



CONSULTATION ON HISTORIC ENVIRONMENT SCOTLAND'S ASSET TRANSFER POLICY, PROCEDURE AND GUIDANCE

CONSULTATION ANALYSIS REPORT
NOVEMBER 2017

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ACKNOWLEDGMENTS

Thanks to the individuals and organisations who responded to this consultation and to colleagues at Historic Environment Scotland who provided input and offered advice as required.

EXECUTIVE SUMMARY

Background

On 10 February 2017, Historic Environment Scotland (HES) launched a Consultation on Historic Environment Scotland's Asset Transfer Policy and its associated procedure and guidance. The consultation sought views on various aspects of how HES will facilitate Asset Transfer Requests, including the decision making criteria, its supporting guidance and associated Register of Assets. The consultation ran until 24 March 2017.

A total of 5 consultation responses were received; 2 from individuals and 3 from organisations.

A workshop was also held with the [Built Environment Forum Scotland](#) where we discussed the interim material with 8 organisations that have an interest in both the historic environment and the asset transfer process.

The following sections highlight the main themes that emerged in relation to each question posed in the consultation document and related discussions during the stakeholder workshop.

Overview

In general, comments made by respondents were consistent across all sub-groups.

There appears to be broad support for the asset transfer policy and its associated procedure and guidance. Typically, comments focused upon the intended outcome of the policy (and its wider relationship with land reform) as well as specific details around how the policy would be implemented. Points raised included the long-term sustainability and viability of proposed new uses, community support, skills and engagement, asset valuation and the need to identify and develop case studies (highlighting both good practice and lessons learned).

Other comments were also made in relation to governance arrangements and how decisions on asset transfer requests made by HES, including recommendations made to Scottish Ministers for certain assets within their ownership, would be taken.

Next steps

In finalising the asset transfer policy, procedure and guidance, all representations made and summarised in this report will be taken into account. The finalised documentation is expected to be published in the autumn of 2017 and will be monitored on an annual basis.

1. INTRODUCTION

On 10 February 2017, Historic Environment Scotland (HES) launched a Consultation on Historic Environment Scotland's Asset Transfer Policy and its associated procedures and guidance.

The consultation sought views on various aspects of how HES will facilitate Asset Transfer Requests, including the decision making criteria, its supporting guidance and associated Register of Assets. The consultation ran over 6 weeks until 24 March 2017. A total of 5 consultation responses were received; 2 from individuals and 3 from organisations.

A workshop was also held with the [Built Environment Forum Scotland](#) where we discussed the interim material with 8 organisations that have an interest in both the historic environment and the asset transfer process.

The following section highlights the main themes that emerged in relation to each question posed in the consultation document and related discussions during the stakeholder workshop.

2. OVERVIEW AND ANALYSIS OF RESPONSES

Key themes emerging from both the online survey and the stakeholder workshop focused upon the following aspects:

- Long-term sustainability of an asset following transfer
- Priorities for transfer
- Assessing of viability
- Assessing community support
- Responsibility for determining transfer requests
- Impartial evaluation
- Case studies

The following summary provides an overview of comments raised in response to the online survey questions and discussions during the stakeholder workshop.

Question 1: Do you support our policy on Asset Transfer?

Of those who expressed a view on this question, 2 indicated 'yes' that they supported the policy, with all other respondents expressing no view. No respondents expressed the view that they did not support the policy.

Question 2: Do you have any comments on the policy and associated criteria that will be applied in reaching a decision on asset transfer requests?

Two survey respondents provided specific feedback on the decision making criteria with reference to:

- Whether an order would be required to be laid before the Scottish Parliament should Ministers wish to prescribe a body other than HES to manage an asset.
- The potential relationships between an ineligible asset and an ancillary property e.g. a Property in Care that is in private ownership (managed through Guardianship) and a related property, such as a car park, that is in public ownership (owned by HES) and how this interdependency would be taken into account.

