



## Case information

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<b>Reference/Case ID</b>	201601775		
<b>Scheduled Monument</b>	Mantle Walls, Ancrum, bishop's palace		
<b>Index no</b>	M13324	<b>Grid Ref</b>	NT631246 363100.0000 624600.0000
<b>Date of Application</b>	04 July 2016	<b>Application Received</b>	06 July 2016
<b>Summary of proposed works</b>	Seasonal fieldwalking to record, identify and retrieve archaeologically significant objects at risk from ploughing.		

## 1. Summary recommendation

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This report recommends consent **be granted** with conditions.

## 2. Background

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Although it was known that the Bishops of Glasgow had a palace at Ancrum in the 12<sup>th</sup> and 13<sup>th</sup> centuries, its exact location was uncertain until around 5 years ago. The presence of a substantial medieval structure at Mantle Walls was initially identified through a combination of cropmark evidence, place name and historic records, and the recovery of artefacts through metal detecting and field walking. Trial excavation uncovered evidence of substantial medieval masonry walls, midden deposits and pits, all of which supported identification as the site of the 12<sup>th</sup> century palace. The monument was subsequently scheduled in 2013.

The monument is located in a sloping arable field and there has been significant local concern for many years that the site is eroding and archaeological information is being lost. The applicants in this case – the Ancrum and District Heritage Society – are a recently-formed community group and one of their main aims is to record and recover material that may otherwise be lost from the monument. The Society has had sought pre-application advice from Historic Environment Scotland, the Treasure Trove Unit and Scottish Borders Council's Archaeologist: the current application reflects those discussions.

### 3. Proposals

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Consented Works: Removal of archaeological artefacts from plough soil within scheduled area.

Description of works

- Removal of archaeological material or artefacts identified through visual inspection (“fieldwalking”) from the site. Finds will be recorded in situ through photography and GPS coordinates before removal for further analysis and recording.

### 4. Representations received

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None.

### 5. Report

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#### a) Policy considerations

The application should be viewed with the following legislative and policy considerations in mind:

#### **The Ancient Monuments and Archaeological Areas Act 1979: Part 1 2 Control of works affecting scheduled monuments.**

(1) If any person executes or causes or permits to be executed any works to which this section applies he shall be guilty of an offence unless the works are authorised under this Part of the Act.

(2) This section applies to any of the following works, that is to say –

- (a) any works resulting in the demolition or destruction of or any damage to a scheduled monument;
- (b) any works for the purpose of removing or repairing a scheduled monument or any part of it or of making any alterations or additions thereto;
- (c) any flooding or tipping operations on land in, on or under which there is a scheduled monument.

(3) Without prejudice to any other authority to execute works conferred under this Part of the Act, works to which this section applies are authorised under this Part of this Act if –

- (a) the Secretary of State has granted written consent (referred to below in this Act as “scheduled monument consent”) for the execution of the works; and
- (b) the works are executed in accordance with the terms of the consent and of any conditions attached to the consent.

(4) Scheduled monument consent may be granted unconditionally or subject to conditions (whether with respect to the manner in which or the persons by whom the works or any of the works are to be executed or otherwise).

### **Historic Environment Scotland Policy Statement (June 2016)**

3.4 Scheduled monument consent is required for any works that would demolish, destroy, damage, remove, repair, alter or add to the monument or to carry out any flooding or tipping on the monument. It is a criminal offence to carry out any of these works without consent.

3.5. Some types of works do not require scheduled monument consent as they are deemed to have consent, under the terms of the Ancient Monuments (Class Consents) (Scotland) Order 1996 (“the Class Consents Order”).

3.14. A monument is included in the Schedule to secure the long-term legal protection of the monument in the national interest, in situ and as far as possible in the state it has come down to us. Scheduled monuments have an intrinsic value as monuments, not related to any concept of active use. It is the value of the monument to the nation’s heritage, in terms set out in the section on Scheduling in Chapter 2 of this policy statement that is the primary consideration in determining applications for scheduled monument consent.

3.15. Monuments are subject to decay and the threat of destruction, from natural and human causes. Conservation work is normally needed to prolong the life of a monument, but there is a risk that this can be so invasive that it irreversibly modifies the monument’s character and affects the special interest or features that made the monument important in the first place.

3.16. Works on scheduled monuments should therefore normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument.

3.17. As each monument will require treatment specific to its individual nature, characteristics, significance and needs, any proposed change to it must be fully and explicitly justified.

3.18. Scheduled monument consent applications must be considered in terms of the cultural significance of the monument and the impact that the proposals would have upon this cultural significance. The more important particular features of the monument are to its cultural significance, the greater will be the case against interventions which modify these features.

3.19. Extensive intervention will only be allowed where it is clearly necessary to secure the longer-term preservation of the monument, or where it will clearly generate public benefits of national importance which outweigh the impact on the national cultural significance of the monument. Such public benefits could come from, for example, interventions which make public access to scheduled monuments easier, or assist public understanding, or will produce economic benefits once the works are completed.

3.20. Where change is proposed, it should be carefully considered, based on good authority, sensitively designed, properly planned and executed, and where appropriate in the context of an individual monument, reversible.

