

Rùnaire a' Chaibineit airson Cultair agus Cùisean an Taobh a-muigh
Cabinet Secretary for Culture and External Affairs
Fiona Hyslop MSP/BPA

T/F: 0845 774 1741
E: scottish.ministers@scotland.gsi.gov.uk



Mr Andrew Howlett
Rm T3.40
Scottish Parliament
Edinburgh
EH99 1SP

In 2014 Scotland Welcomes the World



By email: Andrew.howlett@scottish.parliament.uk

Your ref/Ur faidhle: PE 1523
Our ref/Ar faidhle: 201404478

3 November 2014

Dear Mr Howlett,

I have followed with interest the discussions which took place at the Petition Committee's meeting on 30 September in response to public petition PE1523 regarding protection for the Tinkers' Heart, Argyll.

I fully recognise that the Tinkers' Heart is rich in associations for the Traveller community and agree that it represents an important symbol of the significant contribution made by the Traveller community to the history of Scotland.

Given the particular nature of the significance of the Tinkers' Heart, I agree with comments made during the Committee's discussions regarding the relevance of the 2003 UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage. While this Convention has not been ratified by the UK Government, the Scottish Government has acknowledged the significant contribution of intangible heritage in Scotland's first ever Historic Environment Strategy, *Our Place in Time*. This Strategy, which is owned by the people of Scotland, seeks to ensure that the historic environment, in its widest possible sense, is understood and valued, cared for and protected, enjoyed and enhanced; and that it is at the heart of a flourishing and sustainable Scotland to be passed on with pride to benefit future generations.

The Scottish Government expects Historic Scotland and its successor body Historic Environment Scotland, to be the lead Government body in the delivery of the Strategy. As far as the Tinkers' Heart is concerned, several important steps have already been taken which are consistent with the Strategy. For example, I am pleased that the site has been fully recorded by the Royal Commission on the Ancient and Historical Monuments of Scotland. That record, including measured drawings and photographs, is now available online for the first time and held within the national collection to promote understanding and appreciation of the Heart.

St Andrew's House, Regent Road, Edinburgh EH1 3DG
Taigh Naomh Anndrais, Rathad Regent, Dùn Èideann EH1 3DG
www.scotland.gov.uk



Under current arrangements, Historic Scotland, as an executive agency of the Scottish Government, exercises functions on behalf of Scottish Ministers and provides advice to Scottish Ministers on all matters relating to the historic environment. In relation to scheduling, the agency carries out Scottish Ministers' responsibilities as set out in the Ancient Monuments and Archaeological Areas Act 1979. In applying these powers, the agency follows Scottish Historic Environment Policy 2011. Historic Scotland has assured me that the case for protecting the Tinkers' Heart by scheduling it as a monument of national importance has been very carefully considered. I understand that the decision that the site does not meet the criteria for scheduling rests on the application of Scottish Historic Environment Policy 2011, Annex 1: *Criteria for and guidance on the determination of 'national importance' for scheduling*.

Although Historic Scotland's assessment has concluded that the Tinkers' Heart site does not meet the criteria for scheduling, I am aware that other steps are being taken to protect and value the Heart. For example, the Heart has now been recognised as an archaeological site by the Local Authority Archaeology Service for Argyll and Bute, which means that the Heart would be protected through the planning system if the site or its setting were to be affected by any development proposal.

I am supportive of the petition's call for practical steps to be taken towards the restoration and preservation of Tinkers' Heart. Historic Scotland has already invited an application from a community or Traveller group for a grant towards the costs of conserving and protecting the Heart. I understand that no application has yet been made, but I will ask Historic Scotland to ensure that this offer remains open. I also understand that Archaeology Scotland has invited an application under its Adopt-a-Monument Scheme (funded by Historic Scotland). It seems to me that this might be a good means to deliver community-led protection and promotion as an alternative to the statutory approach. I should also acknowledge the positive contribution made by the owner of the Heart in erecting a fence around the site so that it is less vulnerable to cattle damage.

In summary, I am comfortable that positive steps are being taken to deliver the priorities set out in *Our Place in Time* as far as the Tinkers' Heart is concerned, which will help to deliver most of the objectives set out in the petition. The Scottish Government will continue to play a positive part in securing the future of the Tinkers' Heart.

FIONA HYSLOP