

PERTH AND KINROSS COUNCIL

Enterprise and Infrastructure Committee

28 August 2013

**RESPONSES TO THE CONSULTATION ON THE HISTORIC ENVIRONMENT
STRATEGY FOR SCOTLAND AND THE MERGER OF HISTORIC SCOTLAND
AND THE ROYAL COMMISSION ON THE ANCIENT AND HISTORICAL
MONUMENTS OF SCOTLAND**

Report by Executive Director (Environment Services)

PURPOSE OF REPORT

For the first time the Scottish Government is preparing a Strategy for Scotland's Historic Environment. In order to facilitate this a draft Strategy has been published and also the 2 key organisations involved in the historic heritage are proposed to be merged in to a single organisation. Responses to the draft Strategy and the proposed merger of the 2 bodies are invited from stakeholders, including Perth & Kinross Council. This report contains the Council's response to the document and the proposed merger and would ask for the Committee's approval for the Council's response to the proposed Historic Environment Strategy and the merger of the 2 organisations.

1 Introduction

- 1.1 The Scottish Government is considering a strategy for shaping the way forward for the historic environment and in doing so is proposing to create a new single organisation to deal with Scotland's built heritage. Scotland's historic environment is seen as intrinsic to our sense of place and strong cultural identity. There is recognition of the importance of the historic heritage to helping to create a sense of place, in fostering identity and social well-being, and for the economy, civic participation, tourism and lifelong learning.

2 Response to Consultation

- 2.1 Responses to the consultation paper are invited in the form of a series of questions under 2 separate sections. The first relates to the actual strategy as proposed and the second relates to the Proposal to Merge Historic Scotland (HS) and the Royal Commission on the Ancient and Historical Monuments of Scotland (RCHAMS).

Historic Environment Strategy for Scotland

- 2.2 Scotland's built environment is seen as the evidence for human activity that connects people with place, and includes the associations we can see, feel and understand.

- 2.3 This therefore places it at the heart of our cultural identity, and recognises its key role in defining Scotland's place on the world stage. The historic environment is also a crucial part of the national economy. As one of Scotland's greatest assets, the built environment is also sustainable and this requires to be protected and nurtured as a resource to ensure that it remains a key component of a flourishing, healthy and dynamic Scotland.

Values and Benefits of the Historic Environment

- 2.4 The values and benefits of Scotland's built environment are seen as:
- Participation –
Significant number of people who care for and celebrate the historic environment
 - Education –
The historic environment is an important contributor to education and training
 - Construction –
The care and maintenance of the historic environment is an important factor in the economic security of Scotland's construction industry
 - Tourism –
Tourism is one of the most important industries in Scotland

The challenges facing the Historic Environment

- 2.5 The challenges that are seen as facing the historic environment are:
- Challenging financial outlook
 - Ensuring that the historic environment is recognised in public policy debates
 - Impact of climate change
 - Meeting public expectations
- 2.6 The consultation recognises that the current challenging environment for funding presents a challenge for the management and maintenance of the historic environment and that choices have to be considered with more "core" services and activities.
- 2.7 The proposed Strategy is aimed at setting the direction for the built heritage of Scotland for the next 10 – 15 years and contains a vision for Scotland's Historic Environment, namely;
- Our vision for Scotland's historic environment is.....that it is understood and valued, cared for and protected, enjoyed and enhanced. It is at the heart of a flourishing and sustainable Scotland and will be passed on with pride to benefit future generations.*
- 2.8 The proposed vision is underpinned by a series of high level objectives, together with a rationale on why the objectives are important, as well as setting out how they will be delivered. The aims are set out as follows;

- Understanding – By investigating and recording our historic environment to continually develop our knowledge, understanding and interpretation of our past and how best to conserve, sustain and present it.
- Protecting – By caring for and protecting the historic environment ensuring that we can both enjoy and benefit from it and conserve and enhance it for the enjoyment and benefit of future generations.
- Valuing – By sharing and celebrating the richness and significance of our historic environment, enabling us to enjoy the fascinating and inspirational diversity of our heritage.