- The timing of consultation requirements relating to owners of related but ineligible properties.

Question 3: Do you have any comments on the proposed process for handling asset transfer requests that are made to Historic Environment Scotland?

Two survey respondents provided specific feedback on the proposed handling process, including:

- **Notification process** – when would the owner of a commercially leased property be notified of a request – e.g. at the start of the process during pre-application discussions, or once the request from the Community Transfer Body has been validated.
- **Openness** – how much of the information will be in the public domain and suggested inclusion of a statement regarding openness and accountability.
- **Support roles** – clarification regarding the line between HES staff giving support and enabling early discussions and any later formal decision-making aspects of the process.
- **Independence** – whether it would be appropriate for those staff involved in an advisory capacity (e.g. during pre-application process) to form part of the evaluation panel – if so this should be made clear.
- **Transparency** – whether those on the evaluation panel would be identified and related points regarding transparency.
- **Negotiation of terms** – suggested amendments to flowchart to indicate that negotiation of terms (e.g. price, rent, duration of lease etc.) should, in practice, commence before an offer is submitted. Also suggested this should be described as ‘negotiation of contract’.

The stakeholder workshop raised similar points regarding the handling process, including the eligibility criteria for asset transfer and the circumstances in which HES or Scottish Ministers would take a decision on transfer requests for Properties in Care. The group also discussed the priorities for transfer and the general approach being taken by HES. Discussion topics included:

- the anticipated uptake of the process;

- which HES assets are more likely to be subject to transfer requests; and
- how HES would handle requests for ancillary assets that are interdependent with other assets for operational purposes.

The group also discussed how HES could help support communities in their understanding of heritage assets, including any intangible elements relating to these, and highlighted opportunities for HES to signpost applicants to support from a range of experts, helping to ensure a holistic approach to the future management of the asset as part of a wider cultural landscape.

It was also suggested that local democratisation of work is often more resource intensive and expensive (due to economies of scale / ability of larger organisations to draw upon a wider range of expertise and resource) – and that there is a need to build capacity if this is to be the approach taken. This would mean equipping Community Transfer Bodies with the tools to respond technically and creatively to enable them to deliver what they want to achieve.

Question 4: Is the process for determining applications clear and reasonable?

Two survey respondents agreed that the process for determining applications was clear and reasonable, with all other respondents expressing no view.

The stakeholder workshop highlighted various topics under this general question, including the long term sustainability following asset transfer, assessment of viability and assessing community support. Taking these in turn:

- **Long term sustainability following asset transfer**

(a) The group discussed the ways in which HES could help communities work out the best option for what they want to use an asset for – whether that be lease or ownership. For example, it was noted that in practice, HES could guide communities through a process starting with occupation, through to leasing then ownership.

(b) The group discussed whether assets will be transferred with clear title and how conditions could be used to mitigate potential for liquidation of assets or change of use

(beyond that to which was agreed). It was also noted that, while negotiation of terms would proceed following agreement of a request, it may be necessary to commence certain aspects of this earlier in order to address any barriers to concluding the agreement.

(c) The group highlighted practical issues for community groups taking on assets for the long term – especially in relation to meeting regulatory compliance requirements.

(d) The group also highlighted the importance of assessing Community Transfer Body viability, including arrangements for succession planning, skills/expertise etc.

- **Assessment of viability**

(a) It was highlighted that community transfer bodies would need to demonstrate viability in terms of regeneration, wellbeing, reducing inequalities etc. It was commented that in order to do so, community bodies will need to undertake market research to be able to assess the impact of the proposal on other local initiatives. It was strongly felt that any disbenefits to others should be a consideration in the policy (acknowledging that this is touched upon in the draft guidance). It was also noted that there is no mechanism for preventing multiple approaches at the same time in relation to the same property (ideally competing groups might be encouraged to work together). The group also highlighted that it may be that HES's own plans for a property in question may be deemed the most viable use over the long term.

