

Historic Environment Scotland Bill: Fact-finding visit to Orkney – May 2014

Introduction

1. The Committee visited Orkney on 12 May 2014 as part of its scrutiny of the Historic Environment Scotland Bill.
2. Members visited various archaeological and historical sites on the island in order to better understand the issues raised by the bill and the accompanying historic environment strategy. The Committee also held an informal meeting with local groups to understand their role in Orkney's historic environment and to gauge their views on the Bill. A full list of participants is provided in the Annexe.
3. Participants discussed the importance of Orkney's historic environment then focused on the broader points arising from the Bill and the strategy. The key points from the discussion are summarised below.

Discussion topics

4. There was very strong agreement about the importance of the historic environment to Orkney, in terms of tourism and economic development. The cultural value of the historic environment was also stressed.
5. There were some mixed views on the degree to which all the island's relevant bodies with an interest in the historic environment worked well together. Some praised working relationships and said these reflected the strong community spirit across Orkney. Others considered that relationships could be improved. Some participants also cautioned that Orkney's potential to develop the historic environment is not being fully realised as a result of infrastructure and resource constraints. There was also a question as to whether the island's historical appeal is promoted as heavily as its historical archaeological attractions.
6. The main comments made about the Bill and strategy can be summarised as follows—
 - *Establishing HES:* There was support for the Bill's aim of merging Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland to form Historic Environment Scotland (HES). However, there were calls for clarity on exactly what partners could expect from HES; on the expected operational and staffing structure of the new organisation; and on the resources that would be available to support the strategy. There was also some concern about a perceived vagueness or lack of detail in the strategy. Participants considered it important that the merger should not distract HES from fulfilling its core functions;
 - *Regionalised structure and distance from decision-making.* The importance of guarding against centralised decision making and ensuring instead that decision-making processes are set at the appropriate levels (for example by setting a regional agenda and strategy) was stressed. Some concerns were raised that the proposed merger may result in a move away from Historic

Scotland's current regionalised structure. However, there was also recognition of the importance of applying a national perspective in establishing certain standards, and awareness that any new regional approach would have to avoid creating potentially damaging competition at local level;

- *Conflict of interests:* Some participants raised the possibility of potential clashes of interests arising from the merger, as the new body would be a regulator and in charge of raising revenue, while enjoying considerable political clout and prestige. It was also considered that a possible conflict of interest could arise in HES, for example, in it undertaking survey and excavation; overseeing and undertaking research; and should HES be able to access its own funding when seeking to make repairs. It was pointed out that Historic Scotland and RCAHMS had discounted this latter possibility in evidence to the committee;
- *Distancing HES from the Scottish Government:* Related to the above two points, it was suggested that a possible long-term consequence of the Bill and strategy could be HES being left more exposed to commercial pressures, thereby placing a greater reliance on commercial income or research funding. There was concern that the new body may attract funding that would otherwise be available to other bodies working in the historic environment; it was suggested that this could bring HES into potential conflict with NTS, universities, commercial units, trusts and community organisations that access funding for outreach and training;
- *Definition of 'historic environment':* There was a prevailing view that 'historic environment' did not necessarily have to be defined in the Bill. However, it was suggested that the term had to be properly defined and clarified somewhere, particularly to avoid possible legal confusion.
- *Responsibility for the marine environment:* The group was not clear about the extent to which responsibility for the marine environment would be included in the remit of HES and other public bodies. There was some concern that responsibility and decision-making about submerged archaeological sites appeared to sit with Marine Scotland rather than HES. The over-riding concern, however, was to ensure that responsibility for submerged sites did not fall somewhere between the remits of Marine Scotland and HES.

Annexe: List of participants

George Adam MSP
Clare Adamson MSP
Neil Bibby MSP, Deputy Convener
Leslie Burgher, Orkney Heritage Society
Nick Card, Senior Projects Manager, Orkney Research Centre for Archaeology (ORCA), Orkney College UHI
Jo Constantine, Tomb of the Eagles
Professor Jane Downes, Head of Archaeology, Orkney College UHI
Barbara Foulkes, Islands Manager, Visit Scotland
Julie Gibson, County Archaeologist, Orkney Islands Council
Tom Hunter, Historic Environment Officer, Orkney Islands Council
Kathleen Ireland, Stromness Museum
Chris Jones, Commercial Business Manager – North Region, Historic Scotland
Liam McArthur MSP
Gordon MacDonald MSP
Roddy Mackay, Head of Planning and Regulatory Services, Orkney Islands Council
Jamie Macvie, Senior Planner – Development Management, Orkney Islands Council
Kirsty Mainland, Director, Orkney Tourism Group
Stewart Maxwell MSP, Convener
Mary Scanlon MSP
Paul Sharman, Senior Projects Manager, Orkney Research Centre for Archaeology (ORCA), Orkney College UHI
Richard Strachan, Senior Archaeologist, Historic Scotland
Lucy Vaughan, Head of Conservation North, Historic Scotland
Caroline Wickham-Jones, Lecturer, Department of Archaeology, University of Aberdeen