3.21. Where unavoidable circumstances, such as coastal erosion, threaten the survival of a scheduled monument, it should, where possible, be excavated and/or recorded in detail before its destruction.

3.22. Where consent for the range of works set out in paragraph 3.4 is granted, conditions are normally applied to ensure the works are undertaken in an appropriate manner. Common requirements are:

- a. the use of appropriate assessment methodologies to determine the full impact of any proposed management, use or development;
- b. the avoidance of irreversible change particularly wherever its effects cannot be adequately assessed;
- c. that where change is necessary, strategies should be adopted to mitigate its impact and limit intervention;
- d. that the management and execution of alteration, including remedial work, is sympathetic to the historic character;
- e. that appropriate skills and techniques, materials and construction techniques are specified where appropriate;
- f. that an appropriate level of record is made before, during and after any work and deposited in local and national archives, and, where appropriate, published;
- g. that it is possible, on close inspection, to differentiate new work from old particularly on masonry structures;
- h. that any archaeological excavation or other intrusive investigation should be based upon a detailed research strategy, with adequate resources, using appropriately skilled and experienced archaeologists with a satisfactory record of the completion and publication of projects; and,
- i. that the design, planning and execution of works on scheduled monuments are undertaken by people with appropriate professional and craft qualifications, skills and experience.

**b) Assessment**

The works proposed in this application would result in the recording and removal of an unspecified amount of artefactual material from the monument.

Recent site examinations have shown that pottery, masonry fragments and other material relating to the medieval occupation of the site can be found in the plough soil. If left in situ, this material would be subject to degradation and loss through natural decay, and mechanical damage from agricultural practices. It is not certain whether the monument is subject to ongoing erosion from natural and agricultural practices, although the sloping topography of the site makes this likely. However, even if there is no active erosion on the site, any material already exposed in the plough soil will decay if not removed and conserved. Removal of material from the site would, therefore, have a neutral impact on the cultural significance of the in situ remains. As no intervention is proposed beyond the removal of displaced “at risk” material from the ground surface, the works are consistent with conserving the surviving cultural significance of the monument.

The processes behind the decay of material within the plough soil can be considered to represent “unavoidable circumstances” as outlined in section 3.21 of the HES Policy Statement. Recording, removal and curation is therefore in keeping with the Policy Statement and represents a proportionate response to a threat of this type.

The knowledge that could be gained from analysis of the artefacts and the pattern of their location on the site could enhance our understanding of the site itself and of medieval material culture, representing a positive public benefit from the works.

The application does not contain detailed methodologies for the practical aspects of the project. The degree of benefit that could accrue from the project is dependent on the methodologies used, so it is essential that detailed and realistic procedures are agreed and put in place before works begin. The applicants touch on this issue in their Supplemental Description of Proposed Works and commit to agreeing details with HES, the Treasure Trove Unit and Scottish Borders Council. Securing the provision of detailed methodologies through a condition attached to the consent would ensure the works can be carried out to a suitable standard.

**c) Other material considerations, including impact of the works on Protected Species and Places**

None

**d) Conclusion**

The works described in this application represent the removal of parts of the monument and as such require scheduled monument consent under part 1: 2: 2(b) of the Act.

I am content that the works described in this application will result in no intrusion into undisturbed archaeological deposits below the plough soil. As such, I consider they will have a minimal impact on the cultural significance of the monument, in accordance with sections 3.16 and 3.18 of the Policy Statement.

I consider the application provides specific justification for the works, in accordance with section 3.17 of the Policy Statement.

I am content that the conditions prevalent on this monument, which put artefacts in the surface plough soil layer at risk, represent “unavoidable circumstances” and that the recording and recovery of artefactual material from the surface soil layer is, therefore, in keeping with section 3.21 of the Policy Statement.

While I am content that the principle of the works outlined in the application meets national policy, I consider the application lacks detail when describing the methodologies to be used. It is particularly important to ensure that fieldwork is carried out in a consistent manner, that finds are recorded, conserved and curated adequately and that the results of the work are disseminated to as wide an audience as possible. If this is not done, the benefits of the project could be limited or lost. I therefore recommend a condition should be attached to the consent to ensure that technical issues relating to methodologies are resolved before works can commence.

## 6. Recommended decision

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I recommend consent is **granted, subject to the conditions detailed below.**

Subject to compliance with the schedule of conditions, the works proposed are considered acceptable in meeting the terms of national policy for scheduled monuments, and also accounting for other material considerations.

## 7. Conditions

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1. The applicant shall provide Historic Environment Scotland with a method statement detailing the working practices to be used in the investigation, recording, removal, curation, disposal and reporting of material from the monument. Works must not commence on site until the method statement has been approved in writing by Historic Environment Scotland. Any subsequent changes to the works detailed within the method statement must also be approved in writing by Historic Environment Scotland.

*Reason: to ensure that archaeological information relating to the affected areas of the monument is recovered, recorded, curated and reported to a satisfactory standard.*

## 8. Approval

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<b>Officer</b>	<b>Deirdre Cameron</b>	<b>Date</b>	<b>25/08/2016</b>
<b>Approved by</b>	<b>George Findlater</b>	<b>Date</b>	<b>29/08/2016</b>

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

## **Annex A – list of supporting documents**

- Supplemental description of works
- Location plan showing proposed fieldwalking area