

PE1523/K

FAO
Chris Hynd
Public Petitions Committee
Scottish Parliament
Edinburgh
EH99 1SP

20/1/2015

Dear Chris Hynd,

ANSWER TO MR WALFORD'S LETTER OF 15TH JANUARY

Re PUBLIC PETITION PE 1523

The Committee asked two questions of Historic Scotland-

1) *The Committee would be interested to know whether HS will be seeking a legislative change to ensure that landowners have a responsibility of care to scheduled monuments on their land.*

Part of CE Mr. Walford's answer – 'Generally the expectation with ownership of any scheduled monument is that an owner will do no harm and that legislation allows for change to be regulated and remedy in the event that damage occurs. It is an offence to cause deliberate damage'.

In 2008 Argyll & Bute Council decided with the 'Here We Are' group of Cairndow to upgrade the Tinker's Heart site. (Landowner is a member of this group) Plans were drawn up and funding secured. However 'Here We Are' rejected this. They announced that they would take care of the Tinker's Heart by erecting a thin wire fence attached by three metal poles. (*Local press*)

Locals were saddened by this flimsy attempt because cattle were soon tramping down the wire.

The Travelling community and locals were of the impression that Argyll & Bute council protected the Tinker's Heart. When I visited in 2010, pieces of broken pallet lay scattered around and the Heart hardly visible.

Concerned by this neglect I began my campaign and it was this intervention that has hastened the local group to upgrade.

Negligence on such a scale of one of Argyllshire's oldest monuments alerted us that while under this group of custodians, our sacred site was in danger.

I had questions which to date have not been answered-

Why is the area not fenced off from cattle?

Why is there not a proper pedestrian gate?

Why is there a small sign on the field gate instructing visitors to drive several miles to read information on the Tinker's Heart?

Why is there a working stone quarry yards from the Tinker's Heart without adequate information stating this? Please view <http://youtube.be/he8sGPXTRU>

Lastly and I consider this crucial- *who owns this small piece of land?*

FOI requests have not produced legal copies of documents stating that Mrs. How owns the area. An internet search on old roads and pathways states Ardkinglass estate 'use' the old A813, this estate is owned by Mrs. How's cousin Mr. Sumson who is also a member of 'Here We Are' as is their aunt Mrs. Noble who also owns a considerable neighbouring estate.

A simple document of authentication would allow us to know who to correspond with. To date there has been no channel of communication.

The defunct road was a public byway under the jurisdiction of A&Bute council so when did it go into private ownership?

A&Bute were footing the bill in 2008 to upgrade and turn the Tinker's Heart into an area where tourists etc., could visit.

Funding being provided by the public purse not the private sector.

This information has not yet been addressed and throws Historic Scotland's generic advice and guidance into the dark. Who do they address and where do they direct their financial assistance?

2nd question) The Committee would be grateful if you could comment on whether the current criteria for scheduling ancient monuments are adequate in recognizing and protecting the monuments of minority cultures with strong oral traditions, such as the Travelling community.

Part of Mr. Walford's reply, '*Our Assessment of Tinker's Heart for scheduling highlighted that its value lies in its associations, rather than in its intrinsic value of the monument to the nation's heritage. Consequently, we concluded that although the site is clearly of cultural heritage interest, it does not meet the criteria.*'

This statement not only insults the entire Travelling community (90% do not travel but live in houses, run businesses, are highly recognized members of Scottish society) but it clearly emphasizes that Historic Scotland when developing their criteria over many years have ignored the Travelling history/connections and attributes to the country.

Criteria-

Intrinsic- the stones are placed at a crossroads and have had sacred significance as a wedding place. Travellers have travelled from many areas to take their vows. Locals too and young couples wishing to pledge their love have been married here. Its lasting history tells us that it has intrinsic qualities, deep rooted. Lady George Campbell (1928) argued with the council not to lay tar on the ancient patch. Argyllshire people respect the Tinker's Heart. When driving on the old A813 they were aware of the intrinsic values of the Heart so avoided driving over it.