(b) The group discussed what information HES and other Relevant Authorities could make available to Community Transfer Bodies in order to help them develop a request and achieve a successful outcome. It was noted that the [HES Asset Register](#) could highlight additional factors, including further background information about the asset and any management plans.

- **Assessing community support**

The stakeholder group discussed the methods of engagement for securing community support. It was noted that HES would be required to assess the evidence provided,

including methods used, in order to gauge the level of support both within the local community and any community of interest.

The group discussed how HES could help to facilitate community engagement (which would be led by the applicant) by signposting to organisations such as the Community Ownership Support Service, Development Trust Associations and national guidelines for community engagement.

The group also discussed the similarities and differences between asset transfer and right to buy in terms of how communities are defined. It was noted, for example, that in some cases a ballot process within post code areas has been used as a means of understanding levels of support.

Question 5: Do you have any comments on the process to help community bodies determine the price they are prepared to pay?

One survey respondent highlighted that it would be helpful to be more explicit about acceptable methods of valuation and whether this should be carried out by a suitably qualified professional advisor. It was also noted that additional information about how HES make judgements around 'best value' and the criteria/tests used to do so would be beneficial.

Question 6: Is there any other guidance, advice or examples of asset transfer that we should highlight?

One survey respondent noted that the list of relevant organisation within the guidance seemed comprehensive, and two respondents provided further suggestions to be included (e.g. Locality and Scottish Communities Development Centre).

Question 7: Do you have any comments on the role, make up and appointment of the governance board that will take decisions on asset transfer requests?

Two survey respondents asked for clarifications around the governance process, noting that the policy and guidance only stated that decisions would be made by the chair of HES or Scottish Ministers. Respondents suggested:

- Identification (name/role) of those on the evaluation panel are published.

- Terms of reference should identify the type of representation that should comprise the panel, e.g. length of service, expectations, governance etc.
- Clearer and strong statement about any conflicts of interest and declaring these.
- Clear separation between staff giving advice to the Community Transfer Body and staff making the decision.

The stakeholder workshop also highlighted similar factors, including the need for transparency and impartiality. It was also noted that it would be important for processes across multiple Relevant Authorities and asset types to be broadly consistent. It was noted that HES have been in discussion with other organisations (e.g. Forestry Enterprise Scotland) about governance arrangements with a view to sharing good practice.

Question 8: Do you have examples or case studies you would like us to use to help us illustrate any of the points made in the document?

One survey respondent offered to provide case studies. The stakeholder workshop highlighted that a blend of case studies should be used to help inspire and also manage expectations around challenges associated with asset transfer. Kinloch Castle on the Isle of Rum was highlighted as a possible case study. It was also suggested that feasibility studies of past projects could be released to provide ideas around the potential of different types of asset. It was also noted that there are many practitioners with specialist knowledge that can provide support on technical aspects, such as access audits.

Question 9: Do you think the implementation of this policy, procedure and guidance will have an impact (positive or negative) on equalities? If so, what impact do you think that will be?

One survey respondent said that the policy, procedure and guidance would have no effect, with other respondents offering no view. The stakeholder workshop did not identify any issues relevant to this question.

Additional comments

One survey respondent asked how subsequent leases drawn up by HES ensure that contracting partners know their asset falls under this legislation as a result. Also asked

whether HES has contacted its lease owners to ensure they are aware of this new legislation. Another survey respondent welcomed the concise nature of the guidance and the inclusion of flowcharts. It was also suggested that there should be a statement around how the process will be evaluated/reviewed and if necessary amended and the timescale for this to happen.

3. EQUALITIES, PRIVACY, ENVIRONMENTAL AND BUSINESS ISSUES

Equality Impact Assessment (EqIA)

The HES corporate plan (2016-19) EqIA considered the likely effects of greater community participation upon those who share protected characteristics, although this did not examine procedures under community empowerment legislation in detail. In light of this we undertook a partial EqIA during the development of this policy, and while no specific equality issues have been identified at this stage, we kept this under review and sought views on this during the public consultation.

