



# Historic Environment (Amendment) (Scotland) Act 2011 2011 asp 3

## PART 2

### MODIFICATIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL AREAS ACT 1979

#### *Inventories of gardens, designed landscapes and battlefields*

#### **11 Inventories of gardens and designed landscapes and of battlefields**

After section 32 of the 1979 Act insert—

#### **“PART 1A**

#### INVENTORIES OF GARDENS AND DESIGNED LANDSCAPES AND OF BATTLEFIELDS

##### **32A Inventory of gardens and designed landscapes**

- (1) The Scottish Ministers must compile and maintain (in such form as they think fit) an inventory of such gardens and designed landscapes as appear to them to be of national importance.
- (2) In subsection (1), references to gardens and designed landscapes are to grounds which have been laid out for artistic effect and, in appropriate cases, include references to any buildings, land, or water on, adjacent, or contiguous to such grounds.
- (3) The Scottish Ministers may, from time to time, modify the inventory so as to—
  - (a) add an entry relating to grounds mentioned in subsection (2);
  - (b) remove an entry relating to such grounds;
  - (c) amend an entry relating to such grounds (whether by excluding anything previously included as part of the grounds or adding anything not previously so included, or otherwise).

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*Status: This is the original version (as it was originally enacted).*

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- (4) As soon as reasonably practicable after including any grounds in the inventory in exercise of their duty under subsection (1), or modifying the inventory under subsection (3), the Scottish Ministers must—
- (a) inform—
    - (i) the owner of the grounds;
    - (ii) (if the owner is not the occupier) the occupier of the grounds;  
and
    - (iii) any local authority in whose area the grounds are situated,  
of the inclusion or modification; and
  - (b) where the grounds are so included, or the inventory is modified as mentioned in paragraph (a) or (c) of subsection (3), send to any person or any local authority informed under paragraph (a) of this subsection a copy of the entry or, as the case may be, of the amended entry in the inventory relating to the grounds.
- (5) The Scottish Ministers must from time to time publish, in such manner as they think fit, a list of all the gardens and designed landscapes which are for the time being included in the inventory.

### **32B Inventory of battlefields**

- (1) The Scottish Ministers must compile and maintain (in such form as they think fit) an inventory of such battlefields as appear to them to be of national importance.
- (2) In this section, “battlefield” means—
- (a) an area of land over which a battle was fought; or
  - (b) an area of land on which any significant activities relating to a battle occurred (whether or not the battle was fought over that area).
- (3) Subsections (3) to (5) of section 32A apply to an inventory compiled and maintained under subsection (1) of this section as they apply to an inventory compiled and maintained under subsection (1) of that section; and, for the purposes of that application, references to gardens and designed landscapes, and to grounds referred to by those expressions, are to be construed as references to a battlefield.”.