

Citizen Participation and Public Petitions Committee

5th Meeting, 2024 (Session 6), Wednesday
20 March 2024

PE2063: Increase funding for local authorities to enable better management and protection of conservation areas

Petitioner	David Walsh - Park Preservation Patrons
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to provide additional funding to all local authorities in Scotland, enabling them to better manage and protect the character and appearance of designated conservation areas.
Webpage	https://petitions.parliament.scot/petitions/PE2063

Introduction

1. This is a new petition that was lodged on 8 November 2023.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition can collect signatures while it remains under consideration. At the time of writing, 46 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.

Action

The Committee is invited to consider what action it wishes to take on this petition.

Clerks to the Committee

Annexe A

PE2063: Increase funding for local authorities to enable better management and protection of conservation areas

Petitioner

David Walsh - Park Preservation Patrons

Date lodged

8 November 2023

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to provide additional funding to all local authorities in Scotland, enabling them to better manage and protect the character and appearance of designated conservation areas.

Previous action

We have contacted a number of local authorities who have stated they do not have the funds available to maintain conservations areas to the standard required; never mind to preserve or enhance them.

We have also corresponded with Sandesh Gulhane MSP and Paul Sweeney MSP.

Background information

Historic conservation areas throughout Scotland are falling into disrepair.

We understand the challenges faced by both national and local government in managing limited funding, however, current funding for conservation areas is insufficient. We kindly request that the Scottish Government address the specific concerns raised regarding the funding for conservation areas.

Residents at one conservation area - the Park Conservation Area in Glasgow - recently asked why works were not carried out in accordance with their area's appraisal document. Glasgow City Council advised they

do not have the funds for this work. As a result, the area's history is being slowly eroded.

Preserving historic areas throughout Scotland is not merely an act of conservation, but testament to our collective identity and cultural diversity. Safeguarding these spaces helps honour the voices of our ancestors, celebrate the triumphs and lessons of history, and inspire future generations with a profound sense of belonging and continuity.

Annexe B

The logo for SPICe, featuring the text 'SPICe' in a white, sans-serif font on a dark purple background.The logo for The Information Centre, featuring the text 'The Information Centre' and 'An t-Ionad Fiosrachaidh' in a white, sans-serif font on a dark blue background.

Briefing for the Citizen Participation and Public Petitions Committee on PE2063: Increase funding for local authorities to enable better management and protection of conservation areas, submitted by David Walsh on behalf of Park Preservation Patrons

Background

Conservation areas are defined in Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as ‘areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’.

All planning authorities are required, from time to time, to determine which neighbourhoods within their area meet this definition and to designate them as conservation areas.

Conservation area designation means that:

1. the demolition of any building within the area is prohibited without the consent of the planning authority.
2. the protection to trees normally offered by a Tree Preservation Order (TPO) extends to trees within a conservation area that are not already covered by a TPO. This means anyone wishing to cut down, lop, top, or uproot a tree in a conservation area must give the local authority six weeks’ notice of their intention to carry out such work. The authority may grant approval for the work within six weeks or seek to protect the tree by means of a TPO.

Additional restrictions on minor development within a conservation area can be imposed by a measure known as an Article 4 Direction. Such Directions are promoted by the planning authority and are subject to confirmation by Scottish Ministers. An Article 4 Direction requires a developer to apply for planning permission for specific types of development which would normally be regarded as 'permitted development', i.e. development that does not require a planning application. Article 4 Directions can require permission for a variety of minor works, such as the replacement of original doors and windows.

Planning authorities are required, from time to time, to develop and publish proposals to preserve and enhance the character and appearance of conservation areas. These typically take the form of conservation area character appraisals and management plans, e.g. the [Park Conservation Area Appraisal](#) (the area where the petitioners are based) produced by Glasgow City Council in 2018.

Scottish Ministers have powers to make grants or loans for the purpose of preserving or enhancing the character or appearance of a conservation area. Historic Environment Scotland manage a national [Heritage and Place Programme](#) which aims to support community-led regeneration of the historic built environment.

It should be noted that responsibility for the upkeep of land or buildings within a conservation area rests with its owners. Maintenance and development of the public realm is generally a matter for the local authority, although the work of utility companies and other public bodies can also have an impact on public space.

Government Action

The Scottish Government has not taken any significant, recent action on additional funding for the maintenance or enhancement of conservation areas.

Scottish Parliament Action

To date, the Scottish Parliament has not considered funding for the maintenance and enhancement of conservation areas in any detail.

Alan Rehfisch
Senior Researcher
10 January 2024

Annexe C

Scottish Government submission of 6 March 2024

PE2063/A: Increase funding for local authorities to enable better management and protection of conservation areas

Thank you for your email dated 08 November 2023 requesting the Scottish Government's views on the action called for in Petition PE2063: Increase funding for local authorities to enable better management and protection of conservation areas.

The petition is asking for the Scottish Parliament to urge the Scottish Government to provide additional funding to all local authorities in Scotland, enabling them to better manage and protect the character and appearance of designated conservation areas.

The Scottish Government recognises the financial challenges that local government are currently facing which is why their overall share of the 2024-25 Scottish Budget has been increased despite the profoundly challenging financial situation. In the most challenging budget settlement, the 2024-25 Local Government settlement provides record funding of over £14 billion to local authorities, including £147 million of funding for the Council Tax Freeze, this represents an increase of £574.6 million, equivalent to a 4.3 per cent cash terms increase.

Local authorities are accountable to the public as democratically elected bodies and the Scottish Government's policy towards local authorities' spending is to allow local authorities the financial freedom to operate independently. As such, the vast majority of funding is provided by means of a block grant. It is then the responsibility of individual local authorities to manage their own budgets and to allocate the total financial resources available to them, including on management and protection of conservation areas, on the basis of local needs and priorities, having first fulfilled their statutory obligations and the jointly agreed set of national and local priorities.

Ultimately, it is for locally elected representatives to make local decisions on how best to deliver services to their local communities and proposals

to hypothecate funding for this specific purpose would run counter to the principles set out in the Verity House Agreement.

The Scottish Government is proud that Scotland is internationally renowned for the quality and diversity of its historic environment, and considers our heritage has an important role to play in shaping our future, so we must ensure it is protected to benefit future generations. Our shared heritage defines who we are as a nation and is hugely inspirational, helping to create a powerful sense of place and providing a backdrop against which we live, work and have fun.

The Scottish Government delivers support for the historic environment through sponsorship of Historic Environment Scotland (HES). HES is Scotland's leading public body for the historic environment whose purpose is to investigate, care for and promote Scotland's historic environment. HES lead and enable Scotland's national historic environment strategy, Our Past our Future, which sets out how our historic environment will be managed. It ensures our historic environment is cared for, valued and enhanced, both now and for the future.

HES delivers grants and funding schemes of circa £14.5 million annually to individuals and organisations for the support of projects that promote and protect our historic environment. You can find more information about them here - <https://www.historicenvironment.scot/grants-and-funding/our-grants/>

Conservation areas are largely the responsibility of individual local authority, however there is published guidance from Historic Environment Scotland online here - <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=e4800852-69da-46fd-bd49-aa3a0108bb80>

I hope that this response is helpful to the Committee in setting out the current position of the Scottish Government.

Local Government and Housing Directorate