EqIA consultation feedback: Of those who responded to the equality question, all agreed with our findings and no specific or additional points were raised in this regard. Equality issues were not raised at the stakeholder workshop.

Privacy Impact Assessment (PIA)

Private information received in support of Asset Transfer Requests will be managed in accordance with established HES procedures for data management. Application forms and guidance will provide disclaimers outlining the basis upon which any personal information will be used and retained. The HES public register of assets and any Asset Transfer Decision notices will only include information that can be made publically available and/or is consented by the relevant party. In light of this, a specific PIA for the policy was not undertaken.

PIA consultation feedback: None of the consultation responses or issues raised at the stakeholder workshop raised any comments regarding privacy impacts.

Strategic Environmental Assessment (SEA)

The preparation and adoption of a policy on asset transfer qualifies under section 5 (4) of the Environmental Assessment Act 2015. However, we considered the policy and procedure in itself is likely to result in no or minimal effects on the environment. In light of this, an environmental assessment prior to adoption is not required and a determination to this effect was submitted to Scottish Ministers and the SEA Consultation Authorities on 16 December 2016.

SEA Consultation feedback: None of the consultation responses raised any comments on environmental issues. Where an application relates to a heritage asset, the stakeholder workshop highlighted the importance of assessing the long term sustainability of any proposal in order to ensure the appropriate safeguards are in places for its long term preservation. Safeguards for this are already built into the process.

Business and Regulatory Impact Assessment (BRIA)

The policy (and related procedures/guidance) were not expected to result in any significant new or additional costs or burdens on individuals or businesses, including small enterprises. The policy has been designed to take account of issues in this area by including economic assessment explicitly within the appraisal process for individual asset transfer applications. HES would also look to work with community groups to maximise benefits, or manage any economic risks likely to result from a transfer. In light of the above, a BRIA for the policy was not undertaken.

BRIA consultation feedback: None of the consultation responses raised any comments regarding impacts upon individuals or businesses. Discussion at the stakeholder workshop highlighted the importance of engaging with any local businesses that might be affected (both positively and negatively) by an asset transfer request.

4. CONSULTATION REPORT AND AMENDMENTS

The following table highlights those areas where requests were made to amend elements of the interim policy, procedure and guidance and the action taken. Some comments have been grouped together as they raised similar points.

Comment or proposed change	HES response	Action taken
<p>Comment: We note that the Historic Environment Scotland Act requires that an order be laid in the Scottish Parliament, should Scottish Ministers wish to prescribe a body other than HES to manage the asset.</p> <p>HES's guidance to public bodies on historic asset management could be used as a starting point for this assessment.</p>	<p>Yes, in some circumstances, to allow for functions to be prescribed to another body an Order may be required to be laid in the Scottish Parliament. Any need for this would be highlighted during the application process.</p> <p>HES guidance on historic assessment management is currently under review and it is expected that this will be used to inform decisions made on Asset Transfer Requests involving historic properties.</p>	<p>No changes required.</p>
<p>Change: Include a provision within the policy regarding testing any disbenefits to other parties.</p>	<p>While this is covered within the guidance, we agree that consideration of any disbenefits could be more explicit within the policy itself.</p>	<p>Amended criterion 2 to include benefits and disbenefits.</p>
<p>Change: Add Locality and Scottish Communities Development Centre to list of organisations.</p>	<p>Agree.</p>	<p>Added to list of relevant organisations.</p>

