who have significant roles to play?

Broadly speaking we would agree but other issues may have to be considered e.g. scheduled and non scheduled areas, listed buildings within sites with statutory protection whereas the battlefields have none, sites in guardianship, non co-operative or responsive landowners, compulsory acquisition powers, Section 75 agreements, grants or tax incentives. Stakeholders and owners could be broadened and classified into: statutory undertakers, power generators, infrastructural organisations, road, rail and air transport providers and forestry enterprise companies.