Delivery of the Aims and Vision

2.9 In delivering the vision, the strategy also proposes the following overarching principles:

- a) Scotland's historic environment is important
- b) Be ambitious: do more both to preserve and maintain the historic environment and to secure the many associated benefits
- c) Face the challenges

High Level Priorities

2.10 The strategy is underpinned by proposals for a series of high level strategic priorities for the sector, the result of discussion and consultation:

- Cross-cutting Strategic Priorities
- Understand – Investigate and Record
- Protect – Care and Protect
- Value – Share and Celebrate

2.11 The key outcome for the strategy is seen as being to ensure that the social, environmental and economic value of Scotland's built environment makes a strong contribution to the well being of the nation and its people.

Comments on the Strategy

2.12 It is considered that regard should be given to the following points:

- Given the importance of the built environment to the national economy it is critical that an holistic approach is taken to dealing with proposed development and this should also be a fully proportionate approach
- The high level cross-cutting approach proposed for the new organisation should provide a strong lead for both the whole structure and also driving forward the built environment agenda and its contribution to the economy
- The issue of available resources requires to be clarified particularly in relation to be able to effectively deliver the strategy for the built environment
- There requires to be sufficient access to the records of the RCAHMS in terms of ease and availability of that access

- Education and its importance should be firmly placed in the strategy in the context of widening the understanding and participation in the built environment
- The links between the proposed strategy and the emerging SPP2 and NPF3 should be strengthened
- Emphasise the importance that the built environment plays in those parts of Scotland, such as Perth and Kinross, where it is also intrinsically linked with the economy of the area, i.e. tourism and leisure and the sustainable development of these areas
- Further clarity over how the proposed organisation structure would operate in practice, and in particular from an operational point of view with the customer groups, including planning authorities
- Would welcome further involvement in how the success of the new organisation would be measured

2.13 In general, the Council welcomes and supports the aims and vision of the draft strategy. The Council's responses to the consultation questions on the strategy (Qs 1 – 14) are set out in Appendix 1 to this report.

Proposal to Merge Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS)

2.14 The consultation paper proposes that a new Non Departmental Public Body for the historic environment, through the merger of Historic Scotland and RCAHMS be established. It is also proposed that provisions should be made to allow the new body to apply to the Office of the Scottish Charities Regulator (OSCR) to become a registered charity. The decision to progress to this new body follows the commissioning of a business case in July 2012, which was in turn based upon the outcome of an options appraisal on securing the long term future of RCAHMS. It is aimed at drawing on the considerable strengths of both organisations that will be well equipped to lead and support the delivery of Scotland's historic environment strategy.

Functions of the New Organisation

2.15 The business case outlines the proposed functions the new organisation is to carry out. However, the Scottish Government has addressed concerns over a possible lower priority being given to the RCAHMS collections and to the research and survey activity that supports them. In making the decision to merge the organisations the Scottish Government has been clear that all the existing functions should be maintained and that protection should be given to RCAHMS functions by placing them on a statutory footing for the first time.

2.16 It is proposed that the new organisation would allow for both Historic Scotland and RCAHMS to maintain their names as component parts but a new name and identity for the overall organisation would be sought.

2.17 The functions are defined under the following terms:

- Investigate and Record
- Care and Protect
- Share and Celebrate

2.18 The legislation will be drafted to ensure that these functions continue.

Comments on the Proposed Merger

2.19 It is considered that regard should be given to the following points:

- Wish to see the existing delegated powers to planning authorities over the determination of applications being fully maintained
- The processes and structure of the new merged organisation should operate on a fully transparent basis
- The new identity and name for the merged organisation should demonstrate a clear link with the existing to ensure the widest understanding of the transition between the existing and proposed
- There will be an important role for the new organisation in engaging with the business sector as part of the promotion of sustainable economic development and the role that the built environment plays within this

2.20 In general, the Council welcomes and supports the functions of the proposed merged organisation and in particular that the existing functions of the Historic Scotland and RCAHMS will be maintained and protected. The Council's responses to the consultation questions on the strategy (Qs 15 – 34) are set out in Appendix 1 to this report.

3. Conclusion

3.1 The proposed strategy for the built environment and the formation of the new organisation through the merger of Historic Scotland and RCAHMS are generally welcomed by the Council. However, in setting out the answers to the consultation questions there are areas of the proposal that will require further information and clarification and there will be a future opportunity for the Council to make representations on these. It is, though, recommended that the Committee agree the content of this report and Council's responses to the consultation paper.