Comment or proposed change	HES response	Action taken
<p>Comment: How will HES consider the potential interdependency of ancillary property and an ineligible asset (e.g. a Property in Care that is in private ownership) in reaching a decision?</p>	<p>Interdependency of ancillary property, including elements that may be ineligible are provided for in the policy and this would be taken into account in reaching a view on the request.</p>	<p>No changes proposed to policy or guidance.</p>
<p>Comment: It would be helpful to be more explicit about acceptable methods of valuation and whether this should be carried out by a suitably qualified professional advisor.</p>	<p>Agree – to be highlighted within guidance note. We expect that in most cases all parties will follow valuations reached by the District Valuer Service. It may also be possible and preferable in some cases for the CTB and the Relevant Authority to seek joint valuations.</p>	<p>Update guidance to highlight role of the District Valuation Service.</p>
<p>Comment: The timing of consultation requirements relating to owners of related but ineligible properties – when will these interested parties be invited to participate?</p>	<p>Regulations 6 and 7 of the Asset Transfer Procedure Regulations set out arrangements for the Relevant Authority to make other people aware that an asset transfer request has been made, and how they can make representations about it.</p> <p>This must be done as soon as practicable after the validation date (the date the completed request was received). A notice relating to the request must also be placed on the Relevant Authorities website and “be</p>	<p>Update guidance to highlight the important of Community Transfer Bodies making early contact with owners, occupiers and other interested parties.</p> <p>Include similar advice within the</p>

Comment or proposed change	HES response	Action taken
	<p>displayed at a public place in the vicinity of the land to which the asset transfer request relates”.</p> <p>However, it is expected that HES officials will highlight during any pre-application discussions the importance of engaging with all interested parties at an early stage – long before an application is submitted for validation.</p>	pre-application / enquiry form.
<p>Comment: How will subsequent leases be drawn up by HES to ensure that the contracting partner knows their asset falls under this legislation as a result?</p> <p>When will the owner of a commercially leased property be notified of a request? – e.g. at the start of the process during pre-application discussions, or only once the request from the Community Transfer Body has been validated?</p>	<p>HES would notify the owner of a commercially leased property at the earliest stage of any potential Asset Transfer request and would work closely with the Community Transfer Body to engage with them over proposals throughout the process.</p>	Highlighted within internal operational guidance.
<p>Comment: It might be helpful to be a little more explicit about the decision-making criteria and how these will be assessed i.e. are there any 'threshold' tests or standards that have to be met.</p>	<p>The HES ATR policy will be applied to all requests and it has been developed in such a way to reflect the requirements of the legislation and be flexible enough to apply in all cases. However, it</p>	Provided further advice in the guidance around what is meant by short /

Comment or proposed change	HES response	Action taken
<p>Will the same criteria be applied to all types of asset or will they vary depending on the type asset?</p> <p>The issues involved in taking on an archaeological site are very different from a roofed building – how will this be reflected in the criteria and decision-making?</p> <p>Some sense of time frame that proposals are being judged against might be helpful too – will the decision-makers consider short-term outcomes or longer-term impacts and if so what is meant by short-term/long-term?</p>	<p>is recognised that in some cases certain criterion will be more relevant than others. It will be for the evaluation panel to reach a view the extent to which the criteria have been met.</p> <p>In financial terms, what is considered long-term is usually above 3 years, with medium-term usually between 1 and 3 years and short-term usually under 1 year. However, when considering assets of high cultural value, we could be looking at significantly longer periods of time.</p> <p>As such, the relevant time frames relating to benefits and outcomes of specific proposals will vary depending on the nature of the asset and the proposed use and will be a matter for the CTB to outline and the evaluation panel to reach a view on as part of the decision making process.</p>	<p>medium / long term.</p>
<p>Change: The guidance should include a statement regarding openness and accountability i.e. how much of the information will be in the public domain.</p>	<p>Agree – it is also recognised that much of the material prepared and submitted in support of any request may be disclosed under the terms of the Freedom of Information (Scotland) Act.</p>	<p>Updated guidance to include a statement about publication of material on our</p>