Contextual- The Tinker's Heart is mentioned in various books and known locally as a special place. Existing knowledge was sufficient to be the subject of modernization by Argyll & Bute council. To the area of Lochgilphead, Dunoon, Strachur, Lochgoilhead and Cairndhu, the Tinker's Heart has always been there and recognized. James Hughes a regular Travelling Tinker bard to Cairndhu and Loch Fyne penned a poem in memory of the late Lady Noble who was generous to his family and all the Tinkers who visited her land and the Heart.

Associative- is explained in the above. The Church of Scotland had a special connection to the Heart because ministers would officiate at the place. Reverend John Macorkindale from Lochgoilhead Church, being one.

Aesthetic- it has survived because of its sacred beauty, its history and its association to place and people.

One could argue that Scotland's Standing Stones have no written evidence to their history apart from association through oral stories.

Scotland's National music Festival –Celtic Connections opened its doors on the 15th Jan with a tribute to the late musician Martyn Bennet. Two prominent voices featured in his famous album Grit- the late great Sheila Stewart MBE and also Lizzie Higgins. Lizzie's voice featured on Danny Macaskill's televised cycle adventure on the Cuillins of Skye.

Sheila sang to Pope John Paul when he visited Glasgow, she was representing her culture. Queen Elizabeth, Prince Philip and Prince Charles have all heard her sing.

Her mother Belle Stewart was awarded the BEM for her work in highlighting the culture. Lizzie's mother was Jeannie Robertson the voice of the north.

Edinburgh University is very proud of the School of Scottish Studies and its work within the Travelling people, collecting songs, stories and studying the historical connection to land. The late Hamish Henderson researched in depth producing his famous papers on the culture. Having travelled a summer with the Stewarts of Sutherland hearing of their connections. This resulted in The Summer Walkers by Tim Neat, which became a film and a book.

Sir Walter Scott mentions Travelling Gypsies in many of his books. In the real life Jacobite Meg Gordon, he saw a perfect character to replicate in the heroine of his novel Guy Mannering (Meg Merilee's).

As a regular In Poosie Nancy's Tinker's Howf, Scotland's Bard discovered a lot of his collection. He makes no secret of this (Kilmarnock's Edition).

Scotland recognizes the Historical, Cultural Diversity of her Travelling People then why does Historic Scotland refuse to add this in their criteria?

I could go on but to be honest it should not be necessary. Scotland is well aware of the Travelling man's contribution to his country. The mystery lies in why Historic Scotland 'does not' recognize this.

There is a concentrated movement by certain media to cover a blanket of negativity to disassociate Travellers from our fellow men, to divide us and to alienate us from society, the country of our birth.

