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Dear Dr Prestoungrange

BATTLEFIELD POLICY

Lesley Brown has passed to me your e-mail of 28 July asking for an analysis of the differences between the original consultation document and the policy published on Monday.

The greatest difference between a consultation document and the final SHEP is that a great deal of contextual information necessary to inform the consultation is not carried over to the final document. Similarly, detailed information about implementation is reduced to a summary at the end of the policy.

In the case of battlefields the differences between the consultation and the final version are more marked than normal because the draft policy on battlefield consulted upon was intended to be the basis for a free-standing SHEP document on battlefields, similar to those on scheduling, gardens etc. However, the SHEP was last autumn, on Ministers' instructions, turned into a single document in which only a minimal amount of contextual material was to be included. You may be aware that a similar process is being carried out on Scottish Planning Policy. The new SHEP is also a more technical document. Some general contextual material - for example the educational and economic value of the historic environment - is included in Chapter 1 of the SHEP, rather than repeated for every type of 'asset' - such as scheduled monuments or listed buildings.

As a consequence of these changes, the focus of battlefield sections of the new SHEP is to explain succinctly the primary purpose of the battlefield policy, namely the identification and delineation of important battlefields through a transparent system and the subsequent sensitive management of change within them. The definition of what can be designated has been widened by the removal of the limit on numbers involved, while the criteria have also been amended to take account of comments received during the consultation.

The consultation responses revealed a wide range of aspirations and expectations of what battlefield policy should encompass, from, on the one hand, a view that no such a policy was needed, to, on the other, an absolute ban on any development on any battlefield. There were proposals for statutory systems although little detail of exactly what that would achieve beyond symbolic value (it is interesting to note that the statutory Register proposed for England in the stalled Heritage Bill was intended to have the same effect as what we are doing - to reinforce the consideration given to battlefields in the planning system). There were also ambitious visions for interpretation and commemoration that would have required significant new resources to be found at a time of constraint, and also had major legal and administrative impacts, in relation to the control of land by individual owners and other bodies. However, many of the issues raised during the consultation were about implementation, and HS will be pursuing this over the coming months, and preparing documentation in due course.

We welcome your continued interest in the battlefield policy and look forward to further engagement with you as we progress with its implementation.

Yours sincerely

Gordon J Barclay

Gordon J Barclay
Head of Policy