Comment or proposed change	HES response	Action taken
<p>Will decisions be published on the HES website / be placed in the public domain?</p>	<p>All decision notices and material relating to an Asset Transfer Request (e.g. application forms, report of handling), once redacted for any personal/confidential information, will be made available on the HES website.</p>	<p>website – and highlight applicability of information request and data protection legislation on all application forms.</p>
<p>Comment: Will those participating in the evaluation panel (those making a recommendation to CEO / Ministers) be identified (name / role / declarations etc.)?</p> <p>Comment: Those on the evaluation should be identified. Also suggested that there should be representation from out with the public sector.</p>	<p>The function of the Advisory Panel is to help Historic Environment Scotland (HES) evaluate and understand evidence relating to decisions on valid asset transfer requests, and to make judgements about whether to agree to the transfer of property or land held on its Register of Assets to a community group. The panel is strictly advisory and has no executive powers.</p> <p>HES will not publish names of those participating in our evaluation panel as this is likely to vary on a case-by-case basis.</p> <p>Generally, those involved in assessing the request will have expertise that allows them to advise on a range of issues including (but not limited to)</p>	<p>Role and function of the advisory panel set out within internal guidance and terms of reference.</p>

Comment or proposed change	HES response	Action taken
	<p>benefits, viability, community support and wider public benefits. With reference to HES's policy on asset transfer, the panel will establish a weighted score for positive impacts. The panel will also be invited to identify negative impacts which may result in reasonable grounds for refusal, or impacts that could be mitigated through the application of conditions (e.g. specific steps to address the negative impacts, or conditions to be included in any contract).</p> <p>Given the range of issues that will have a bearing on certain transfer requests, the panel may need to convene small, more specialist, working groups to examine specific issues, drawing on external expertise where appropriate.</p>	
<p>Comment: Terms of reference should identify the type of representation that should comprise the panel, length of service, expectations, governance etc.</p>	<p>Agree – terms of reference setting out the roles and responsibilities of evaluation panel members will be prepared and implemented.</p>	<p>Developed terms of reference.</p>
<p>Change: Negotiation of terms – suggested amendments to</p>	<p>Agree – guidance note to be amended to highlight importance</p>	<p>Included annotation on</p>

Comment or proposed change	HES response	Action taken
<p>flowchart to indicate that negotiation of terms (e.g. price, rent, duration of lease etc.) should, in practice, commence before an offer is submitted. Also suggested this should be described as 'negotiation of contract'.</p>	<p>of early discussions about matters that will form part of any future contract negotiation.</p>	<p>flowchart to show how pre-application discussions can subsequently inform any negotiation of contract.</p>
<p>Comment: Queried whether it would be appropriate for those staff involved in an advisory capacity (e.g. during pre-application process) to form part of the evaluation panel – if so this should be made clear.</p> <p>There should be clear separation between staff giving advice to the Community Transfer Body and staff advising on the decision.</p> <p>Change: The guidance should clarify the line between HES staff giving support and enabling the process and the formal decision-making aspects of the process.</p>	<p>Agree – staff involved in pre-application discussions and helping CTBs will have a role in briefing the evaluation panel on the request and associated information, but will not participate in the making of any recommendations regarding its success or otherwise.</p> <p>Developing recommendations and taking any decisions will be reserved to the HES senior management team, the HES Board or where relevant, The Scottish Ministers.</p>	<p>To be covered through terms of reference and internal staff guidance and training.</p>

APPENDIX 1: LIST OF PARTICIPATING ORGANISATIONS

Built Environment Forum Scotland

Archaeology Scotland

The Institute of Historic Buildings and Conservation Scotland

The Royal Society for the encouragement of Arts, Manufactures and Commerce

The Architectural Heritage Fund

Scotland's Churches Trust

The National Trust for Scotland

The Heritage Lottery Fund

APPENDIX 2: CONSULTATION QUESTIONNAIRE

HES Asset Transfer Policy Statement, Procedure and Guidance Consultation Response Form

We have recently published an interim policy on how we will facilitate Asset Transfer under [The Community Empowerment \(Scotland\) Act 2015](#) and would like to hear your views.