3.2 The Committee is asked to:-

- (i) Approve the answers and comments set out in Appendix 1.

Author

Name	Designation	Contact Details
Nick Brian	Development Quality Manager	475351

Approved

Name	Designation	Date
Jim Valentine	Executive Director	30.7.13

If you or someone you know would like a copy of this document in another language or format, (on occasion only, a summary of the document will be provided in translation), this can be arranged by contacting Nick Brian



Council Text Phone Number 01738 442573

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 This report supports the Community Plan/ Single Outcome Agreement visions of creating a thriving local economy, a strong sustainable local economy which act as catalyst to essential elements of a vibrant and successful area.

Corporate Plan

- 1.2 The Council's Corporate Plan 2013 – 2018 lays out five outcomes focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:
- i) Giving every child the best start in life;
 - ii) Developing educated, responsible and informed citizens;
 - iii) Promoting a prosperous, inclusive and sustainable economy;
 - iv) Supporting people to lead independent, healthy and active lives; and
 - v) Creating a safe and sustainable place for future generations.
- 1.3 This report relates to all above.

2. Resource Implications

Financial

2.1 None.

Workforce

2.2 None.

Asset Management (land, property, IT)

2.3 None.

3. Assessments

Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 This report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS prepared by the Scottish Government who is the responsible authority in this instance.

Sustainability

3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

- 3.6 However, no action is required as the Act does not apply to the matters presented in this report as this Council is providing comment on a PPS prepared by the Scottish Government who is the responsible authority in this instance.

Legal and Governance

- 3.7 None.

Risk

- 3.8 There are no specific risks associated with the proposals outlined within the report.

4. Consultation

Internal

- 4.1 None.

External

- 4.2 Perth and Kinross Heritage Trust were consulted separately by the Scottish Government and are making their own representations.

5. Communication

- 5.1 None.

2. BACKGROUND PAPERS

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- The Historic Environment Strategy for Scotland 2013
- The joint consultation paper on The Historic Environment Strategy for Scotland and the merger of Historic Scotland and The Royal Commission On The Ancient And Historical Monuments of Scotland

3. APPENDIX

Appendix 1 - Response to consultation questions

A Joint Consultation on the Historic Environment Strategy for Scotland and the Merger of Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS).



RESPONDENT INFORMATION FORM Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Perth and Kinross Council

Title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ *Please tick as appropriate*

Surname

Brian

Forename

Nick

2. Postal Address

The Environment Service: Planning and Regeneration Service

Pullar House

35 Kinnoull Street

Perth

Postcode PH1 5GD

Phone **01738 475351**

Email DevelopmentManagment@pkc.gov.uk

3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☐

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ Yes ☐ No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐ **OR**

Yes, make my response available, but not my name and address ☐ **OR**

Yes, make my response and name available, but not my address ☐

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☒ Yes ☐ No

Group/Org Type (please tick one)

- | | | |
|-----------------------------------|---|--------------------------|
| Local Authority | <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> |
| Professional Body | <input type="checkbox"/> Voluntary Organisation | <input type="checkbox"/> |
| Contractor/Developer | <input type="checkbox"/> Housing Provider / RSL | <input type="checkbox"/> |
| Designer/Consultant | <input type="checkbox"/> NDPB/Agency | <input type="checkbox"/> |
| Academic Body | <input type="checkbox"/> Advisory | <input type="checkbox"/> |
| Industry Association/Manufacturer | <input type="checkbox"/> Other (Please Specify) | <input type="checkbox"/> |

(d)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ Yes

☐ No

4. I will be responding to:

Please tick as appropriate

Both parts of the consultation

☐

Part 1 - Historic Environment Strategy

☒

Part 2 – Business case for the Merger

☒

CONSULTATION QUESTIONS

To select an answer click one of the tick boxes. To change your answer click in the box again e.g. Yes ☐ No ☐

To enter comments please use the blue comments boxes as below which will automatically expand as you type.

Comments

Part 1 Historic Environment Strategy for Scotland

Q1. Do you agree that the definition appropriately describes the 'historic environment'?

