

Joint Working Agreement between Forestry Commission Scotland and Historic Environment Scotland

1. Background and organisations

1.1 This Joint Working Agreement between **Forestry Commission Scotland (FCS)** and **Historic Environment Scotland (HES)** describes how the two organisations will work together to benefit their respective remits and responsibilities.

1.2 On 1 April 2010 the Chief Executive of Historic Scotland and Director Scotland of FCS signed a Joint Agreement, an explicit outcome of the FCS Policy Statement ***Scotland's woodlands and the historic environment*** (2008). This Joint Working Agreement between FCS and HES is the successor to that original agreement, building upon the collaborative approach to joint working where relevant strategic interests and tactical requirements coexist.

1.3 **Forestry Commission Scotland (FCS)** serves as the forestry advisor to Scottish Government within the ENFOR Directorate, advising on and implementing forestry policy and promoting the benefits of forests and forestry. **Forest Enterprise Scotland (FES)**, an agency of the Forestry Commissioners, contributes to these aims in their management of Scotland's **National Forest Estate**.

1.4 FCS oversees the administration of forestry permissions, consents and grant support through the approval of felling licences, Forest Plans, woodland creation proposals, all in accordance with the **UK Forestry Standard (UKFS, 2011)**, the reference standard for sustainable forest management in the UK. The UKFS has an associated suite of Guidelines, one of which is ***Forests and Historic Environment***.

1.5 FCS is also responsible for administering the **Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999**, providing formal consent for woodland creation, deforestation, and forest roads and quarries. For woodlands in the private sector, FCS administers grant aid through the SRDP **Forestry Grant Scheme**.

1.6 FCS aims to contribute towards the delivery of the **Scottish Government's Programme A Plan for Scotland 2016-17**, the strategic directions of the Culture and Historic Environment Division (CHED) and the implementation of the Scottish Government's **Scottish Forestry Strategy (2006)**. Advice and guidance for woodland managers in regard to the protection, conservation and presentation of the historic environment is available on the FCS website (see <http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/historic-environment>).

1.7 **Historic Environment Scotland** (HES) was vested as a Non Departmental Public Body on 1 October 2015. Its primary purpose is to investigate, care for and promote Scotland's historic environment and to manage its collections as a national resource for reference, study and research. HES's functions were established in the Historic Environment Act 2014.

1.8 HES has an important role as a regulator and as the statutory adviser to Scottish Ministers and carries out decision making functions in its own name. The **Historic Environment Scotland Policy Statement** sets out how HES fulfils those roles and how it expects others to interpret and implement Scottish Planning Policy with respect to the historic environment. HES also lead on the delivery of the **Historic Environment Strategy for Scotland, Our Place in Time**.

1.9 HES is responsible for building, maintaining and providing access to the National Record of the Historic Environment, and has a lead role in improving the quality, utility and availability of Scotland's historic environment data, and in ensuring its long-term security and availability.

1.10 Scottish Ministers have also delegated to HES the care and management of the **Properties in Care** and their associated collections.

1.11 The HES website provides advice, guidance and policies on key subjects relating to the historic environment from designation to climate change, conservation and world heritage (see <http://www.historic-scotland.gov.uk/index/heritage.htm>).

2. Purpose

2.1 As an essentially cultural landscape, evidence of past lives is to be found throughout Scotland. Our country has a rich legacy of archaeological and historic features which are intrinsic to our sense of place and strong cultural identity.

2.2 A contributing part of that legacy is to be found under the canopy of Scotland's woodlands and forests, including the history of the trees themselves and their relationship with Scotland's people. The protection, management and interpretation of the historic environment in Scotland's woodlands, and of any land which may be subject to woodland creation proposals, is of mutual interest to both organisations.

2.3 The **Historic Environment Strategy for Scotland, Our Place in Time**, aspires to the vision that:

Scotland's historic environment 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.

2.4 Delivering the Strategy will require the range of bodies, groups and individuals with an interest in, or responsibility for, aspects of the historic environment to work together towards the common purpose, making effective use of the skills, experience and resources of all parties to realise the benefits and values of Scotland's historic environment.

2.5 The **Scottish Forestry Strategy** (2006) aspires to the outcome of a *high quality, robust and adaptable environment* which includes the objective to *protect and promote the historic environment and cultural heritage*.

2.6 Building a stronger and more effective relationship between FCS and HES will contribute towards the delivery of both strategies and the overarching vision of the Historic Environment Strategy for Scotland. This mutual interest provides the basis for FCS and HES to foster and strengthen a more integrated working relationship that will contribute towards:

- effective delivery of the Scottish Government's aims for the cultural and historic environment on the **National Forest Estate** and through government support and regulation of private woodland;
- development of practical and sustainable policies which take account of both organisations' interests; and
- appropriate consultation and advice on matters relevant to both organisations.

2.7 FCS and HES will seek to work together and identify opportunities where close, collaborative action will help deliver Scottish Government priorities and outcomes as outlined in **A Plan for Scotland 2016-17**.