The Community Empowerment Act was created to provide community bodies with legal rights, including extending the right to buy land and buildings, participation in decision-making, and the right to make asset transfer requests to public bodies for land and buildings. HES is included in the Act as a public body with delegated responsibility for properties in care of Scottish Ministers. As the lead public body for the historic environment, we also have an important role in utilising the new legislation to enable communities' to engage with, celebrate, and protect their historic environment.

In support of this, we have published [Interim Policy, Procedure and Guidance](#) as well as our [Register of Assets](#) (applicable under the Act).

We would greatly appreciate your views on these before they are finalised. We are also keen to hear views from those with experience in asset transfer as well as those who are thinking about developing an asset transfer proposal.

The survey asks 10 questions and should take approximately 15 minutes to complete.

- **Online:** Submit your comments online: www.surveymonkey.co.uk/r/hesassettransfer
- **By Email:** Please send any comments to consult@hes.scot
- **By Post:** Asset Transfer Request Consultation, CEO Office, Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh EH9 1SH

Any views expressed will be anonymised and non-attributable to individuals and organisations.

This consultation will close at 6pm on Friday 24 March.

For more information about this survey, or if you have any questions about this survey, please contact Gillian Rodger at consult@hes.scot / 0131 668 8989.

Data Protection Act 1998

Your comments will inform our finalisation of this policy, procedure and guidance in relation to Asset Transfer Requests. The information you provide, including personal details, will be recorded by Historic Environment Scotland. This will be used to send you notifications and updates in relation to this consultation and will be retained on a database for approximately five years.

Are you content for Historic Environment Scotland to contact you again in relation to this consultation exercise?	Yes / No
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Following consultation, a report containing a summary of all the responses, which may include your personal details, will be published on our website, held in our library and made available to the public on request. However, we need to know how you would like your response and personal details handled.

Do you agree to the following being made available to the public? (Please tick all that apply)	
Your response	Yes / No
Your organisation (if applicable)	Yes / No
Your name	Yes / No
Your address	Yes / No

Third party intermediaries

The information you provide will be stored solely by HES or SurveyMonkey. No data provided by you in this survey will be shared with any other third party.

Contact us

If you have any questions or suggestions regarding our privacy policy or Data Protection Policy, please contact us at: Data Protection Officer, Historic Environment Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH (0131 668 8600 / dataprotection@hes.scot)

Freedom of Information (Scotland) Act 2002 and Environmental Information (Scotland) Regulations 2004

While we will seek to respect your wishes indicated above, you should be aware that Historic Environment Scotland is subject to the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004. This means we will have to consider any requests to see full responses made under the terms of this legislation, regardless of whether or not you have asked for your personal data to be treated as confidential.

Consultation questions

1. Do you support our policy on Asset Transfer?	Yes / No / No view <i>(if no, please explain why)</i>
2. Do you have any comments on the policy and associated criteria that will be applied in reaching a decision on asset transfer requests?	Free text
3. Do you have any comments on the proposed process for handling asset transfer requests that are made to Historic Environment Scotland?	Free text
4. Is the process for determining applications clear and reasonable?	Yes / No / No view <i>(if no, please explain why)</i>
5. Do you have any comments on the process to help community bodies determine the price they are prepared to pay?	Free text
6. Is there any other guidance, advice or examples of asset transfer that we should highlight?	Free text
7. Do you have any comments on the role, make up and appointment of the governance board that will take decisions on asset transfer requests?	Free text
8. Do you have examples or case studies you would like us to use to help us illustrate any of the points made in the document?	Free text
9. Do you think the implementation of this policy, procedure and guidance will have an impact (positive or negative) on equalities? If so, what impact do you think that will be?	Yes / No / No view <i>(if yes, please explain why)</i>
10. Please provide any additional comments.	Free text

Thank you for completing this survey and giving us your views. Once the consultation closes a report will be prepared summarising all responses and how these have informed our finalised policy statement, procedure and guidance. We hope to publish this in summer 2017.