Yes ☒ what do you like about it?
No ☐ how do you think it could be improved?

However, it is considered that reference should be made to events as these can also provide some connection and/or association with place and therefore the Historic Environment

Q2. Does the Vision take account of your aspirations for the historic environment?

Yes ☒ what do you like about it?
No ☐ what would you change?

None

Q3. Are the overarching principles the right principles to guide our activities over the next 10-15 years?

Yes ☒ what do you like about them?
No ☐ what would you change?

Under c) challenges, full recognition should be given to recognising changing circumstances generally,

In planning how to deliver the aims and vision of the strategy, staff worked in collaboration with stakeholders to produce a series of high level strategic priorities, these included cross cutting overarching priorities and a series of priority areas for the sector.

Q4. Cross-cutting

(i) Does the overarching aim reflect your ambition for the historic environment?

Yes ☒ what do you like about it?
No ☐ what would you change?

None.

(ii) Do the cross-cutting priorities take account of what you think is important for the future of the historic environment?

Yes ☒ which priorities do you like most?
No ☐ what would you change?

Should ensure that due regard is given to proportionality and that this is fully embedded within an holistic approach

(iii) Do the suggested high level, cross-cutting actions provide a reasonable basis to begin to take the Strategy forward?

Yes ☒ which actions are particularly important?
No ☐ what actions should be taken forward and which need to be changed or added?

The higher level cross cutting should provide a strong lead for the whole structure

(iv) How will the cross-cutting proposals impact on you and how will you be able to contribute to its success?

Potential issue in respect of available capacity and resources to deliver effectively

Q5. Investigate and Record

(i) Does the aim for investigate and record reflect your ambition for the historic environment?

Yes ☒ what do you like about it?
No ☐ what would you change?

Subject to the records having sufficient availability and access for use

(ii) Do the priorities for investigate and record take account of what you think is important for the future of the historic environment?

Yes ☒ which priorities do you like most?
No ☐ what would you change?

None

(iii) Do the suggested high level actions for investigate and record provide a reasonable basis to begin to take the Strategy forward?

Yes ☒ which actions are particularly important?

No ☐ what actions do you think should be taken forward and which need to be changed or added?

None

(iv) How will proposals for investigating and recording the historic environment impact on you and how will you be able to contribute to its success?

Again, resource implications and also that education is a key component in respect of widening user groups.

Q6. Care and Protect

(i) Does the aim for care and protect reflect your ambition for the historic environment?

Yes ☒ what do you like about it?
No ☐ what would you change?

None

(ii) Do the priorities for care and protect take account of what you think is important for the future of the historic environment?

Yes ☒ which priorities do you like most?
No ☐ what would you change?

With particular emphasis on an holistic approach.

(iii) Do the suggested high level actions for care and protect provide a reasonable basis to begin to take the Strategy forward?

Yes ☒ which actions are particularly important?
No ☐ what actions do you think should be taken forward and which need to be changed or added?

Consideration should be given to the strengthening of the links with SPP2 and NPF3, particularly in terms of the actual documents.

(iv) How will proposals for caring for and protecting the historic environment impact on you and how will you be able to contribute to its success?

Essentially a resource issue but also how other key partners and groups engage and cooperate across the process, in parallel to a shared recognition of the role of the historic environment in sustainable economic development

Q7. Share and Celebrate

(i) Does the aim for share and celebrate reflect your ambition for the historic environment?

Yes ☒ what do you like about it?
No ☐ what would you change?

None

(ii) Do the priorities for share and celebrate take account of what you think is important for the future of the historic environment?

Yes ☒ which priorities do you like most?
No ☐ what would you change?

Particularly in relation to tourism as a key economic driver in Perth and Kinross.

(iii) Do the suggested high level actions for share and celebrate provide a reasonable basis to begin to take the Strategy forward?

Yes ☒ which actions are particularly important?
No ☐ what actions do you think should be taken forward and which need to be changed or added?

None

(iv) How will proposals for sharing and celebrating the historic environment impact on you and how will you be able to contribute to its success?

It will encourage a higher profile to be created and a greater and wider public awareness

Q8. Delivering the Vision

Do you agree that the Strategy will help the historic environment to remain in a position to:

(i) Continue to deliver positive outcomes?

