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By E-Mail

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Scottish Parliament Education and Culture Committee Call for Evidence

COMMENTS BY THE SCOTTISH PROPERTY FEDERATION ON THE HISTORIC ENVIRONMENT (SCOTLAND) BILL

Introduction

1. The Scottish Property Federation (SPF) is a voice for the property industry in Scotland. We include among our members; property investors including major institutional investors, developers, landlords of commercial and residential property, and professional property consultants and advisers.
2. We welcome the opportunity to contribute to the call for evidence on the Historic Environment (Scotland) Bill. We are also happy for the Scottish Parliament to publish our comments and share our views with other public authorities.

General Comment

3. The SPF's main interest is to assist in helping Historic Environment Scotland to remain in a position to support positive outcomes for the historic built environment. The private sector is the largest source of investment in the heritage sector and the property industry is willing to continue to work closely with experts within the new body in order to drive the potential of the sector for the purposes of heritage itself and its contribution towards sustainable economic growth.

Question 2

4. Our members agree with the functions set out for the new body. **It will be important for the new body to continue to work with the private sector to improve knowledge standards and skills, in order to add value to the significant investment made by the private sector in the historic built environment.** The operation of effective and efficient processes that align with the on-going simplification of the planning system should as suggested in the policy memorandum be a key consideration in deciding on the internal control and governance arrangements of the new NDPB. Time is money and investors will not be able to allow proposals to drag on with allocated funds being unable to achieve their required return. **Our members agree with the proposal to exempt certain specified aspects of the organisation's work from Ministerial direction.** This would provide an appropriate balance between public accountability

and scrutiny - and the need to provide for independent professional decision making. **Members also welcome the provision at section 21 of the ability to specify exactly which elements of a building are and are not listed.**

Question 3

5. The SPF welcomes the positive steps taken to create a central historic environment policy unit. **Our members also welcome the merger of RCHAMs and HS as a new non-departmental public body.** Our members are strongly of the view that this should be supported further by an efficient listed building consent and planning application process that will support developers seeking to bring historic properties up-to-date or back into use. The SPF recognises that early engagement by the private sector with the new body and local authorities is also a key issue and one for the private sector to play its role in.

Question 4

6. The industry would welcome the support of the new body to address the growing complexity and legacy of managing historic assets where challenging economic conditions have tested viability considerations and their regenerative potential. **The SPF believes firmly that the best way to maintain historic policies is through their effective retention in use, which should be a key measure of success.** As stated under Question 3, this can be helped by an efficient listed building consent and planning application process that will support developers seeking to bring historic properties up-to-date or back into use. This process would be greatly aided by agreements on timescales which will benefit both parties through providing certainty of decision-making and thence of the timing of the outcome of property proposals. Our members support strongly the operation of effective and efficient systems that align with the on-going simplification of the planning system and are strongly of the view that this should be a key consideration in deciding on the internal control and governance arrangements of the new NDPB. The SPF continues to work with the Measuring Success Working Group facilitated by BEFS and set up to create a Performance Measurement Framework for the Historic Environment Strategy for Scotland.

Question 7

7. Our members agree that the Strategy should help the historic environment to remain in a position to deliver positive outcomes, harness available opportunities and address challenges. The key tenet of the SPF's policy on the historic environment is our belief that the best way to maintain historic properties is through their effective retention in use. However, difficult decisions will occasionally need to be made regarding the continued use and *in extremis* even the existence of some buildings where this is not feasible for a variety of reasons (safety, cost to maintain, interest etc). The SPF is concerned that the proposals presented in the Strategy should not impact negatively on business, investment, the third sector or have any regulatory impact than is already the case.

Other Comments

8. In taking the Strategy forward it will be important for the policy function of the new body to have a strong input into the influence of wider government policies and their effect on the built environment. For example, the impending retrofit requirements for non-domestic buildings due this year under s63 of the Climate Change (Scotland) Act 2009, will benefit from the knowledge and expertise within the new body on how to improve energy efficiency within listed buildings.
9. Our members strongly support the operation of effective and efficient systems that align with the on-going simplification of the planning system. **The new body should continue to seek to support the ongoing simplification of the planning/consents process where appropriate.**
10. The SPF would be pleased to explain its comments in further detail at the Committee's request.

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