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4 May 2017

Dear Mr Thompson

RESPONSE TO THE MANAGING CHANGE IN THE HISTORIC
ENVIRONMENT SERIES - RESEARCH EXCAVATIONS ON SCHEDULED
MONUMENTS: GUIDELINES AND ADVICE, JANUARY 2017

Many thanks for giving the Society an opportunity to respond to this consultation. Details about the Society are available on our website (www.socantscot.org). The Society responds to the six questions as follows:

DOES THIS DOCUMENT PROVIDE THE GUIDANCE YOU WOULD EXPECT?

No.

This document presumes from the outset that there is some form of excavation intervention at a Scheduled Monument that does anything other than contribute to research. Any and all such interventions should be expected to do so, and thus any and all such excavations should be required to follow the same HES guidance and advice in applying for SMC. The removal of “conservations works” and “excavation in advance of development” from the remit of the document is inexplicable. In addition, the removal of “natural processes where loss is inevitable” is perplexing – any excavation intervention in response to this factor (and the others) must surely adhere to these same principles, guidelines and advice, or perhaps the document is referring to the process of natural erosion not being an excavation, which is obvious and unnecessarily confusing here?

The entire premise appears to remove “research” from the process of excavation, or indeed any intervention on a historic asset, in this case a monument designated as of national importance. It is very unclear to the Society why “additional” information is required for “research excavation”; all interventions, including those on Scheduled Monuments, should be based on a sound research design incorporating sufficient resources, a project design and scheme of investigation.

The Society considers that it may be useful to have a document that offers advice and guidance to all those undertaking excavation at a Scheduled Ancient Monument

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entitled *Excavations on Scheduled Monuments*, and covers all such interventions, but this could equally be covered in an extension to the current *Works on Scheduled Monuments* Managing Change document.

The terminology throughout does not reflect the legal documentation on which it is based, such as use of “archaeological site” instead of “ancient monument” or “scheduled monument”. Archaeology is defined as a process and one in which everyone can partake – see Scotland’s Archaeology Strategy for example – and the continued compartmentalisation of an “archaeological site” from other parts of Scotland’s heritage, or of “research excavations” from other excavations is unhelpful and leads to confusion. Archaeology itself cannot be Scheduled or non-Scheduled (page 4) in this context.

In addition, the current legal documents and policy advice refer to “national importance” and “cultural significance”, and the use of terms such as “cultural potential” and “cultural value” are undefined and confusing.

It can be argued that many Scheduled Monuments are very poorly defined, both in physical extent and with regard to their cultural significance, and the knowledge gained from excavation, even extensive or total excavation, of a Scheduled Monument could in fact *increase* the cultural significance of a monument, or a monument type widely Scheduled, and provide explicit evidence of its national importance; something that is missing from many Schedules. The lack of flexibility in stated HES policy in this document is concerning, and the more flexible consideration of each monument on its merits stated in the *Works on Scheduled Monuments* document (e.g. para 6.2) is more satisfying. In this context it is also important to highlight that if HES expects “the minimum level of intervention that is consistent with conserving what is culturally significant in a monument” then there should be an evidenced statement of cultural significance to which the archaeologist can refer in developing any research strategy and so on, but this does not exist for many Scheduled Monuments.

There is reference to balancing the benefits of excavation against “the impact on the national cultural significance of the monument”, but the suggested benefits listed on page 7 include “scientific understanding of the monument”, “development of wider government policy or other strategies” and the concept of economic (i.e. financial) benefit arising from excavation (introduced with no explanation or caveats), none of which relate directly to the Public Benefits proposed on page 5. Indeed, it is unclear to the Society what “scientific understanding” is, and whether this is somehow related to “academic research” which again is undefined and probably redundant in this context. From this document it seems that “clear tangible benefits” can only accrue from making Scheduled Monuments accessible.

There are also references to “high industry standard”, “the highest academic and professional standards” with no indication as to what these are. There is a reference to the CIfA Standards and Guidance at the end of the document, but it is not clear if this is what the research strategy and project design will be measured against. This should be explicit. Similarly, only one HES Operational Policy document is referred to, that for *The Treatment of Human Remains in Archaeology*, but no mention of *Archaeology on Farm and Croft*, or *Conservation of Ancient Architectural*

Monuments in Scotland, or Graveyards and Gravestones, while HES also has several relevant TANs (16, 17 and 27 for example).

This document confuses more than elucidates and does not align with OPiT and Scotland's Archaeology Strategy. While the underlying concept is sound: that any intervention made on a Scheduled Ancient Monument is of the highest quality, the various issues highlighted in this response make it clear this is not the guidance the Society would expect.

DOES THE DOCUMENT LEAVE OUT ANYTHING THAT SHOULD BE INCLUDED?

Yes.

Information on Class VI Consents, which are relevant to guidance on applying for Scheduled Monument Consent for excavation.

Link to and explicit mention of Treasure Trove and its processes and guidance.

Link to ScARF if referring to it.

As noted above links to other TANs or Operational Guidance, otherwise why single out Human Remains?

DOES THE DOCUMENT INCLUDE ANYTHING YOU THINK IS UNNECESSARY?

Yes

There is a lot of superfluous repetition throughout the document, including the repetition of information held in other documents (such as the Works on Scheduled Monuments, where it is often expressed with more clarity).

DO YOU HAVE ANY ALTERNATIVE EXAMPLES YOU WOULD LIKE US TO USE TO HELP ILLUSTRATE ANY OF THE POINTS MADE IN THE DOCUMENT?

No.

AS WE CONTINUE TO DEVELOP OUR SUITE OF GUIDANCE, ARE THERE TOPIC AREAS YOU WOULD LIKE TO SEE COVERED?

No.

PLEASE PROVIDE ANY ADDITIONAL COMMENTS.

The document has numerous grammatical, punctuation and spelling errors, from the second sentence which starts "And..." to the final useful links and further information where reference is made to the "Chartered Institute of Archaeologists" rather than the "Chartered Institute for Archaeologists". The term "DDA requirements" is not defined anywhere.

The layout can be confusing, with lack of differentiation between headings, or a lack of emphasis on headings. Paragraphs need to be numbered, especially in a policy document that may be used in legal or other official proceedings and discussions. Finally, the images of the ScARF documents are Society copyright rather than HES.

The specific occurrences of all these issues can be provided on request.

In general the Society does not believe that this document in its present form is fit-for-purpose. The Society urges HES to use whatever means it has at its disposal to engage with the sector at an early stage in conception and development of such documents. One of the central tenets of the sector's vision for the historic environment, articulated through OPiT and Scotland's Archaeology Strategy, is to remove conceptual silos that are detrimental to delivering better outcomes, this document appears to reinforce such silos.

I hope that this response will help to better integrate the Managing Change document with the wider strategic issues in Scottish archaeology, if you have any further queries please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Gilmour', written in a cursive style.

Dr Simon Gilmour
Director (director@socantscot.org)