Yes ☒
No ☐

None

(ii) Harness available opportunities for the historic environment?

Yes ☒
No ☐

(iii) Address the challenges it faces?

Yes ☒
No ☐

Particularly in relation to supporting the clear link between the sense of place and and space and the wider economic health of the nation.

(iv) If yes, which aspects of the Strategy do you support in particular? If no, what is missing?

None

Q9. Do you agree with the proposed structure which will govern how we realise the ambition set out in the Strategy?

Yes ☒ what do you like about it?
No ☐ what would you change?

Support the high and influential level of the Board but would wish to see, in due course, clarity over how the linkages between the 3 levels would operate in practice. Also, how the operational level, in particular, interacts with the wide range of customer groups, including planning authorities.

Q10. What do you think success will look like for the Strategy and how do you think success should be measured?

Please indicate below if you would like to be involved in further discussions about measuring success.

Yes ☒ No ☐

Success would be the built environment being widely recognised universally as a key component of the economy and forming a clearer, positive driver to the delivery of sustainable economic development. Measuring success should be from both the quality and performance of this contribution. PKC would welcome involvement in further discussions over measuring success and the high quality of the built environment.

Q11. Do you think that the proposals presented in the Strategy might impact on people differently depending on characteristics such as age, disability, gender, race, religion or belief, sexual orientation or gender identity? If so, please tell us more.

Only in so far as education has a key role to play at all levels, age groups etc. In addition, in an increasingly diverse society in terms of cultural attitudes, this may also need to be addressed.

Q12. Do you think that the proposals presented in the Strategy might impact on businesses, the third (voluntary) sector or have any regulatory impact? If so, please tell us more.

In so far as heightened awareness of the importance of the built

environment could lead to greater and wider engagement with and access to built environment assets This may therefore, as a consequence, impact on businesses and/or the third (voluntary) sector.

Q13. Do you think that the strategic environmental assessment has identified the key issues associated with the environmental implications of the Strategy?

Yes ☒
No ☐ what is missing or needs to be changed?

None

Q14. Please use this section to provide any other comments you think are relevant to the Strategy

Given the importance of the built environment to the national economy it is critical that a holistic approach is taken to dealing with proposed development and this should also be a fully proportionate approach

The high level cross-cutting approach proposed for the new organisation should provide a strong lead for both the whole structure and also driving forward the built environment agenda and its contribution to the economy

The issue of available resources requires to be clarified particularly in relation to be able to effectively deliver the strategy for the built environment

There requires to be sufficient access to the records of the RCAHMS in terms of ease and availability of that access

Education and its importance should be firmly placed in the strategy in the context of widening the understanding and participation in the built environment

The links between the proposed strategy and the emerging SPP2 and NPF3 should be strengthened

Emphasise the importance that the built environment plays in those parts of Scotland, such as Perth and Kinross, where it is also intrinsically linked with the economy of the area, i.e. tourism and leisure and the sustainable development of these areas.

Further clarity over how the proposed organisation structure would operate in practice, and in particular from an operational point of view with the customer groups, including planning authorities

Would welcome further involvement in how the success of the new organisation would be measured

Wish to see the existing delegated powers to planning authorities over the determination of applications being fully maintained

The processes and structure of the new merged organisation should operate on a fully transparent basis

The new identity and name for the merged organisation should demonstrate a clear link with the existing to ensure the widest understanding of the transition between the existing and proposed

There will be an important role for the new organisation in engaging with the business sector as part of the promotion of sustainable economic development and the role that the built environment plays within this

- End of Part 1 -

Part 2 Merger of Historic Scotland and RCAHMS

To select an answer click one of the tick boxes. To change your answer click in the box again e.g. Yes ☐ No ☐

To enter comments please use the blue comments boxes as below which will automatically expand as you type.

Comments

Q15. Do you agree with the functions set out for the new body (see p. 24 of Consultation paper)?

Yes ☒ No ☐

If there is anything missing, what, and why should it be included?

None

Q16. Do you agree that the values are an appropriate foundation for the culture, ethos and behaviour of the new organisation?

Yes ☒
No ☐ If not, what values should the organisation adopt?

