



## SCHEDULED MONUMENT CONSENT APPEAL TO SCOTTISH MINISTERS

UNDER SECTION 4B OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979  
SCHEDULED MONUMENT (APPEALS) (SCOTLAND) REGULATIONS 2015

**IMPORTANT: Please read and follow the notes provided when completing this form -failure to supply  
all relevant information could invalidate your appeal  
Use BLOCK CAPITALS if completing in manuscript**

<u><b>Appellant(s)</b></u>	<u><b>Agent</b> (if any)</u>
Name	Name
Address	Address
Postcode	Postcode
Contact Tel No 1	Contact Tel No 1
Contact Tel No 2	Contact Tel No 2
Fax No	Fax No
*E-mail	*E-mail
	Mark this box to confirm all contact should be through this representative

\*Do you agree to all correspondence regarding your appeal being sent **by e-mail?** Yes      No

<b>Details of application to Historic Environment Scotland (HES)</b>	
HES's reference number	
Name and address of monument	
Description of proposed development	
OS Map Grid Ref or Postcode	Area of Appeal Site (m2/ha)
Date of application to HES	Date of HES's decision

<p><b>Nature of application:</b> (select one option only)</p> <p>Scheduled monument consent</p> <p>Variation or discharge of conditions</p> <p>Approval of matters specified by conditions on a prior consent</p>	<p><b>Appeal Against:</b> (select one option only)</p> <p>Refusal of application</p> <p>Failure to give a decision (deemed refusal)</p> <p>Conditions imposed on a consent</p>
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<b>Specific grounds of appeal</b>	
<p>An appeal under section 4b <b>may</b> include one or both of the specific grounds shown here. Please indicate whether you are claiming any of these grounds.</p>	<p>(a) the monument should not be included in the Schedule</p> <p>(b) the entry in the Schedule relating to the monument should be amended</p>
<p>Note - You must still explain your reasons for claiming these grounds in your statement of appeal.</p>	

## **Statement of Appeal**

You **MUST** state, in full, why you are appealing against HES's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your appeal.

**Note:** you might not have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account. You will though be entitled to comment on (i) any additional matter which may be raised by HES in its response to your appeal, or (ii) any representations the Scottish Government might receive from any other person or body.

State the reasons for your appeal and all matters you wish to raise here. (If necessary, this can be continued or provided in full on a separate document).

Have you raised any matters which were not before HES at the time the decision you are appealing against was made? Yes  No

If yes, you should explain in the box below, why the matter was not raised at that time and why you consider it should now be taken into account.

## **List of documents/evidence**

Provide a list of all documents, materials and evidence which you have provided with your appeal and intend to rely on in support of your appeal and ensure that the documents are clearly numbered (If necessary, this can be continued or provided in full on a separate document).

**Appeal Procedure**

The person appointed to determine your appeal will decide the procedure to be used. In general, a decision will be made based on your appeal documents and HES's response. In some cases the appointed person may require further procedures to gain more information on specific matters before reaching a decision. This is your opportunity to indicate what procedure you think is most appropriate for the handling of your appeal. (See Notes for Appellants)

- 1. Review of all relevant information provided by yourself and other parties only, with no further procedure
- 2. Inspection of land subject of the appeal
- 3. Further written submissions on specific matters
- 4. Holding one or more hearing sessions (i.e. round table discussions) on specific matters
- 5. Holding one or more formal inquiry sessions on specific matters

\* You can suggest a combination involving more than one further procedure, if necessary.

If boxes 3, 4 or 5 are checked, please explain below which of the matters (as set out in your statement above) you think should be subject to that procedure, and why. (Use additional pages if necessary.)

**Site Inspection**

In the event that the Scottish Government Reporter appointed to consider your appeal decides to inspect the appeal site, in your opinion:

Can the site be viewed entirely from public land?	Yes	No
Is it possible for the site to be accessed safely, and without barriers to entry?	Yes	No
Are there any biosecurity issues that affect the site? <i>(for more information on biosecurity, please see the site inspection section in the notes for appellants)</i>	Yes	No

If there are reasons why you think the Reporter would be unable to access and view the appeal site alone, please explain here:

**CERTIFICATE OF OWNER NOTIFICATION**

**Certificate under regulation 4 of the Scheduled Monument (Appeals) (Scotland) Regulations 2015** regarding notifications of owners of any part of the monument subject to appeal at the beginning of the period of 21 days ending with the date of this appeal.

Service of notice to owners in the forms set out in Parts 1 & 2 of Schedule 3 of the above regulations

**I certify** that/the appellant: (select one of the following options only)

was the sole owner at that time. (complete section C below)

gave the required notice to all others in ownership at that time. (complete sections A & C below)

attempted to give the required notice to all others in ownership at that time and that all reasonable steps were taken to obtain their names and addresses, but these steps were unsuccessful in some instances and that a notice as set out in Part 2 was published in a local newspaper. (complete sections A, B & C below)

attempted to give the required notice to all others in ownership at that time and that all reasonable steps were taken to obtain their names and addresses, but these steps were unsuccessful in all instances and that a notice as set out in Part 2 was published in a local newspaper. (complete sections B & C below)

**A**

Notice in the form set out in Part 1 of Schedule 3 of the above regulations was served on the following owners:-

Name and address at which notice was served	Date of service of notice
Name and address at which notice was served	Date of service of notice
Name and address at which notice was served	Date of service of notice
Name and address at which notice was served	Date of service of notice

**B**

Notice in the form set out in Part 2 of Schedule 3 of the above regulations (publication in a local newspaper)

The steps taken to ascertain the names and addresses of the owners notified by a notice in such a form were:-

Said notice was published in the following local newspaper

On

**C**

Signed

Date

Tick if signed on behalf of the appellant

### **Other Appeals**

Have you made any other appeals to Scottish Ministers concerning this land? Yes  No

If yes, please give details, including our appeal reference numbers (if known):

### **Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents/evidence relevant to your appeal:

Full completion of all parts of this form

Full statement of appeal

All documents, materials and evidence which you intend to rely on

Application to HES, including all plans/drawings and other documents relevant to your application which is now subject of this appeal.

HES's decision notice (if any), which is the subject of your appeal

Where application/appeal relates to an earlier consent (e.g. approval of matters specified in conditions on a prior consent; variation of previous conditions), the application, approved plans and decision notice from that earlier consent.

**The Scottish Government routinely publishes all documents relating to each appeal on its website at [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk). You must advise DPEA if there are particular reasons why you think any document you have provided cannot be published.**

### **Declaration**

**I appeal to the Scottish Ministers as set out on this form and supporting documents. I can confirm that I have today sent a copy of my appeal to the Planning Authority.**

Signed \_\_\_\_\_

Date \_\_\_\_\_

If you take part in the appeals process, use DPEA websites, contact the division or attend a webcast, the DPEA may collect certain information about you. To find out more about what information is collected, how the information is used and managed please read the [DPEA's privacy notice](#).

This form and all supporting documents should be sent to:

E-mail: [dpea@gov.scot](mailto:dpea@gov.scot)

Post: Planning and Environmental Appeals Division  
Hadrian House  
Callendar Business Park  
Falkirk  
FK1 1XR

Contact Tel: 0300 244 6668

It, and any documents not already with HES, should also be sent to:

[HMAppeals@hes.scot](mailto:HMAppeals@hes.scot)

FAO Heritage Management Directorate  
Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

0131 668 8716

*Using the "Submit by Email" button creates an email prepopulated with the DPEA and HES email addresses where you can attach additional documents before sending.*