European and External Relations Committee

The EU referendum and its implications for Scotland

Written submission from Historic Environment Scotland

Thank you for seeking our views on Scotland’s relationship with the EU and a range of issues for Scotland as a consequence of the European Union (EU) referendum result. I offer the following comments on behalf of Historic Environment Scotland which is the new lead public body set up to investigate, care for and promote Scotland’s historic environment.

We are a non-departmental public body with charitable status, governed by a Board of Trustees, who were appointed by Scottish Ministers. We lead and enable Scotland’s first historic environment strategy *Our Place in Time*, which sets out how our historic environment will be managed. It ensures our historic environment is cared for, valued and enhanced, both now and for future generations.

We have provided comments in relation to some of the areas highlighted by the Committee and would be happy to provide further information in support of these, or other related matters, should this be helpful.

**The position of EU citizens in Scotland and the contribution that EU citizens make to Scotland’s economy and society**

An overarching issue that potentially affects public sector organisations, including Historic Environment Scotland, is the current arrangement for the free movement of labour, which may impact upon the rights of EU citizens to live and work in the UK, and the potential impact on recruitment.

While we recognise that most employment legislation which has come from the EU has be transposed through our own Parliaments, and are fundamental to UK law, we would welcome the Committee’s examination of such matters.

**The implications for UK and Scots law of a withdrawal from the EU, particularly the need to repeal legislation and prepare new legislation to fill the gaps left by EU legislation**

Our organisation is a Consultation Body under certain EU environmental protection directives – the Environmental Impact Assessment Directive 2011 (the ‘EIA Directive’) and the Strategic Environmental Assessment Directive 2001 (the ‘SEA Directive’). The purpose of these EU Directives is to ensure that the environmental effects of proposed developments and development policies are taken into account as part of the planning process and are subject to public scrutiny, and that environmental organisations, such as ourselves, Scottish Natural Heritage and The Scottish Environment Protection Agency, are provided an opportunity to offer advice.

While the SEA and EIA Directives are both transposed into domestic Scottish legislation and regulation, it is unclear at present whether any changes would be required following withdrawal from the EU. We would simply highlight this as an area the Committee may wish to consider further in due course.
We, like many other public bodies, are also subject to a number of EU Directives relating to the sharing and re-use of public sector information (e.g. the “INSPIRE” Directive 2007/2/EC) as well as a range of others relating to copyright and intellectual property. We would request that implications of withdrawal on these legal frameworks are considered as part of the Committee’s inquiry.

**The impact on Scotland’s economy**

Our organisation is responsible for more than 300 properties of national importance. Buildings and monuments in our care include Edinburgh Castle, Skara Brae, Fort George and numerous smaller sites across Scotland, which together draw more than 3 million visitors per year.

We anticipate that withdrawal, including the period of negotiation, could affect the tourism industry and as a consequence our commercial income which supports a range of activities across our organisation. While factors such as the short term benefit to overseas visitors of a weaker pound could have a positive impact, we consider that any short-term gains are likely to be significantly offset by the impact of changes in relation to our access to European markets over the longer term.

**European Structural and Investment Funds (ESIF), Horizon 2020 and other competitive funding opportunities**

**EU funding streams**

We have a number of projects currently in place which are supported from partial funding resources from the EU. In addition, we have a number of funding bids submitted and awaiting outcome. It is not clear what the impact will be on potential EU funding bids going forward, however, we understand that some major EU research funds are open to partnerships beyond the EU – in particular, Horizon 2020 is generally open internationally.

**Cultural Heritage research**

We would request that the Committee examines any implications of withdrawal upon academic research and partnerships across Europe, in particular, the availability of current funding mechanisms. Projects in Scotland are, for example, currently eligible for funding from European bodies such as Europa Nostra. Working with European partners on academic research projects can raise the profile of Scottish research and allow it to contribute to academic debate outside of the UK. As we fund PhDs and postdoctoral studies, there are potential implications of restricting the ability of EU citizens to live and work in the UK in terms of getting the best candidates from across Europe.