None

Q17. Do you agree that the desired outcomes will provide a good measure of the success of the merger?

Yes ☒
No ☐ If not, what should the desired outcomes be?

None

Q18. Do you agree that the proposed approach to the discharge of Scottish Ministers' Heritage Management functions is appropriate?

Yes ☒
No ☐ If not, what should the desired outcomes be?

Agree, with the proviso that existing delegated powers to planning authorities would be maintained under the new structure

Q19. Which approach to the management of Scheduled Monument Consent for properties in the care of Scottish Ministers is most appropriate?

Option 1 ☒
Option 2 ☐
Option 3 ☐

Tell us why?

This is an option which is already operating effectively in similar circumstances elsewhere. It provides a sufficiently robust clearance process and would be the least resource demanding.

Q20. Do you agree that the principle of exempting certain aspects of the organisation's work from Ministerial direction provides an appropriate balance between public accountability and scrutiny and the need to provide for independent professional decision making?

Yes ☒

No ☐ If not, why and what approach should be adopted?

Provided that the structure and processes are fully transparent.

Q21. Are there any other areas of work where there should be additional safeguards to ensure operational independence from Ministers?

Yes ☒ If so, please specify

No ☐

None

Q22. Is this the right approach with regards to collections in the Care of Scottish Ministers (see p. 30 of Consultation paper)?

Yes ☒

No ☐ If not, what approach should be used?

None

Q23. Do you agree that the functions established for the new organisation and the development of clear transparent policy in relation to the operation of those functions is sufficient to handle any perceived conflict?

Yes ☒

No ☐ If not, what additional provisions are appropriate?

The link between clearly stated functions and a clear transparent policy is critical to addressing any perceived conflict.

Q24. Do you agree that the functions and activities of the new organisation will fulfil the charitable purposes set out on p32 of the consultation paper?

Yes ☒

No ☐ If not, why not?

None

Q25. Are there functions of the new organisation that do not fit the proposed charitable purpose?

Yes ☐ No ☒

Please specify what those functions are

None

Q26. Is there any reason why Ministers should not disapply the Ministerial direction clause in the Charities Act to enable the new organisation to apply for charitable status?

Yes ☐ If so, please specify
No ☒

Not aware of any

Q27. Do you agree that existing brand names should be retained?

Yes ☒
No ☐ If not, why not?

Both existing names are widely recognised and respected. To change them as part of the merger would reduce the opportunity for perceived continuity and also result in a greater task of promoting awareness of the new organisation

Q28. Do you agree that the new organisation should have a new name and identity?

Yes ☒ If so, what should it be called?
No ☐ If not, why?

Yes, but as with Q27, the link must be clearly evident but the identity should reflect the aspiration for the built environment to play a key role in the wider economy.

Q29. Do you think that the proposed legislation might impact on people differently depending on characteristics such as age, disability, gender, race, religion or belief, sexual orientation or gender identity?

If so, please tell us more

Not aware of any impact.

Q30. What is the likely impact of the proposed creation of a new organisation on business?

If the new organisation can be successful in taking a stronger and higher profile in terms of its contribution to the economy as well then this should have the potential to impact on business in a positive manner.

Q31. Do you expect the proposed creation of a new organisation to impact on you or any particular group of stakeholders?

If so, how?

If the existing engagement with planning authorities remains essentially the same, including delegated powers, then it is not considered that there would be a significant impact on PKC.

Q32. What is the likely impact of the proposed creation of a new organisation on Scottish firms?

Similar response to Q 30

Q33. What is the likely impact of the proposed creation of a new organisation on competitiveness?

Where the new organisation is fully able to engage with the promotion of sustainable economic development then this may add to the competitiveness of businesses in the field.

Responding to the consultation

Please send your completed response together with the **Respondent Information Form** (first page of this document) by the **31st July** to:

Email: HEstrategy_merger@scotland.gsi.gov.uk

Post: Strategy/Merger Consultation responses
Room 2.31
Longmore House
Salisbury Place
EDINBURGH
EH9 1SH

Queries

Any queries about the consultation process, accessing the various documents, or responding to the consultation should be directed to:

Hannah Eamer for the strategy or Lorna Aird for the merger on 0131 668 8600