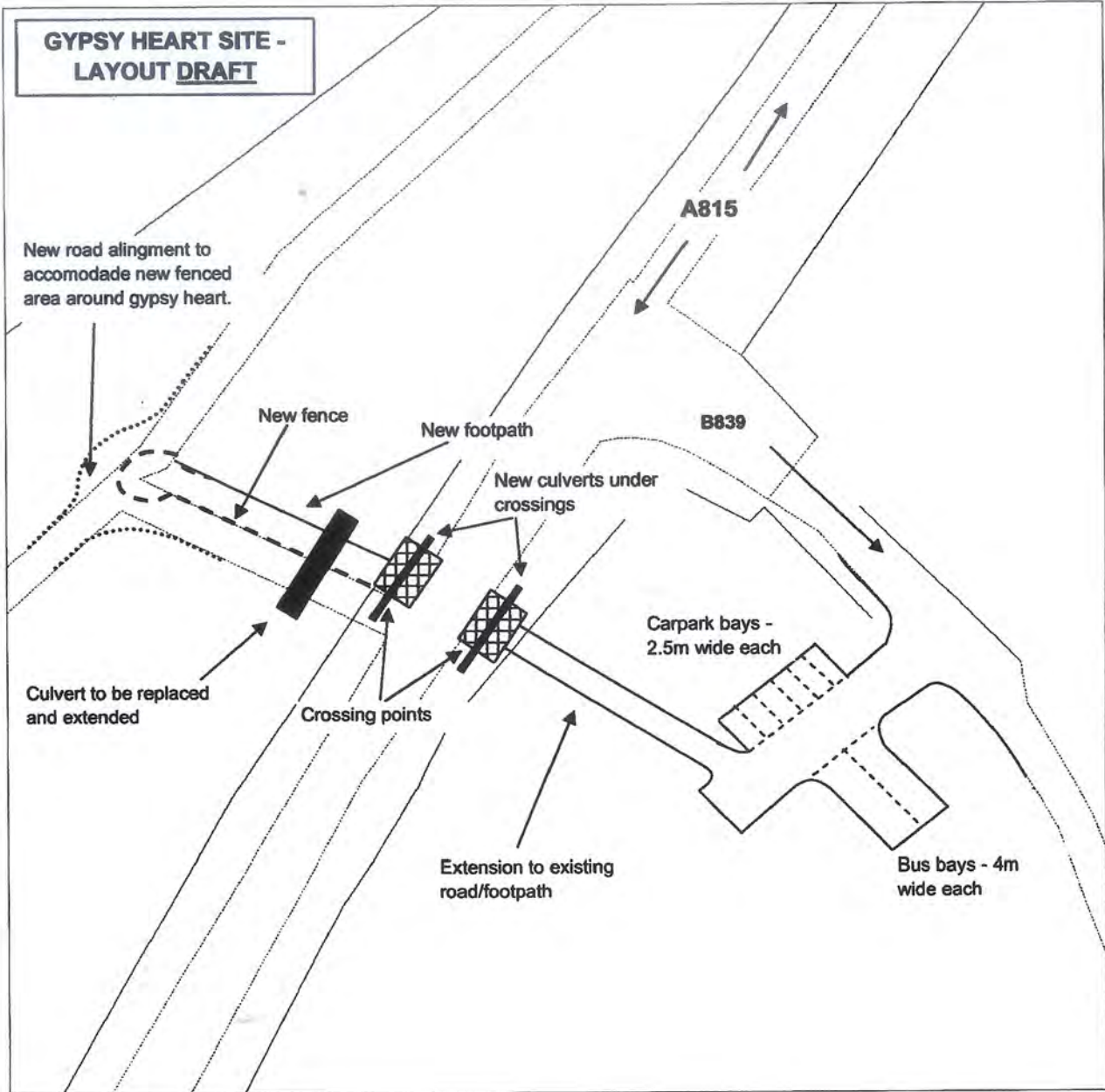
I seriously need to believe that Historic Scotland does not take this kind of attitude to our culture but removes itself from such distractions.

I would be willing to visit and enlighten them. I have written and had published six books. I have also researched the Scottish Traveller history over a long period of time and feel I have enough knowledge in this field.

To give us back our Tinker's Heart would symbolize respect towards the Scottish Travellers. We must not become another lost/forgotten people.

In comparison with the monuments re-instated to the natural American Indians and the Maori's of New Zealand, also the Aboriginal peoples of Australia, the Tinker's Heart is miniscule. It has however the same 'sacred' self-affirmation.

Jess Smith



<p>GYPSY HEART SITE</p> <p>DRAFT LAYOUT</p>	<p>OPERATIONAL SERVICES</p> <p>DIRECTOR:- ANDREW LAW</p>	<p>Argyll Bute COUNCIL</p>
	<p>Scale - NTS</p>	
	<p>Drawing No - GP001</p>	
<p>ROAD and AMENITY SERVICES BUTE and COWAL AREA</p> <p>MILTON HOUSE, MILTON AVENUE, DUNOON, ARGYLL PA23 7DU</p>		