3. Aims

3.1 The primary aims of this Joint Working Agreement are to:

3.1.1 continue to promote good working relationships, better mutual understanding, stronger co-operation and clear channels for advice and consultation on policy development and the implementation of forestry consents, approvals and programmes that may impact upon historic environment interests. All to be promoted both within and between our organisations and covering both the **National Forest Estate** and land managed by other forest and woodland managers;

3.1.2 foster better understanding of the sustainable management of Scotland's forests and woodlands (and associated open land) to the **UK Forestry Standard** (UKFS, 2017) and the protection, management and interpretation of the historic environment (including both designated and undesignated historic assets and their setting) to the UKFS **Forests and Historic Environment Guidelines**;

3.1.3 promote the active management and enhance the condition of sites or places designated for their national importance in Scotland's forests and woodlands;

3.1.4 promote the sharing of relevant data, knowledge and experience about the historic environment in Scotland's forests and woodlands;

3.1.5 work together to promote access, enjoyment and the educational potential of the historic environment in Scotland's forests and woodlands;

3.1.6 promote the appropriate use of sustainably and locally sourced timber in the maintenance and repair of traditionally constructed buildings.

3.2 Staff in both organisations will be encouraged to undertake the following activities at all relevant levels within their organisations:

3.2.1 make staff aware of this **Joint Working Agreement** and the roles and responsibilities of each organisation in a way that is appropriate to their work;

3.2.2 seek to maintain regular liaison between policy and operational staff of each organisation, resolve any conflicts of interest between the two organisations' remits and actions and develop opportunities for joint projects, joint working and joint training;

3.2.3 maintain effective liaison over the development of guidance, research and programme implementation; such liaison to take account of and reflect the relationship between sustainable woodland management and the effective care of the historic environment;

3.2.4 consult with each other in line with published policies, including **Our Place in Time** and the **Scottish Forestry Strategy**, whenever an issue affecting the interests of the other body arises. This would include exchanging information about new designations, acquisitions and disposals on the **National Forest Estate** and major new surveys or research proposals to ascertain if there are areas of mutual interest;

3.2.5 continue to improve planning and management of designated historic environment assets at strategic, landscape and site levels, including regular local liaison. Such liaison will include consultation on **SEA/EIA/Forest Plans/Land Management Plans** with regard to the identification, protection and management of designated historic environment assets; and the continued development of relevant guidance and its promulgation by both organisations;

3.2.6 contribute towards the implementation of **Scotland's Archaeology Strategy** and the **Scottish Historic Environment Data (SHED)** strategy

through coordinated activity to improve the data and the associated systems and processes;

3.2.7 work to promote and enable the guiding principles laid out in the FCS guidance note ***The provision of archaeological information and advice in Scotland to meet the UKFS.***

3.2.8 where suitable opportunities arise, share technical publications, detailed specialist advice, survey data, research information and good practice of interest to the other organisation and co-operate on joint publications;

3.2.9 support access by the public to the historic environment in Scotland's forests and woodlands in line with access legislation and the Scottish Outdoor Access Code, and work to enhance their enjoyment; and

3.2.10 collaborate on press and media relations and on ministerial engagements.

3.3 Staff will also contribute towards specific projects that further the interests of both organisations:

3.3.1 the promotion of the protection, restoration and rejuvenation of trees, woodlands and forests in all of Scotland's designed landscapes (as described in the FCS Practice Guide ***Conserving and managing trees and woodlands in Scotland's designed landscapes***) including consideration of the anticipated consequences of climate change and plant health.

3.3.2 the delivery of the **SHED Strategy Objective 1.4** and development of a national dataset of polygonised historic environment data (such as completed for the **National Forest Estate**) including the preparation of relevant guidance.

3.4 With respect to casework involving forests and woodlands with an historic environment interest, FCS and HES will seek to follow an approach which puts more emphasis on positive early engagement on forestry proposals with HES, and the subsequent provision by HES of advice to FCS in regard to the protection, conservation and setting of relevant designated historic assets. Following the signing of this Joint Working Agreement by both parties, discussions will be held to develop protocols for the management of forestry consultations and will include:

3.4.1 engagement in relevant forestry application consultations and the environmental impact assessment (EIA) process

3.4.2 guidance for how FCS Conservancy and HES staff should liaise on the provision of timely responses to relevant casework involving forests and woodlands with a significant historic environment interest.

3.4.3 a methodology setting out how advice relating to the historic environment is reflected in the various decision-making processes.


Timing

4.1 This Joint Working Agreement will be reviewed at the discretion of the signatories below and no later than April 2022.

4.2 An annual liaison meeting will be convened to review the operation of the Joint Working Agreement and consider any proposals for changes.

Signed

Barbara Cummins
Director of Heritage
Historic Environment Scotland



22nd May 2017

Jo O'Hara
Head of Forestry Commission Scotland



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