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Date: 14 June 2011  
Our Ref: IHBC/11/03/RC  
Your Ref:



· INSTITUTE · OF · HISTORIC ·  
BUILDING · CONSERVATION

*Making Heritage Work*

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Historic Scotland  
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Richard Cartwright  
IHBC Consultations Secretary  
c/o Environmental Services  
North Lanarkshire Council  
Fleming House  
Cumbernauld G65 1JW  
<http://www.ihbc.org.uk/>

Dear Sir/ Madam

**The Historic Environment (Amendment) (Scotland) Act 2011  
Consultation on Draft Regulations**

The Institute of Historic Building Conservation is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

The Scottish branch of the Institute of Historic Building Conservation (IHBC) welcomes the opportunity to respond to this consultation. Our response comprises the following:

1. Specific Comment set out below on level of penalties
2. Respondent Information Form

Level of Proposed Penalties

Section 2.21 sets the amount for fixed penalties (which we note are *an option* where there is listed building infringement- not changing existing prosecution routes for action) as follows:

1<sup>st</sup> notice- £2000

2<sup>nd</sup> notice- £2500

3<sup>rd</sup>/subsequent notices- £5000

These in the opinion of the Institute would appear to be insufficient as a deterrent to unauthorized Listed Building works to make any real difference in most cases.

If you wish for clarification or further discussion on any matter raised by us, please contact myself initially

Yours sincerely,

Richard Cartwright  
Scottish Consultations Secretary, Institute of Historic Building Conservation

**RESPONDENT INFORMATION FORM:**

Consultation on *The Historic Environment (Amendment) (Scotland) Act 2011*  
Consultation on Draft Regulations

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Richard Cartwright, IHBC Scotland Consultations Secretary,

Postal Address: c/o North Lanarkshire Council, Environmental Services, Fleming House,  
Cumbernauld G67 1JW

1. Are you responding: **(please delete the line that does not relate to your situation)**
- (b) **on behalf of a group/organisation** YES go to Q3 and then Q4

**ON BEHALF OF GROUPS OR ORGANISATIONS:**

3 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 website). Are you also content for your **response** to be made available?

Yes

**SHARING RESPONSES/FUTURE ENGAGEMENT**

4 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 the Scottish Government to contact you again in the future in relation to this consultation response?

Yes